



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

Online & 2 Lincoln St.  
Essex Junction, VT 05452  
Wednesday, September 13, 2023  
**6:30 PM**

E-mail: [admin@essexjunction.org](mailto:admin@essexjunction.org)

[www.essexjunction.org](http://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. **BUSINESS ITEMS**
  - a. Discussion and Consideration of GOP Civil Board of Authority Request
  - b. Discussion and Consideration of Authorization of Construction Manager award for the 2 Lincoln Renovation with ARPA Funds
  - c. Discussion of Engagement Goals for the Council
  - d. Discussion of FY25 Budget Goal Setting
  - e. \*Discussion regarding the City Manager Annual Evaluation
6. **CONSENT ITEMS**
  - a. Approve Check Warrants #24005 (082223); #24006 (082523); #24007 (090823)
  - b. Approve Minutes: August 23, 2023; and August 30, 2023
  - c. Approve Essex High School Homecoming Bonfire
  - d. Approve Brickyard Culvert Change Order #2
7. **READING FILE**
  - a. Council Member & Manager Comments
  - b. August 2023 Financials
  - c. Wastewater Discharge Incident Report
  - d. Letter of Collaboration Regional Technology and Innovation Hub
8. **EXECUTIVE SESSION**
  - a. \*An executive session may be needed to discuss the evaluation of an employee
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.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

**CITY OF ESSEX JUNCTION  
CITY COUNCIL  
REGULAR MEETING  
MINUTES OF MEETING  
September 13, 2023**

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

**ADMINISTRATION:** Regina Mahony, City Manager; Susan McNamara-Hill, Clerk; Jess Morris, Finance Director; Harlan Smith, Interim Buildings Coordinator; Ashley Snellenberger, Communications & Strategic Initiatives Director;

**OTHERS PRESENT:** John Alden, Diane Clemens, Annie Cooper, Christopher Kline, Resa Mehren,

1. **CALL TO ORDER**

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

2. **AGENDA ADDITIONS/CHANGES**

None.

3. **APPROVE AGENDA**

None needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

Diane Clemens asked when the City Council will be discussing sandwich boards and other code violations. City Manager Mahony replied that the City intends to ramp up the code enforcement discussion once the new City Planner is onboarded and settled.

Annie Cooper said that as strategic conversations gain momentum, she urged the City Council and City staff to stay connected with each other and with the public, to keep everyone as informed as possible.

5. **BUSINESS ITEMS**

a. Discussion and Consideration of GOP Civil Board of Authority Request

City Manager Mahony noted that the City Clerk received a request from the Essex Junction Republican Party that the City Council appoint three additional seats on its Board of Civil Authority (BCA) for election purposes. She noted that there are currently no Republicans on the BCA, and that in line with statute, underrepresented parties can request (and that the legislative body shall) the appointment of up to three nominees.

Ms. Clemens asked how long the term is for this type of appointment on the BCA. Clerk McNamara-Hill replied that according to the Secretary of State's office's Director of Elections, this term should extend until the next term of the elected Justices of the Peace (January of 2025).

Resa Mehren asked whether these appointments would have an impact on how the Governor chooses to fill the open position, given that the party of the vacated position puts forth names for appointment. Councilor Chawla replied that the Governor can choose to appoint one of these nominations, but does not necessarily need to follow them.

**ELAINE HANEY made a motion, seconded by MARCUS CERTA, that the City Council appoint Deborah Billado, Katherine M. Stebbins and George Findlay as members of the board of civil authority for election matters according to the provisions of 17 V.S.A. §2143, with a term expiring on January 31, 2025. The motion passed 5-0.**

54  
55 b. Discussion and Consideration of Authorization of Construction Manager award for the 2 Lincoln  
56 Renovation with ARPA Funds  
57 City Manager Mahony began by noting that at its last discussion in April, the City Council's next step for  
58 this project was to have staff prepare a proposal to hire a construction manager, who would review the  
59 budget, plans, and schedule, in order to get the most accurate cost estimates. She noted that there were  
60 two bidders, both with strong proposals, and that staff and consultants are recommending the selection  
61 of the Bread Loaf Corporation as the apparently successful bidder. She noted that Bread Loaf was the  
62 lowest bidder. She spoke to the timeline, noting that they hope to move this forward over the next several  
63 months, with construction on 2 Lincoln Street to begin in January and completion in August (though this  
64 is pending supply chain issues and other dependencies). She broke down the cost proposal for the  
65 Construction Manager scope of work, noting that other than the fixed lump sum of \$5,000 for  
66 preconstruction phase services, the remainder of the cost of the contract is variable depending on what  
67 the Guaranteed Maximum Price of the construction project is and how long the project takes. She noted  
68 that the City would use ARPA funds for this, which need to be obligated by December 2024 and used  
69 by December 2026.

70  
71 Councilor Brown noted that there were seven companies invited to bid on this, but only two of them  
72 ultimately submitted bids. He asked whether the City's purchasing policy has certain features or barriers  
73 to bidding for vendors, and asked that this be explored as a future topic. John Alden noted that several  
74 of the prospective bidders may not have had the time to commit to this project, but said that certain of  
75 them could be hired on as subcontractors once the project gets underway.

76  
77 The following public comments were received:

- 78 • Annie Cooper expressed concern about so few bids being received for this RFP.

79  
80 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, that the City Council award**  
81 **the Construction Manager bid to the Bread Loaf Corporation, assign \$43,729 in ARPA funds for**  
82 **this project, and authorize the City Manager to move forward and execute a contract with the**  
83 **Bread Loaf Corporation for Construction Manager services for an amount not to exceed \$43,729**  
84 **plus a 5% fee including legal review. The motion passed 5-0.**  
85

86 c. Discussion of Engagement Goals for the Council

87 Director Snellenberger began by noting that she was tasked at the previous City Council meeting with  
88 developing six-month engagement goals for the Council, given the current interest in increasing  
89 engagement with the community. She noted that it was also suggested that staff review the 2015 Essex  
90 Planning Governance Report. She noted that the report includes an international rubric called the  
91 Spectrum of Public Participation, which assists with the selection of the level of participation for the  
92 public in any engagement process. She recommended that staff be trained on this rubric and that it be  
93 used as needed for determining the level of public engagement needed moving forward for projects and  
94 activities. She also outlined two goals that she is proposing for the next six months, which include  
95 increasing public engagement with residents (and strategies for doing so), and increasing public  
96 participation in the budget process (and strategies for doing so). She asked for Council feedback on  
97 both of these items (the use of the engagement rubric and the goals).

98  
99 Councilor Haney expressed support for the communications protocol related to the Spectrum rubric, and  
100 looked forward to receiving future updates on which projects and activities it is being applied to and how  
101 staff are using it.

102  
103 Councilor Brown expressed support for the rubric. He suggested that the target for the participation in  
104 the budgeting process goal be increased from 2% to 4%, to make it more of a stretch goal. He provided  
105 clarification on the goal within the Essex Planning Governance Report that has already been met

106 (moving to an enhanced Town Meeting/Australian ballot hybrid), noting that the budget was moved to  
107 the ballot (which was a community goal), but that statutorily and technically, moving fully to a hybrid isn't  
108 feasible. Councilor Chawla noted that the Town Meeting process was made to be more informational  
109 and about soliciting input for development of the final proposed budget in an intentional way.  
110

111 Councilor Certa echoed other Councilors sentiments and appreciation for the proposals, and noted that  
112 some of the content of these proposals could build into a longer-term strategy for communication and  
113 engagement in addition to a six-month plan. He expressed concern that the targets associated with the  
114 goals could be difficult to accurately measure, and stressed the importance of a methodology for  
115 measurement that is accurate. He also noted that these goals and strategies don't ensure that  
116 underrepresented residents are engaged and said he would like to see more of an emphasis on those  
117 populations. He said he would also like to see tactics associated with these strategies and goals.  
118

119 Director Snellenberger said that she initially selected a 2% target because the City does not have a  
120 baseline measurement yet. She noted that the consultant who will be working with the City on its  
121 strategic planning process (Future iQ) will be assisting with identifying the vulnerable populations that  
122 Councilor Certa referenced, which will in turn help inform the engagement strategy.  
123

124 Councilor Chawla suggested modifying the second goal to be the residents of Essex Junction, not just  
125 the voting residents. He also noted that if any of this strategic planning work in turn increases the amount  
126 of time or resources needed to serve on any of the various volunteer boards in the City, that could in  
127 turn mean that barriers to participation have been increased, which should be avoided.  
128

129 Councilor Haney suggested that in terms of establishing a baseline for the budget engagement goal,  
130 perhaps the City could use the average number of people who attended Village Town Meeting prior to  
131 separation, since that was generally the number of people who engaged with the budget prior to  
132 separation.  
133

134 The following public comments were received:

- 135 • Annie Cooper asked whether there is an area within the public engagement rubric for dissent in  
136 the process. Director Snellenberger replied that the different levels of engagement have different  
137 ways that the City is interacting with the public. She said that the involve and collaborate steps  
138 on the spectrum are really where the City is engaging in back-and-forth with the public and  
139 receiving their proposals.  
140

#### 141 d. Discussion of FY25 Budget Goal Setting

142 City Manager Mahony began by speaking to the timeline, noting that the City's goal is to present a  
143 proposed budget to the City Council prior to Thanksgiving for a Budget Day within the first week of  
144 December. She also said that between that Budget Day and Annual Meeting, the City could host a  
145 Community Dinner in February, so that there is still time to hear input and make changes to the budget  
146 prior to a public hearing and voter approval. She noted that the employee association is in the last year  
147 of its current contract and will be renegotiating it for the next fiscal year. She also noted that they are  
148 conducting a salary study to inform those negotiations. She noted that this will likely have an impact on  
149 one of the budget's more prominent expense line items (salary).  
150

151 Councilor Chawla noted that mailing ballots adds 30 to 45 days to a timeline for the budget and voting,  
152 which could impact the Community Dinner timing. City Manager Mahony replied that they can review  
153 timelines and logistics for the ballot, Annual Report, and newsletter, and determine timeline impacts with  
154 ballot mailing.  
155

156 Councilor Chawla said that his general goals are for training and opportunities to build cohesion and  
157 efficiency within staff, given some staff turnover. He said that other goals depend on the results of

contract negotiations for the employee association, since salary increases will have an impact on the budget.

Councilor Certa said one of his goals is to have more proactive strategies for interacting with the community and solving issues. He said he also wants as much accessibility as possible, so that the community feels like it can engage with the City’s staff and legislative body.

Councilor Haney said she is also waiting for the results of the salary study and healthcare premium percentage increases, as those are generally large portions of the expenses within the budget. She said that she wants to ensure that there is a sidewalk line item included in the Capital Plan. She said she would also like to see a policy and a process for how the City allocates the local option tax revenue it’s starting to receive. She said she would like to see it used for capital and for specific economic development initiatives. She additionally suggested allocating 1% of the budget in FY26 for human services grants, similarly to the approach that the Town has taken. She said she would also like to discuss participatory budgeting with the voters, and suggested piloting something in FY26. Councilor Chawla agreed with setting aside 1% for human services in a phased-in approach.

Councilor Thibeault noted that there is usually heavy focus on the revenue side of the budget and that she tries to balance that by focusing her efforts on the revenue side. She said she would be interested in looking at community development fees, such as permit amounts, and other ways to increase revenue.

Councilor Brown expressed support for the proposed February Community Dinner. He said he would also like to see how each department head defines success when it puts together its budget for Budget Day. He also noted that the penny on the dollar tax is also up for a revote on the next Town Meeting Day.

Councilor Chawla suggested considering that every auxiliary employee or volunteer on a board or commission have access to a City email account, as their communications are still part of the public record and subject to Open Meeting Law when conducting the business of the City.

Councilor Certa said that in terms of accessibility, every board and commission should be as easily accessible to the public as the City Council and Development Review Board are (i.e., their meetings can be viewed on YouTube) easily by the public.

The following public comments were received:

- Resa Mehren said that the City should also factor in difficulties and delays with the postal service into the conversation around mailing out ballots, newsletters, and the Annual Report, as she and other residents in her area of the City have had continued difficulties with their mail.
- Annie Cooper said that there needs to be scrutiny on the funds that are used from taxpayers for committees like Heart & Soul and whatever the penny on the dollar tax is being used for.

e. \*Discussion regarding the City Manager Annual Evaluation

6. **CONSENT AGENDA**

- a. Approve Check Warrants #24005 (08/22/23); #24007 (09/08/23)
- b. Approve Minutes: August 23, 2023; and August 30, 2023
- c. Approve Essex High School Homecoming Bonfire
- d. Approve Brickyard Culvert Change Order #2

**MARCUS CERTA 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 said that in terms of human resources, all positions are filled other than a Library substitute and childcare workers for EJRP. She noted that EJRP’s last summer programming was on August 26<sup>th</sup> and that the school year began on August 30<sup>th</sup>. She provided enrollment statistics for EJRP’s preschool classes and after-school programming. She noted two movie nights coming up at Maple Street Park in September. She noted an event through EJRP and Local Motion that would allow people to rent out e-bikes. She spoke about a successful annual Champlain Valley fair this year. Councilor Brown announced that he will not be seeking reelection for the upcoming term.
- b. August 2023 Financials
- c. Wastewater Discharge Incident Report
- d. Letter of Collaboration Regional Technology and Innovation Hub

**8. EXECUTIVE SESSION**

- a. \*An executive session may be needed to discuss the evaluation of an employee

**MARCUS CERTA made a motion, seconded by ANDREW BROWN, that the City Council enter into executive session to discuss a personnel evaluation, pursuant to 1 V.S.A. § 313(a)(3) to include the City Council. The motion passed 5-0 at 7:56 PM.**

**ANDREW BROWN made a motion, seconded by ELAINE HANEY, to exit executive session. The motion passed 5-0 at 9:18 PM.**

**9. ADJOURN**

**ANDREW BROWN made a motion, seconded by RAJ CHAWLA, to adjourn the meeting. The motion passed 5-0 at 9:18 P.M.**

Respectfully Submitted,  
Amy Coonradt