



**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING AGENDA**

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, May 10, 2023
6:30 PM

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www.essexjunction.org

Phone: (802) 878-6944

This meeting will be in-person at 2 Lincoln Street and available remotely. Options to watch or join the meeting remotely:

- **WATCH:** the meeting will be live streamed on [Town Meeting TV](#)
- **JOIN ONLINE:** [Join Zoom Meeting](#)
- **JOIN CALLING:** (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787

1. **CALL TO ORDER** [6:30 PM]
2. **REORGANIZATION**
 - a. Election of President, Vice President and Clerk
3. **AGENDA ADDITIONS/CHANGES**
4. **APPROVE AGENDA**
5. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
6. **BUSINESS ITEMS**
 - a. Discussion and Consideration of the FY24 Wastewater Budget Amendment
 - b. Discussion and Consideration of CSWD/Casella Residuals (Biosolids) Service Agreement Extension
 - c. Discussion of PFAS and Biosolids Letter and Graphic
 - d. Discussion and Consideration of Land Development Code Amendments & Warn a Public Hearing
 - e. Council Orientation Presentation
 - f. Discussion of Council Policy Update Process
 - g. Discussion of Construction Projects
7. **CONSENT ITEMS**
 - a. Approve Check Warrants #17351 (042123); #17352 (042823); and #17353 (050523)
 - b. Approve Minutes: April 26, 2023
 - c. Acting as the Liquor Control Commission: Liquor License Approvals
 - d. *Local Emergency Management Plan Annual Amendment
8. **READING FILE**
 - a. Council & Manager member comments
 - b. Howard Center Community Outreach Report FY23 Q3 Report
 - c. Development Review Board: April 20, 2023
 - d. Bike/Walk Advisory Committee: April 17, 2023
 - e. Brownell Library Trustees: April 18, 2023
9. **EXECUTIVE SESSION**
 - a. * An executive session may be needed to discuss municipal emergency response measures, the disclosure of which could jeopardize public safety

10. **ADJOURN**

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the President. Regarding zoom participants, if individuals interrupt, they will be muted; and if they interrupt a second time they will be removed. This agenda is available in alternative formats upon request. Meetings of the City Council, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the City Manager's office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.

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**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING
MINUTES OF MEETING
May 10, 2023**

COUNCILORS PRESENT: Raj Chawla, President; Amber Thibeault, Vice President; Marcus Certa, Clerk; Andrew Brown, Elaine Haney.

ADMINISTRATION: Regina Mahony, City Manager; Chelsea Mandigo, Water Quality Superintendent; Jess Morris, Finance Director; Chris Yuen, Community Development Director.

OTHERS PRESENT: Dotti Bergendahl, Alise Certa, Bridget Meyer, John J Reid, Jason Struthers, Mike Sullivan, Heidi, RSM, Essex ReTorter – KS.

1. **CALL TO ORDER**

City Manager Mahony called the meeting to order at 6:30 PM.

2. **REORGANIZATION**

a. Election of President, Vice President, and Clerk

City Manager Mahony asked for nominations for President of the Essex Junction City Council.

ANDREW BROWN made a motion, seconded by ELAINE HANEY, to nominate Raj Chawla to be City Council President. The motion passed 5-0.

Councilor Chawla asked for nominations for Vice President of the Essex Junction City Council.

RAJ CHAWLA made a motion, seconded by ELAINE HANEY, to nominate Amber Thibeault to be City Council Vice President. The motion passed 5-0.

Councilor Chawla asked for nominations for Clerk of the Essex Junction City Council.

RAJ CHAWLA made a motion, seconded by ANDREW BROWN, to nominate Marcus Certa to be City Council Clerk. The motion passed 5-0.

3. **AGENDA ADDITIONS/CHANGES**

None.

4. **APPROVE AGENDA**

None needed.

5. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

Dotti Bergendahl asked about the memorandum from April 17, 2023, regarding the Senior Center. She noted that as of January 1, 2024, there will be two senior centers for each the Town of Essex and Essex Junction. She expressed concern that senior hours and programming will be cut back. She asked about the process for hiring an adult activities program director. She expressed concern that the Senior Van will be replaced by SSTA or the bus system and that seniors are not aware of this change and how to access the alternatives.

6. **BUSINESS ITEMS**

a. Discussion and consideration of the FY24 Wastewater Budget Amendment

53 Finance Director Morris began by noting that the budgets for enterprise funds (water, wastewater, and
54 sanitation) are approved by the City Council (not by the voters), as the revenue generated is from user
55 fees, not property taxes. She noted that staff had reviewed the Fiscal Year 2024 budget that was
56 previously approved for wastewater and was presenting an amended budget for approval, as there have
57 been changes in staffing costs and sludge disposal costs that require a budget adjustment. She noted
58 decreases in staffing costs and increases in professional services, communications, and biosolids land
59 applications (sludge disposal). She noted that this results in a 1% increase from the originally approved
60 budget, but with updated flow projections, it will ultimately lead to an overall increase from FY23 of 6.9%
61 (rather than the 8.5% that was originally projected).

62
63 Councilor Certa asked how this rate change would impact Williston and Essex, and Finance Director
64 Morris replied that the other communities are aware of this increase and that each Town has reserve
65 funds that they can use to offset an increase. She also noted that they will have more information on
66 whether the other municipalities will approve this increase later in the spring.

67
68 **ELAINE HANEY made a motion, seconded by ANDREW BROWN, that the City Council approve**
69 **the amended FY24 Wastewater budget as presented. The motion passed 5-0.**

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71 b. Discussion and consideration of CSWD/Casella Residuals (Biosolids) Service Agreement Extension
72 Water Quality Superintendent Mandigo said that the City has a service agreement with Casella through
73 the Chittenden Solid Waste District (CSWD) for biosolids disposal management and that the current
74 contract is expiring in June. She noted that the contract had sheltered the region's facilities from rising
75 disposal costs of biosolids and is recommending that the City extend this contract to continue that
76 agreement.

77
78 Councilor Chawla noted that the contract asks the City to predict whether its biosolids contain PFAS,
79 PFOAS, or other non-conforming waste. Superintendent Mandigo noted that this is a statewide issue
80 and that there are very few other options for biosolids disposal for Vermont.

81
82 Councilor Certa asked if there would be any impacts on this contract from legislative reforms.
83 Superintendent Mandigo replied that it would depend on the reforms coming from the legislature.

84
85 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, that the City Council authorize**
86 **the City Manager to extend the Residuals Management Service Agreement with CSWD/Casella**
87 **for another five-year term. The motion passed 5-0.**

88
89 c. Discussion of PFAS and Biosolids Letter and Graphic
90 Superintendent Mandigo noted that this item is background and further information related to the first
91 two business items. The City Council discussed distributing this to the public and also suggested
92 exploring whether grant funding could be available to help cover the cost of distributing this information.

93
94 d. Discussion and consideration of Land Development Code Amendments & Warn a Public Hearing
95 City Manager Mahony began by noting that the City Council could choose to hold a public hearing on
96 this set of LDC amendments on May 24th, which would give the City a chance to determine whether any
97 legislative changes from the State level to bill S.100 would necessitate further amendments to the LDC.
98 Community Development Director Yuen added that once the amendments are warned for the public
99 hearing, staff must evaluate incoming applications to the old and new standards and will need to
100 temporarily hold them to the higher standards until the LDC amendments are voted on.

Community Development Director Yuen spoke about community engagement and public education activities that staff are conducting around the LDC amendments, including a survey that will be fielded to the public, mailings, and distributions through industry mailing lists. Councilor Haney suggested recording a video to post on Town Meeting TV to summarize the amendments to educate the public. Councilor Certa suggested a summary document to make the changes more digestible for the public and to make community engagement more feasible. City Manager Mahony noted that there is also a summary document that was produced by the Planning Commission.

Community Development Director Yuen then spoke briefly about additional proposed changes to the LDC since the last time the City Council had seen the amendments that were sent to them in August of 2022. These include reinstating conceptual plan review for Planned Unit Developments (PUDs), minor changes to the lighting section of the LDC, changes to sewer regulations, and clarifications on bicycle parking requirements. He noted that changes from S.100 have not yet been incorporated, but there may be more information available to discuss at the City Council's May 24th meeting.

Councilors brought up specific topics within the LDC amendments for discussion. Councilor Certa spoke about minimum parking requirements, asking why the City isn't removing its parking minimums similarly to the approach taken by surrounding municipalities. City Manager Mahony noted that the reduction in parking minimums was to decrease barriers to development and increase the housing supply while recognizing that Vermont is a state where cars are still necessary for many individuals, even in Essex Junction. Councilor Haney asked about Accessory Dwelling Units (ADUs) and whether tiny houses qualify as ADUs. She also asked whether the noise ordinance language is consistent with the nuisance and odor language within the LDC and finally asked about the City's ability to enforce new requirements. Community Development Director Yuen said that tiny homes qualify as ADUs. He said that in terms of nuisance regulations, the LDC does not address issues retroactively but that the City can deal with nuisance through ordinance. City Manager Mahony said that there are a number of ordinances and policies to review and that they will be reviewed in the near future. Councilor Brown asked about lot coverage and how it could potentially be a solution for housing if maximums were increased. He also asked about the feasibility of expanding the height allowance in the Village Center. Community Development Director Yuen replied that lot coverage is definitely a limiting factor for development and would be open to proposed increases. Councilor Brown said that in the R2 district, 50 to 60% maximums could make more sense. Councilor Chawla said it would also be important to look at potential stormwater issues and granting waivers. Councilor Thibeault asked for staff re-review of the fee schedule, and City Manager Mahony said that the fee schedule could be something that is separated from the LDC so that it is reviewed on a more regular basis. Councilor Chawla said that he would like diagonal parking and drive-throughs to be prohibited, as they are dangerous to cyclists and complicated for traffic patterns. He also asked about how single-family and multi-unit buildings will interact in terms of buffer zones. He agreed that examining height limitations and height waivers would be worthwhile. He also asked about stormwater design for future, more intense storms.

e. Council Orientation Presentation

City Manager Mahony began by providing an overview of the demographics of Essex Junction. She noted that the basis for what the City pursues strategically is laid out in its comprehensive plan, which is centered around its Heart & Soul values.

City Manager Mahony spoke about the roles and authority within the City's governance structure, noting that the City has a Council-Manager form of government. She noted that the Council generally carries out mission and some policy work, while the City Manager and staff will execute those through administration and management. She spoke about the Council rules of procedure, boards and committees, transparency, ethics and conflicts of interest, communication with the City Manager and

152 staff, and provided the organization chart for the City. She provided an overview of the City's facilities,
153 an overview of the City's FY24 budget, and an outline of priority projects.

154
155 f. Discussion of Council Policy Update Process

156 City Manager Mahony suggested that the 2014 Communications Policy and the 2009 Trustees' Policy
157 regarding Trustees' Meetings be reviewed by two Councilors and recommendations brought back to the
158 larger Council for consideration. Councilors Haney and Chawla expressed interest in participating in this
159 review.

160
161 g. Discussion of Construction Projects

162 City Manager Mahony spoke about the three upcoming construction projects in the City and their
163 projected timelines. These projects include the Crescent Connector project, the Main Street waterline
164 project, and the Brickyard Road culvert replacement project.

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166 7. CONSENT AGENDA

- 167 a. Approve Check Warrants #17351 (04/21/23); #17352 (04/28/23); and #17353 (05/05/23)
168 b. Approve minutes: April 26, 2023
169 c. Acting as the Liquor Control Commission: Liquor License Approvals
170 d. *Local Emergency Management Plan Annual Amendments

171
172 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, to approve the consent**
173 **agenda as presented. The motion passed 5-0.**

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175 8. READING FILE

- 176 a. Council & Manager member comments: Councilor Certa asked about figures presented within the
177 Howard Center Community Outreach Report, which the Council discussed. Councilor Chawla spoke
178 about issues related to traffic calming, noting that constituents will want to discuss them at future
179 meetings. Councilor Brown spoke about sidewalk conditions and whether local option tax could be
180 utilized to pay for certain segments of sidewalk. City Manager Mahony noted that EJRP took 76 8th
181 graders to Washington DC, where they met Representative Balint, that EJRP provided vacation
182 camp for 120 kids, that the Finance and Public Works Departments took next steps around water
183 and utility billing processes, and that City committee advertisements are going out now.
184 b. Howard Center Community Outreach Report FY23 Q3 Report
185 c. Development Review Board: April 20, 2023
186 d. Bike/Walk Advisory Committee: April 17, 2023
187 e. Brownell Library Trustees: April 18, 2023

188
189 9. EXECUTIVE SESSION

- 190 a. *An executive session may be needed to discuss municipal emergency response measures, the
191 disclosure of which could jeopardize public safety

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193 10. ADJOURN

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195 **ANDREW BROWN made a motion, seconded by RAJ CHAWLA, to adjourn the meeting. The**
196 **motion passed 5-0 at 9:50 P.M.**

197
198 Respectfully Submitted,
199 Amy Coonradt