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**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING
MINUTES OF MEETING
June 26, 2024**

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

ADMINISTRATION: Regina Mahony, City Manager; Ashley Snellenberger, Director of Communications and Strategic Initiatives; Chris Yuen, Community Development Director.

OTHERS PRESENT: David Achee, Kyle Bostwick, Luke Brockmeier, Colin Camisa, Alise Certa, Chris Chiquoins, Diane Clemens, Annie Cooper, Anne Coren, Jess Coren, Karen Dolan, Colleen Dwyer, Steven Eustis, Cristin Gildea, Leslie Goldring, Elena Juodisius, Maggie Massey, Scott McCormick, Paul Moreno, John O'Brien, Kirstie Paschall, Lauren Philbrook, Jacob Porter, Andy Rowe, Tim Shea, Andrea Shortsleeve, Dennis Thibeault, Warren Spinner, George Tyler, David Wechsler, Beth, Bob, Jeanne, Resa, iPhone 15.

1. CALL TO ORDER

City Council President Chawla called the meeting to order at 6:30 P.M. He said that in previous City Council meetings members of the public have made racist and anti-Semitic comments and that these comments have disrupted presentations that were made during the public comment period. He said that the City Council does not condone such language and opposes it. He said that such comments are deeply harmful and are entirely inconsistent with the community's values. He said that while it is not possible to prevent harmful speech during public comments, the Council will continue to condemn such comments publicly.

2. AGENDA ADDITIONS/CHANGES

No changes.

3. APPROVE AGENDA

None needed.

4. PUBLIC TO BE HEARD

a. Comments from public on items not on the agenda

None.

5. BUSINESS ITEMS

a. Communications and Strategic Initiatives Director Department Head Brief to Council

Director Snellenberger spoke briefly about activities occurring in the Communications Department over the last six months. She spoke about the Community and Strategic Initiatives Action Plan, which began in September and has been a significant community engagement project, entailing surveys, community focus groups, an open house, and a community think-tank workshop. She said that the final draft of the report related to this work was presented to the City Council at its last meeting. She said that the project identified six strategic pillars and 18 action items that are currently being prioritized. She thanked the Steering Committee for its work through this process. She also spoke about the employee newsletter that she and the Human Resources Director began in January as a means of internal communication with employees. She spoke about other Communications Department activities, including the Junction City News, a monthly video series on bigger projects and topics pertaining to the City, as well as the annual report, hosting the annual community meal, the committee appointment renewal process, providing support for the Tree Advisory Committee, throwing the Green-up Day event, and updating policies.

55 Director Snellenberger then spoke about future activities for the Communications Department over the next
56 six months. These include developing departmental work plans, beginning a community newsletter, and City
57 rebranding efforts.

58
59 Councilor Certa asked whether the City needs to invest more into Front Porch Forum (FPF) as part of its
60 engagement efforts. Director Snellenberger replied that FPF is under-utilized, and that staff could increase
61 their postings, and that she does not think the budget needs to be increased at this point.

62
63 City Council President Chawla noted it would be great to have opportunities for community members to
64 submit content for the community newsletter.

65
66 The following public comments were received:

- 67 • Diane Clemens noted that the online ordinances still reference the Village of Essex Junction rather
68 than the City, and Director Snellenberger replied that any ordinance changes, including technical
69 changes, need to be approved by the Council. She noted that the Governance Committee will be
70 reviewing ordinances and bringing proposed changes to the Council.

71
72 b. *Interviews and Consider Appointments to the Bike Walk Advisory Committee, Capital Review
73 Committee, Development Review Board, Planning Commission, and Tree Advisory Committee

74 The Council interviewed David Achee, Elena Juodisius, and Lauren Philbrook for positions on the Bike/Walk
75 Advisory Council. Each spoke about their involvement in the community, their qualifications, and their
76 interest in participating on the BWAC. They were asked by Councilors about ideas for improvements for the
77 Committee, changes to policy, best practices for transportation, and improving pedestrian and cyclist safety.

78
79 The Council interviewed Karen Dolan for a position on the Capital Program Review Committee. Ms. Dolan
80 spoke about her past involvement on the Committee and her interest in continuing to serve on the Committee.

81
82 The Council interviewed Cristin Gildea and Elena Juodisius for positions on the Development Review Board.
83 Each spoke about their involvement in the community, their qualifications, and their interest in participating
84 on the DRB. Ms. Gildea spoke about her past involvement and experience on the Board.

85
86 The Council interviewed Scott McCormick, Luke Brockmeier, and Elena Juodisius for positions on the
87 Planning Commission. Each spoke about their involvement in the community, their qualifications, and their
88 interest in participating on the Commission. They were asked by Councilors about their past work and ideas
89 for improvement in engagement with the Commission, and their vision for the future of Essex Junction. Mr.
90 McCormick also spoke about his past experience and activities serving on the Commission.

91
92 The Council interviewed Leslie Goldring, Kirstie Paschall, and Warren Spinner for positions on the Tree
93 Advisory Committee. Each spoke about their involvement in the community, their qualifications, and their
94 interest in participating on the TAC. Mr. Spinner spoke about his past involvement and experience serving
95 on the Committee, including coping with the Emerald Ash Borer issue and securing funding to support
96 remediation efforts.

97
98 Councilor Haney noted that the Essex Historical Society is also looking for new membership, and though it
99 is not a City committee, this is a good opportunity to participate on a volunteer committee.

100
101 For appointments, see item #9a below.

102
103 c. Discussion and Consideration of Champlain Valley Expo Sound Waivers and Concerts
104 Councilor Haney recused herself from the discussion, due to a conflict of interest.

105
106 Tim Shea, Executive Director of the Champlain Valley Expo, began by providing background and context on
107 the current grandstand. He noted that it is structurally sound, but that the seating is poor quality, the track

108 surface is difficult to work with in certain types of weather, and the restrooms are dated. He said that they
109 are seeking Council approval for 15 additional sound waivers to make improvements to the historic
110 grandstand, and he further noted that though this would cost around \$1 million, they are not seeking any
111 additional funding from the City. He said that replacing the grandstand seating and dirt track would greatly
112 enhance the guest experience at the Expo. He noted that the grandstand is currently only used for the 10
113 days of the Champlain Valley Fair, but that they would like to expand programming. He spoke about the
114 various uses of the Expo, in addition to the Fair. He said that the Expo anchors the Pearl Street economic
115 zone and could further serve in this capacity with an enhanced grandstand with expanded programming. He
116 spoke about the importance of these enhancements to increase revenues in order to address deferred
117 maintenance and reinvestment in the facility. He spoke about how enhancements could bring a significantly
118 larger amount of local option tax revenue for the City.
119

120 City Council President Chawla said he is cautiously supportive of this proposal but would like a better
121 understanding of how some of the details will work out. He asked how many small/medium/large shows CVE
122 is anticipating and over what period of time. Mr. Shea said that they anticipate outdoor concerts between the
123 end of May and middle of October. He said that if they move forward with this, all shows will take place in the
124 grandstand. He said that they are asking for up to 15 shows, but does not know the exact number. He said
125 that they anticipate show size to be an average of 5,000-6,000 attendees. City Council President Chawla
126 asked if CVE would be willing to implement a limit on the number of shows per week or per month, and said
127 that he would follow up in writing on this question. Mr. Shea replied that a lot of the dates depend on the
128 artist, and that CVE does not have much control over which artists select CVE as their venue, but he
129 appreciates concerns about having a concentrated number of concerts in a given period of time. City Council
130 President Chawla asked if this would be an annual request, or whether this new number of waivers would be
131 baked into the agreement, and Mr. Shea replied that he would prefer the latter, given the capital investment
132 they are proposing. He said that he would appreciate a decision on this sooner rather than later, to allow for
133 more time for planning and construction. Councilor Certa asked how quickly this improvement would allow
134 for CVE to add shows to its lineup. Mr. Shea replied that they could potentially have this expansion in 2025,
135 but that would also be a stretch. City Council President Chawla asked if CVE would be willing to collaborate
136 with the City in increasing compliance of collecting local option taxes from vendors. Mr. Shea replied that
137 they will do everything they can to ensure compliance in payment of local option taxes.
138

139 Councilor Thibeault asked if CVE is anticipating more concerts during the week or on the weekends,
140 particularly when school is in session. Mr. Shea replied that it would be whenever the venue is booked by an
141 artist. Councilor Thibeault asked whether limitations on using the waivers on school nights while school is in
142 session would hamper the ability to offer programming. Mr. Shea replied that the artists select the venue,
143 and that artists are likely to select larger venues than CVE on the weekends because they can get larger
144 crowds. He said that limiting this to weekends would limit CVE's ability to gain additional revenue.
145

146 Councilor Certa asked whether there could be anything in CVE's proposed improvements that could help
147 further mitigate sound travel, given that sound from the venue has been an issue for the community in the
148 past. Mr. Shea replied that they are open to any elements that would make this work. Councilor Thibeault
149 asked if there has ever been a study on how to dampen the sound going into the neighborhoods from the
150 Expo. Mr. Shea replied that there have been formal conversations but no formal study around sound
151 dampening and mitigation.
152

153 Councilor Miller said he is reluctant to make this a blanket approval beyond the current sound agreement
154 between CVE and the City (which expires at the end of 2027). He spoke about support but also apprehension
155 on the part of constituents who reside around the Expo, but thinks they can structure an agreement in a way
156 that would be amenable to both parties.
157

158 City Council President Chawla noted that for events with over 5,000 attendees, he would like CVE to use the
159 rear gates for entering and exiting, to take traffic pressure off of Pearl Street. He asked what the impact would
160 be of doing that, in terms of staffing costs. Mr. Shea replied that they utilize those gates on a regular basis

161 and encourage attendees to utilize those gates. City Council President Chawla noted some concern around
162 an increased number of shows and increases in EMS demand that would negatively impact EMS coverage
163 in the community. Mr. Shea replied that CVE has its own first response team that staffs all of its shows, and
164 that Essex Rescue is not called upon for first response, except for certain circumstances. City Council
165 President Chawla asked about CVE's openness to revisiting the sound agreement it has with the City and
166 decreasing the allowable decibel threshold during the week on school nights. Mr. Shea replied that he would
167 be open to the conversation but would like to obtain more feedback internally. City Council President Chawla
168 noted that because they are increasing housing density and development on that part of Pearl Street, they
169 are trying to balance residents' needs with CVE's business needs. Dave Wechsler, CVE's contracted sound
170 engineer, spoke about the impacts of sound from grandstand events versus midway stage events. He noted
171 that anecdotally, grandstand events tend to be quieter on the east and west property lines than midway stage
172 shows, but that the southern property lines may be more impacted.

173
174 Councilor Certa said that any efforts toward sound mitigation should be looked into. He said he is supportive
175 of this expansion, saying that CVE is a great addition to the community, but that sound mitigation needs to
176 be addressed. He requested keeping the lines of dialogue open as this work continues.

177
178 City Council President Chawla reiterated that many members of the public do not want events on consecutive
179 nights and do not want loud events on school nights. He said that next steps involve internal discussions and
180 rendering a decision, and that the Council will try to move on this as quickly as possible. City Manager
181 Mahony said that they will summarize the Council's questions and send them to CVE leadership in writing.

182
183 The following public comments were received:

- 184 • Steven Eustis said that a noise policy was implemented for CVE originally because residents wanted
185 to have some control over loud events, and expressed concern about the utility of a noise policy if
186 CVE can easily obtain waivers from the Council for it. He also asked about the feasibility of having
187 quieter concerts, especially given that the noise levels for attendees can be deafening. He advocated
188 for creative thinking on CVE's part for sound mitigation and developing a communications plan, and
189 advocated for really weighing the benefits and risks of this proposal.
- 190 • Resa Mehren spoke about how loud the concerts from CVE are for her household, even though she
191 does not live close to the fairgrounds. She expressed concern around traffic and sound impacts, as
192 well as what this means for both schoolchildren and adults who are negatively impacted by the noise
193 late at night. She said that any agreement needs to be centered on the community and its well-being.
- 194 • Annie Cooper said that the sound agreement needs to be revised as part of this proposal. She said
195 that 35 days of loud events is less than 10% of the year. She said that the City should think about
196 what residents want to get out of CVE and this agreement, to make this more palatable to the
197 community (e.g., discounted ticket prices for Essex Junction residents).
- 198 • Chis Chiquoins spoke about why the City has a noise ordinance in the first place, and said that when
199 waivers are granted to this, they are granted to the detriment of general public health.
- 200 • Diane Clemens spoke about the noise impacts of large CVE events for residents throughout the City.
201 She noted that the Land Development Code has requirements about ground disturbance that CVE
202 should be mindful of. She also said that the Council should require traffic monitoring and control from
203 CVE on Pearl Street and Route 2A, given the potential for negative traffic impacts of larger events.
- 204 • George Tyler urged the Council to work with CVE to make this work, given CVE's limited ability to
205 evolve its business model and its importance as an economic engine in the City.
- 206 • Cristin Gildea spoke about the noise impact of CVE events on her household, and suggested that the
207 Council request CVE put together a list of mitigations and other ways to help the community,
208 especially those residents near the venue.
- 209 • Alise Certa expressed concern about the impacts to traffic on West Street when there are backups
210 on Pearl Street due to CVE events and recommended both requiring more than one entrance/exit to
211 alleviate the concentration of traffic, and being able to control and manage traffic better. She also said
212 that providing benefits or free tickets to neighbors of CVE would go a long way with residents.

213
214 City Council President Chawla suggested that the Council use the decision-making rubric introduced last fall
215 to try and arrive at a decision regarding CVE's proposal. Councilor Certa agreed, saying that encouraging
216 more public engagement and comment has been beneficial to the decision-making process, as well.
217

218 d. ****Discussion and Consideration of an Executive Session to discuss a contract**
219 See item #9b below.
220

221 6. **CONSENT ITEMS**

222 a. Approve Meeting Minutes: June 12, 2024
223

224 **Councilor Thibeault made a motion, seconded by City Council President Chawla, to approve the**
225 **consent agenda as presented. The motion passed 5-0.**
226

227 7. **COUNCILOR COMMENTS & CITY MANAGER REPORT:** City Manager Mahony noted that early
228 absentee ballots for the August 13 primary election are available, and residents may come into the Clerk's
229 Office to obtain one or request that one be mailed to them. She said that municipal offices on 2 Lincoln
230 will be closed on July 8 and 9 and will be relocated to the part of the building nearest the Fire Station.
231 She spoke about traffic impacts these past weeks related to the Crescent Connector project. Councilor
232 Certa spoke about the block party on Hiawatha this Saturday from 6:00 to 9:00 PM, weather dependent.
233 Councilor Miller noted that the Police's national night out is Tuesday, August 6 in the parking lot of the
234 high school from 5:00 to 7:00 PM.
235

236 8. **READING FILE**

- 237 a. Check Warrant #24047 6/14/2024
238 b. Board of Civil Authority Minutes 6/4/2024
239 c. Planning Commission Minutes 6/6/2024
240 d. Tree Advisory Committee Minutes 5/21/2024
241 e. Notice to Taxpayers – Filing the 2024 Preliminary Grand List
242

243 9. **EXECUTIVE SESSION**

244 a. ***An Executive Session may be needed for the appointment of public officials**
245

246 **Councilor Certa made a motion, seconded by City Council President Chawla, that the City Council**
247 **enter into executive session to discuss appointment of public officials, pursuant to 1 V.S.A. §**
248 **313(a)(3) to include the City Manager. The motion passed 5-0.**
249

250 **City Council President Chawla made a motion, seconded by Councilor Haney, to exit executive**
251 **session. The motion passed 5-0 at 10:10 P.M.**
252

253 **City Council President Chawla made a motion, seconded by Councilor Haney, to appoint Elena**
254 **Juodisius and Scott McCormick to the Planning Commission, to appoint Karen Dolan to the Capital**
255 **Review Advisory Committee, to appoint Cristin Gildea to the Development Review Board, and to**
256 **appoint David Achee and Lauren Philbrook to the Bike/Walk Advisory Committee. The motion passed**
257 **5-0.**
258

259 b. ****An Executive Session may be needed to discuss a contract**
260

261 **City Council President Chawla, made a motion, seconded by Councilor Certa, that the City Council**
262 **make the specific finding that premature disclosure of the contractual matters would place the city**
263 **at a substantial disadvantage. The motion passed 5-0.**
264

265 City Council President Chawla made a motion, seconded by Councilor Certa, that the City Council
266 enter into executive session to discuss a contract, pursuant to 1 V.S.A. § 313(a)(1)(A) to include the
267 City Council and City Manager. The motion passed 5-0.
268

269 10. ADJOURN

270
271 Councilor Certa, made a motion, seconded by Councilor Thibeault, to adjourn the meeting. The
272 motion passed 5-0 at 10:14 P.M.
273

274 Respectfully Submitted,
275 Amy Coonradt