



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

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, June 28, 2023
6:30 PM

E-mail: admin@essexjunction.org

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. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
5. **RECOGNITION**
 - a. Resolution of Appreciation for Howard Kimball
6. **PUBLIC HEARING**
 - a. Public Hearing on Large Water Utility Rate
 - b. Public Hearing on Park Ordinance Amendments
7. **BUSINESS ITEMS**
 - a. Conversation with the Essex Community Historical Society
 - b. Discussion and Consideration of FY24 Utility Rates
 - c. Discussion and Consideration of Park Ordinance Amendments
 - d. *Interviews and Consider Appointments to the Bike Walk Committee, Capital Review Committee, Development Review Board, Planning Commission, and Tree Advisory Committee
8. **CONSENT ITEMS**
 - a. Approve Check Warrants #17359 (061623); #17360 (062323)
 - b. Approve Minutes: June 14, 2023
 - c. Acting as the Liquor Control Commission: Liquor License Approvals
 - d. Approve Champlain Water District Easement Transfer
 - e. Approve Brickyard Change Order
 - f. Approve Crescent Connector Change Order
 - g. Approve Whitcomb Farm Tax Stabilization
 - h. Approve Fee Schedule Correction
9. **READING FILE**
 - a. Council & Manager member comments
 - b. May 2023 Financial Reports
 - c. Brownell Library Staff and Directors Report May 2023
 - d. Planning Commission: June 8, 2023

(continued on next page)

10. **EXECUTIVE SESSION**

- a. *An executive session may be needed for the appointment of public officials

11. **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.

CITY OF ESSEX JUNCTION
CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 28, 2023

COUNCILORS PRESENT: Amber Thibeault, Vice-President; Andrew Brown; Marcus Certa, Elaine Haney

ADMINISTRATION and STAFF: Regina Mahoney, City Manager; Brad Luck, Recreation Director; Chelsea Mandigo, Water Quality Superintendent; Jess Morris, Finance Director

OTHERS PRESENT: John Alden, Meg Armstrong, Phil Bieber, Andrew Boutin, Heidi Clark, Kevin Collins, Jerry Fox, Celeste Girrell, Ann Gray, Christopher Kline, Nick Meyer, Tim Miller, Russ Miller-Johnson, Mike Plageman, Justin Rabidoux, Steve Rivard, Patrick Scheld, Andrew, RSM

1. CALL TO ORDER

Ms. Thibeault called the meeting of the City Council to order at 6:30 PM.

2. AGENDA ADDITIONS/ CHANGES

Ms. Thibeault requested that consent item 8b, Approve Minutes: June 14, 2023, be discussed as Business Item 7e.

3. APPROVE AGENDA

MARCUS CERTA made a motion, seconded by ANDREW BROWN, to approve the agenda as amended. Motion passed 3-0 (Elaine Haney not in attendance).

4. PUBLIC TO BE HEARD

a. Comments for Public on Items not on Agenda

None.

5. RECOGNITION

a. Resolution of Appreciation for Howard Kimball

Ms. Mahoney said that Mr. Kimball has worked for the Wastewater Treatment Facility for the past 39 years and will retire in July. Ms. Mandigo said that Mr. Kimball has done an excellent job maintaining essential lab processes and is the second longest-tenured employee ever to work for the department. Mr. Certa read the following resolution to the record:

WHEREAS Howard Kimball was hired by the City of Essex Junction as Wastewater Operator on December 17, 1984;

WHEREAS Since that time, Howard's attention to detail and in-depth knowledge in wastewater treatment has led him to be the lead operator conducting daily and weekly permit required laboratory tests for over 30 years;

WHEREAS Howard will retire on July 7, 2023, with 39 years of dedicated service, leadership, knowledge, and experience at the Wastewater Treatment Facility;

WHEREAS Annually, Howard conducted and passed Environmental Protection Agency tests, certifying the facility's laboratory to continue internal operations. He also served as an early member for the Department of Environmental Conservation Lab Standards Committee, providing important input to lab methods still used at wastewater facilities today;

49 WHEREAS Howard was a founding member of the City’s Employee Association, participating in
50 several rounds of contract negotiations and served as President of the Association for over ten years;
51 WHEREAS Howard was an active member of several trade organizations, including the New
52 England Water Environment Association and Green Mountain Water and Environment Association,
53 where he helped organize bus trips for wastewater operators to tour Deer Island (Boston’s
54 Wastewater Treatment Facility); he was a member of the operations team called Sewer Marines
55 representing Vermont and New England at regional and national wastewater operation challenge
56 competitions, placing in several categories;
57 WHEREAS Howard received the Andrew Fish Laboratory Excellence Award from Green Mountain
58 Water Environment Association for exceptional performance in lab operations in 2008;
59 WHEREAS Howard’s dedication, tidiness, passion for process control, and historical knowledge of
60 the facility’s will be tremendously missed;
61 NOW, THEREFORE BE IT RESOLVED
62 On this day, Wednesday, June 28th, 2023, the Essex Junction City Council expresses its appreciation
63 to Howard for his dedicated career at the Essex Junction Wastewater Facility. We thank you for
64 your time and service to our community.
65

66 Motion by ANDREW BROWN, seconded by MARCUS CERTA, to approve the Resolution of
67 Appreciation for Howard Kimball. Motion passed 3-0 (Elaine Haney not in attendance).
68

69 **6. PUBLIC HEARING**

70 **a. a. Public Hearing on Large Water Utility Rate**

71 Ms. Morris said the FY24 proposed combined rates represent a 12.1% increase over the FY23 rates. She
72 detailed the fixed and usage charges for each fund and the increases to the wastewater wholesale and large
73 user rate. This information has also been sent directly to Global Foundries, the sole customer for this rate.
74 Answering a question from Mr. Certa, Ms. Morris said that the standard for becoming a large user is based
75 on the amount of usage. Ms. Thibeault requested public comment, of which there was none.
76

77 **b. Public Hearing on Park Ordinance Amendments**

78 Mr. Luck said that the current park ordinances are very outdated and in need of updates. Changes to the
79 documents have been included based on City Council and legal feedback. Major changes include:
80 permitting leashed dogs at public parks, changes to smoking regulations, verbiage regarding drones/metal
81 detectors, and permitting caterers to serve beer/wine at specific events. The possibility of allowing hard
82 alcohol was discussed, and all Councilors indicated their support for this. As a result, the ordinance was
83 changed to specify alcohol rather than beer/wine. Ms. Thibeault requested public comment, and Ms.
84 Morris asked about the insurance requirements for alcohol vendors. Mr. Luck pointed her to a section in
85 the ordinance that details these requirements. Mr. Boutin asked if private security or police would be used
86 for events with alcohol. Mr. Luck said that recreation staff and the caterer’s staff would manage
87 compliance with regulations and that it would be unlikely that the police would be needed.
88

89 **7. BUSINESS ITEMS**

90 **a. Conversation with the Essex Community Historical Society**

91 Ms. Gray, a Board Member of the Essex Community Historical Society, presented to the Council. She said
92 that the Historical Society plans to support both the City and Town in the coming years and take steps to
93 ensure that both communities are represented. She discussed the progress of the renovations to the Water
94 Tower, as well as fundraising initiatives and other projects. Ms. Thibeault requested public input. Mr.
95 Brown asked how members of the public could learn more about the Historical Society, and Ms. Gray

96 encouraged residents to visit the Harriet Powell Museum or visit their website. Ms. Haney congratulated
97 the Historical Society for their hard work on fundraising for the water tower renovations.
98

99 **b. Discussion and Consideration of FY24 Utility Rates**

100 Ms. Thibeault requested public comment, of which there was none.
101

102 **ANDREW BROWN made a motion, seconded by ELAINE HANEY, that the City Council approve**
103 **the FY24 utility rates as presented. Motion passed 4-0.**
104

105 **c. Discussion and Consideration of Park Ordinance Amendments**

106 The Board decided that the document could be approved with this evening's changes. Ms. Thibeault
107 requested comments from the Council and public, of which there were none.
108

109 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, to approve the updates to the**
110 **Essex Junction Municipal Ordinances, Chapter 3: Regulation of Public Parks, as amended. Motion**
111 **passed 4-0.**
112

113 **d. Interviews and Consider Appointments to the Bike Walk Committee, Capital Review Committee,**
114 **Development Review Board, Planning Commission, and Tree Advisory Committee**

115 Ms. Thibeault said that interviews could be conducted in Executive Session if requested. Ms. Mahoney
116 said that the two Boards with more applicants than positions are the Tree Advisory Committee and the
117 Capital Review Committee.
118

119 **Bike/Walk Advisory Committee**

120 Mr. Bieber said that he believes that biking and walking are good for businesses and the development of
121 relationships between neighbors. Mr. Certa asked Mr. Bieber for an example of where the City could
122 improve on bike and walkability and an example of something that another community does that Essex
123 Junction could emulate. Mr. Bieber said that Essex Junction could develop more innovative bike
124 accommodations and described small rotaries in Portland, Oregon. Mr. Brown said that it might take many
125 years for ideas to be implemented and asked Mr. Bieber if he felt he could work with this. Mr. Bieber said
126 he was amenable.
127

128 Mr. Miller-Johnson said that he is a long-time bike commuter and an engineer. Mr. Certa asked Mr.
129 Miller-Johnson for an example of where the City could improve on bike and walkability and an example of
130 something that another community does that Essex Junction could emulate. Mr. Miller-Johnson suggested
131 having secure bike parking at events as well as improving connectivity and ease of biking.
132

133 **Capital Review Committee**

134 Mr. Collins said that he is a past member of the Capital Review Committee, but his employer had requested
135 that he step aside. His employment status has now changed, and he is interested in rejoining. Mr. Certa
136 asked Mr. Collins what he feels is the most important criteria in prioritizing projects. Mr. Collins said that
137 the scoring matrix is essential. He also spoke of a desire for increased prioritization of sidewalks. Ms.
138 Haney asked Mr. Collins if he felt that the matrix needed to be adjusted, and he said that it is an ongoing
139 process.
140

141 Mr. Plageman said that he is impressed by the ranking system for capital projects. He said that he enjoys
142 public service and has the time and energy to give to this committee. Ms. Haney asked Mr. Plageman

143 about his previous experience serving on Boards, and he mentioned his work serving on the police station
144 committee as well as his experience working as a business owner for a general contracting service.

145

146 Mr. Rabidoux discussed his previous volunteer experience, both municipal (Public Works Review
147 Committee and Police Department Committee) and through his church. Ms. Haney asked Mr. Rabidoux to
148 share his professional background. He said that he is an engineer who has municipal experience as a
149 Public Works Director and is now working in water consulting.

150

151 **Development Review Board**

152 Mr. Alden said that the current Development Review Board (DRB) has several projects in front of them
153 and is a new Board with new staff. Mr. Certa noted that Mr. Alden expressed a desire for more joint
154 meetings in his application and asked what could be done to improve cohesion and communication. Mr.
155 Alden said that quarterly or biannual meetings with the City Council and Planning Commission would be
156 helpful to disseminate information and share goals.

157

158 **Planning Commission**

159 Mr. Scheld said that he is looking forward to the work of creating the first city plan. Ms. Haney lauded the
160 Planning Commission for their hard work on code updates and asked Mr. Scheld for his thoughts on new
161 state planning legislation (S100). He said that he hopes that it can serve to increase housing affordability
162 and inclusion. Mr. Certa asked what Mr. Scheld thought would help increase communications between
163 committees, and he said that collaboration and the development of a joint vision are important. Mr. Brown
164 said that he greatly appreciates the work that the Planning Commission and DRB have done since their
165 implementation.

166

167 Ms. Thibeault called for a five-minute recess.

168

169 **Tree Advisory Committee**

170 Ms. Girrell said that she owned land used for forestry and that her significant other was a farmer. She said
171 that she is interested in native plants and is concerned about invasive species and environmental support for
172 aging trees. Ms. Thibeault asked Ms. Girrell if she is open to serving on both the Tree Advisory
173 Committee (TAC) and the Community Advisory Board (which she has also applied for). Ms. Girrell said
174 that she was happy to serve on both. Mr. Brown said that the TAC is very hands-on and does a lot of
175 planting. Ms. Girrell indicated her enthusiasm for this work.

176

177 Mr. Meyer said that he has served on the TAC for ten years. He said that the TAC had made a lot of
178 progress and lauded the support of the committee members, staff, and volunteers. He said that the TAC
179 had planted 260 trees and now raises their own street trees. He detailed the events and educational
180 opportunities provided by the committee and expressed a desire for the TAC to take more of a role in
181 design review. He said that he hopes that the City can collect funds from developers who do not plant on
182 their property, in line with the Land Development Code. Mr. Certa asked Mr. Meyer what he thought of
183 forestation within the City, such as Steven's Park. He discussed improving outdoor amenities.

184

185 Mr. Rivard said that he has energy and passion for tree canopy in the City of Essex Junction. Ms. Haney
186 asked about ash tree removal in the City, and Mr. Rivard discussed the large number of these trees in Essex
187 Junction.

188

189 **e. Approve Minutes: June 14, 2023**

Ms. Thibeault requested changes to the minutes to clarify that it was Ms. Kransy, not Ms. Gragg, that was interviewed in the fourth paragraph of Business Item 6a, “Interviews and Consider Appointments to the Community Advisory Board.”

Motion by MARCUS CERTA, seconded by ANDREW BROWN, to approve the minutes as amended. Motion passed 4-0.

8. CONSENT ITEMS

Motion by ANDREW BROWN, seconded by MARCUS CERTA, to approve the consent agenda. Motion passed 4-0.

- a. Approve Check Warrants #17359 (061623); #17360 (062323)**
- b. Approve Minutes: June 14, 2023**
- c. Acting as the Liquor Control Commission: Liquor License Approvals**
- d. Approve Champlain Water District Easement Transfer**
- e. Approve Brickyard Change Order**
- f. Approve Crescent Connector Change Order**
- g. Approve Whitcomb Farm Tax Stabilization**
- h. Approve Fee Schedule Correction**

9. READING FILE

a. Council member comments: Ms. Haney thanked the Whitcomb Family for providing public access to their property, noting that it is the only agricultural land in the City. Ms. Mahoney said the Main Street Water Line project will start on July 10. The City Offices will be open to the public next week, and the Clerk’s Office will return to 2 Lincoln Street. The City has successfully migrated off of the Town’s IT infrastructure. She described upcoming recreation and library events. Mr. Brown lauded staff for their hard work, untangling agreements with the Town of Essex.

- b. May 2023 Financial Reports**
- c. Brownell Library Staff and Directors Report May 2023**
- d. Planning Commission: June 8, 2023**

10. EXECUTIVE SESSION

a. An executive session may be needed for the appointment of public officials
Motion by ANDREW BROWN, seconded by MARCUS CERTA, move that the City Council enter into executive session to discuss appointment of public officials, pursuant to 1 V.S.A. § 313(a)(3) to include the City Manager. Motion passed 4-0.

Motion by MARCUS CERTA, seconded by ANDREW BROWN, to exit Executive Session at 8:36 PM.

Motion by MARCUS CERTA, seconded by ELAINE HANEY, to appoint Philip Bieber and Russ Miller-Johnson to the Bike/Walk Advisory Committee.

Motion by MARCUS CERTA, seconded by ELAINE HANEY, to appoint Kevin Collins, Michael Plageman, and Justin Rabidoux to the Capital Review Advisory Committee.

Motion by MARCUS CERTA, seconded by ELAINE HANEY, to appoint John Alden to the Development Review Board.

238 **Motion by MARCUS CERTA, seconded by ELAINE HANEY, to appoint Patrick Scheld to the**
239 **Planning Committee.**

240
241 **Motion by MARCUS CERTA, second by ELAINE HANEY, to appoint Nick Meyer and Steve**
242 **Rivard to the Tree Advisory Committee.**

243
244 **11. ADJOURN**

245 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, to adjourn. Motion passed 4-0**
246 **at 8:39 PM.**

247
248 Respectfully Submitted,
249 Darby Mayville
250 Recording Secretary

251
252