



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

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, May 24, 2023
6:30 PM

E-mail: admin@essexjunction.org

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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. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
5. **BUSINESS ITEMS**
 - a. Discussion of Community Vision & Strategic Action Plan RFP
 - b. Discussion and Consideration of Large Water User Rate Policy & Warn Public Hearing
 - c. Discussion and Consideration of Land Development Code Amendments: Sewer Connection Fees
 - d. Discussion and Consideration of Land Development Code Amendments & Warn a Public Hearing
 - e. Discussion and Consideration of Regional Committee Appointments
6. **CONSENT ITEMS**
 - a. Approve Check Warrants #17354 (051223)
 - b. Approve Minutes: May 10, 2023
 - c. Acting as the Liquor Control Commission: Liquor License Approvals
 - d. Annual Appointments of City Clerk, City Attorney, and Audit Firm
 - e. Concurrence with the Intersection of Susie Wilson Road & Rte 15 Improvement
 - f. Champlain Valley Gem, Mineral, and Fossil Show Banner Application
 - g. Block Party Application Hiawatha Ave
7. **READING FILE**
 - a. Council & Manager member comments
 - b. April 2023 Financial Reports
 - c. Juneteenth Flyer
 - d. Planning Commission: May 4, 2023
 - e. Bike/Walk Advisory Committee: May 15, 2023
 - f. Tree Advisory Committee: April 18, 2023; May 16, 2023
8. **EXECUTIVE SESSION**
 - a. None anticipated
9. **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 24, 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; Ashley Snellenberger, Communications & Strategic Initiatives Director; Chris Yuen, Community Development Director.

OTHERS PRESENT: Dan Kerin, Jeffrey Kerschner, Ken, RSM.

1. **CALL TO ORDER**

Councilor Chawla called the meeting to order at 6:30 PM.

2. **AGENDA ADDITIONS/CHANGES**

None.

3. **APPROVE AGENDA**

No approval needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

None.

5. **BUSINESS ITEMS**

a. Discussion of Community Vision & Strategic Action Plan RFP

Communications & Strategic Initiatives Director Snellenberger said this is the result of feedback from the draft RFP discussed at a City Council meeting in April. She said she incorporated that feedback into a revised draft RFP for discussion tonight. She said that she would also like the City Council to select one or two of its members to be on the consultant selection committee and help out with the initial stages of the RFP process.

Councilors provided feedback on the revised draft RFP. Councilor Haney suggested that the RFP scope of work reference the six Heart & Soul values that were previously identified by the community and included in the Comprehensive Plan. Councilor Brown suggested that the evaluation criteria be revised to include more of an emphasis on engaging underrepresented populations and obtaining feedback from a representative sample of the community. Councilor Chawla suggested also involving boards and committees as well as City Councilors in this work. Councilors Brown and Certa volunteered to serve on the selection committee.

b. Discussion and Consideration of Large Water User Rate Policy & Warn Public Hearing

Finance Director Morris noted that the City has a policy that defines the process for setting the large water user rate that was developed in 2008, which states that two public hearings need to be held to establish rate changes. She said that the City's only large water user is Global Foundries and that they are amenable to modifying that policy to only require one public hearing. She requested that the Council approve this change and modify the schedule such that the public hearing on this topic is on June 28, 2023.

53 Councilors provided feedback on this proposed change. Councilor Certa asked how this particular public
54 hearing would impact the community and from whom the City is soliciting feedback at the public hearing.
55 Finance Director Morris replied that this hearing and change would affect one user (Global Foundries)
56 but that it does have impacts for other ratepayers, as the calculation of water rates includes the large
57 users and other users. She also noted that the rate is part of the entire budget process and is presented
58 to the public and ratepayers prior to this proposed public hearing.
59

60 **ANDREW BROWN made a motion, seconded by AMBER THIBEAULT, that the Council warn the**
61 **large water user rate public hearing for June 28, 2023. The motion passed 5-0.**
62

63 **ANDREW BROWN made a motion, seconded by AMBER THIBEAULT, that the Council approve**
64 **the revised Large Volume Water User Rate Setting Policy as amended. The motion passed 5-0.**
65

66 c. Discussion and Consideration of Land Development Code Amendments: Sewer Connection Fees
67 City Manager Mahony began by noting that the City is proposing to take the fee schedule out of the LDC
68 so that it is a separate document and is easier to amend. She said that this first agenda item on the LDC
69 is a new topic and did not come from the Planning Commission in their set of amendments on the LDC.
70

71 Water Quality Superintendent Mandigo spoke about this particular amendment (to sewer connection
72 fees) in more detail. She said that after examining surrounding municipalities' sewer connection fees
73 and fee methodologies, the City has determined that there are missed opportunities in terms of revenue-
74 boosting, as the City's connection fees are lower than those of other neighboring municipalities and the
75 City does not assess fees based on gallons used per day. She said that this is also timely given that a
76 number of development projects will be located on Pearl Street and will use the West Street pump
77 station, which needs replacement in the next five years. She outlined two proposed options for updating
78 the fee methodology, which include using an average of the Williston/Essex rates or using rates
79 established by averages for other surrounding municipalities. Councilor Chawla noted that part of this is
80 due to the fact that the City's sewer allocation is finite and that a number of large developments will be
81 coming online that will take a large chunk of that allocation and will result in more frequent wear and tear
82 on existing infrastructure.
83

84 Councilors provided feedback on the proposed options. Councilor Certa asked whether staff felt this
85 would encourage or negatively impact development. City Manager Mahony said that at this stage,
86 development is not impacted by sewer allocation fees and that the City should be collecting fees based
87 on its capital needs. Councilor Haney asked whether charging more would disincentivize residents from
88 expanding their dwellings' footprints through the construction of Accessory Dwelling Units (ADUs) and
89 whether the lower rate could be maintained for residential-only. Water Quality Superintendent Mandigo
90 said that a lower rate could be charged for residential-only. Councilor Chawla asked if there are
91 significant differences between how Williston operates and develops its rates and how the City would if
92 it is looking to adopt similar approaches to its rate development. Water Quality Superintendent Mandigo
93 replied that she feels confident that the data the City is looking at from Williston is a good fit for the City.
94

95 **ANDREW BROWN made a motion, seconded by AMBER THIBEAULT, that the City Council**
96 **authorize staff to amend the sewer connection fee to be a rate of \$7.19 X gallon/day and create**
97 **an allocation fee of \$12.80 X gallon/day as part of the current LDC changes. The motion passed**
98 **4-1 (Councilor Certa dissenting).**
99

100 d. Discussion and Consideration of Land Development Code Amendments & Warn a Public Hearing
101 Community Development Director Yuen discussed various amendments to the LDC. He noted that staff
102 had asked the City Council to consider LDC amendments at its May 10, 2023, meeting in addition to

103 those that were approved by the Planning Commission in August of 2022. The May 10 amendments
104 were to: reinstate conceptual plan review for Planned Unit Developments (PUDs), make minor changes
105 to the lighting section of the LDC around pedestrian path lighting, make changes to the sewer allocation
106 section of the LDC, and clarify bicycle parking requirements.
107

108 Community Development Director Yuen also noted that there are additional LDC amendments that are
109 the result of the passage of S.100 at the State level and that these amendments include changes
110 pertaining to allowing fourplexes as well as creating additional affordable housing density and height
111 bonuses of 40% and one additional story, respectively. Councilor Chawla asked that ancillary impacts
112 of the fourplex requirement be examined, such as additional dumpster requirements and parking issues.
113 Community Development Director Yuen said that parking requirements would still need to be met,
114 regardless of the number of units in a building. Councilor Brown said that he would like to amend the
115 Village Center height requirements to allow for a maximum of six stories (which in turn could be seven
116 stories with the affordable housing height bonus). Councilor Haney said that she is not in favor of
117 allowing this additional height allowance and that it could have traffic, infrastructure, and congestion
118 impacts. Councilor Chawla said he is concerned about how any of these big changes would impact the
119 houses and residences along the borders of these zoning districts. He said that further analysis in more
120 detail of the impacts of increased density on neighborhoods would be extremely important and that there
121 is funding that could become available through the Transit Oriented Development (TOD) work to conduct
122 these analyses. The Council discussed whether to include the density/height bonuses in its current
123 round of amendments or whether it will take no action now (and pursue an additional amendment to
124 meet this requirement by December 1, 2024). Councilor Haney said that this change is significant
125 enough to warrant additional public input before it is included as an amendment. City Manager Mahony
126 advised including it now, as the timeline for making separate amendments is long. The Council decided
127 to include the provision for one extra story as a bonus in its current LDC amendments.
128

129 Community Development Director Yuen provided an overview of amendments that were included in the
130 original LDC amendment package but will now be required through S.100 to comply with State statute.
131 These include minimum parking requirements of one space per unit for any district served by municipal
132 water and sewer (with which the current LDC amendments already comply) and ADU requirements that
133 allow them to be up to 30% of the habitable floor space or 900 sq. ft. of the related single-family dwelling
134 (with which the current LDC amendments also already comply).
135

136 Community Development Director Yuen also updated the Council on research he had conducted on
137 drive-through facilities, which came from a request at the May 10th meeting. He noted that drive-through
138 banks are permitted in the Village Center district and that drive-through restaurants are allowed in the
139 Highway-Arterial District and the Transit-Oriented Development District. He said that the City Council
140 should provide direction on the future of the topic. Councilor Haney suggested maintaining the status
141 quo and not allowing more drive-throughs in the Village Center. Councilor Chawla said that drive-
142 throughs are not conducive to higher walking and higher-density areas. He said it may be good for the
143 Planning Commission to reexamine this issue. Councilor Certa expressed support for asking the
144 Planning Commission to reexamine this. The Council expressed support for disallowing drive-throughs
145 in the Village Center district (and grandfathering in existing drive-throughs) and asking the Planning
146 Commission to examine the issue of drive-throughs in other districts.
147

148 Community Development Director Yuen spoke about the LDC amendment that would remove the 15-
149 foot buffer between multi-family and single-family uses in the Village Center district. The Council agreed
150 with this proposed change.
151

152 Community Development Director Yuen then noted that lot coverage requirements can be a limiting
153 factor for development, even if additional dwelling units are now being allowed in the R1 and R2 zoning
154 districts. He noted that the current LDC amendments would keep lot coverage requirement maximums
155 at 40% while increasing the maximum lot coverage for buildings from 25% to 30%. He said that the
156 Council could consider maintaining the amendments as written or could increase the maximum lot
157 coverage requirements to 50% in the R2 district, which would mirror how Winooski approaches its lot
158 coverage requirements. Councilor Chawla said that increasing this requirement could incentivize the
159 development that the City is looking to encourage. Councilor Brown suggested continuing with the
160 amendments as written by the Planning Commission and waiting for the Transit Oriented Design grant
161 to help inform future decisions.

162
163 The Council discussed public engagement and education, recommending that staff develop material on
164 how the S.100 LDC changes will impact residents and the community.

165
166 RSM spoke about density, noting that if the City pursues higher density in the Village Center, it needs
167 to also ensure that there are basic amenities (such as grocery stores) within walking distance.

168
169 Councilor Thibeault provided friendly amendments to the public hearing notice related to the LDC
170 amendments.

171
172 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, that the City Council approve**
173 **the additional changes to the Land Development Code Amendments as discussed. The motion**
174 **passed 5-0.**

175
176 **ANDREW BROWN made a motion, seconded by ELAINE HANEY, that the City Council warn a**
177 **Public Hearing on the LDC Amendments for June 14, 2023, at 6:30 pm. The motion passed 5-0.**

178
179 e. Discussion and Consideration of Regional Committee Appointments
180 City Manager Mahony noted that there are a number of regional boards with City representation and
181 that some of them will need to be re-appointed shortly. Regional committees include the Chittenden
182 County Communications Union District, the Chittenden County Regional Planning Commission, the
183 Chittenden Solid Waste District, Green Mountain Transit, Town Meeting TV, the Champlain Water
184 District, and the Winooski Valley Parks District. More locally focused committees with City representation
185 also include the Tri-Town Committee on Sewage and the Capital Program Review Committee. Further,
186 there are two CCRPC committees that also need representation, including the Transportation Advisory
187 Committee and the Clean Water Advisory Committee. Councilor Thibeault suggested posting the
188 Communications Union District position in order to free up bandwidth for City Manager Mahony, and
189 Councilor Haney recommended advertising the Winooski Valley Park District position at the Bike/Walk
190 Advisory Committee and other committees to drum up any interest.

191
192 **RAJ CHAWLA made a motion, seconded by ANDREW BROWN, that the Council appoint the**
193 **following positions: • Chittenden County Regional Planning Commission: Elaine Haney as**
194 **Representative and Dan Kerin as Alternate; Chris Yuen to the Transportation Advisory**
195 **Committee; and Chelsea Mandigo to the Clean Water Advisory Committee. • Town Meeting TV:**
196 **Amber Thibeault as Representative and Marcus Certa as Alternate. The motion passed 5-0.**

197
198 6. **CONSENT AGENDA**

- 199 a. Approve Check Warrants #17354 (05/12/23)
200 b. Approve Minutes: May 10, 2023
201 c. Acting as the Liquor Control Commission: Liquor License Approvals

- d. Annual Appointments of City Clerk, City Attorney, and Audit Firm
- e. Concurrence with the Intersection of Susie Wilson Road & Rte 15 Improvement
- f. Champlain Valley Gem, Mineral, and Fossil Show Banner Application
- g. Block Party Application Hiawatha Ave

ELAINE HANEY made a motion, seconded by ANDREW BROWN, to approve the consent agenda as presented. The motion passed 5-0.

7. **READING FILE**

- a. Council & Manager member comments: City Manager Mahony acknowledged the bad condition of the West Street extension sidewalk and said that the City would conduct some interim repairs and a more in-depth sidewalk inventory, which will be given to the Capital Planning Review Committee and prioritized. She also noted that the City received a \$17,000 settlement check from Monsanto, which they will use for stormwater utility consulting services. She noted that the Memorial Day parade will start at 10:00 AM on May 29th. She noted a new program on Town Meeting TV called Junction City News, which will occur every fourth Monday at 5:25 PM. She provided an update on staff vacancies and recruitment. She noted that the motel voucher program will be ending on July 1. Councilor Chawla asked the Council to be thinking about how the City can offer transitional assistance during this time as that program sunsets.
- b. April 2023 Financial Reports
- c. Juneteenth Flyer
- d. Planning Commission: May 4, 2023
- e. Bike/Walk Advisory Committee: May 15, 2023
- f. Tree Advisory Committee: April 18, 2023; May 16, 2023

8. **EXECUTIVE SESSION**

- a. None anticipated

9. **ADJOURN**

ANDREW BROWN made a motion, seconded by MARCUS CERTA, to adjourn the meeting. The motion passed 5-0 at 9:23 P.M.

Respectfully Submitted,
Amy Coonradt