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**CITY OF ESSEX JUNCTION  
CITY COUNCIL  
REGULAR MEETING  
MINUTES OF MEETING  
December 11, 2024**

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

10 **ADMINISTRATION:** Regina Mahony, City Manager; Chelsea Mandigo, Water Quality  
11 Superintendent; Jess Morris, Finance Director; Harlan Smith, Grounds &  
12 Facilities Director; Ashley Snellenberger, Director of Communication & Strategic  
13 Initiatives.

14  
15 **OTHERS PRESENT:** Fartun Abdi, Ali Abdullahi, Colin Aylward, Ingrid Barcelo, Joshua Birmingham,  
16 Fritz Burkhardt, Corey Cenate, Annie Cooper, Marie Daneau, Richard DeGraff-  
17 Murphy, Mike Dimitroff, Sven Eklof, Rob Ekstrom, Steve Eustis, Roland  
18 Fontaine, Maria Godleski, Justin Gral, Rachel Hamm Vaughan, Sam H., David  
19 Harrington, Bradley Heward, Alfred Karam, Brad Kennison, Charlie Lancaster,  
20 Deb McAdoo, Ryan McDermott, Albin Meli, Marcella Melloni, Andrew Minnis, Eli  
21 Moore, Dave O’Leary, Andrea Paganini, Jenny Parker, Seema Pawar, Collin  
22 Reff, Sean Riehl, Tonra Riehl, Andy Rowe, Andrew S., Brian Shelden, Aaron  
23 Smith, Adam Smith, Gabrielle Smith, Ashley Sniatecki, Chad Stimson, Giles  
24 Willey, Phyllis Willey, Malcolm Wilson, Corey Wood, Ada, Ben, Bill, BRFC,  
25 Daniel, Christina, EB, Gabe, Jace, Jacob, Jarrett, Jayme, Mohamed, Pete,  
26 Resa, Ryan, Sara, Torin.

28 1. **CALL TO ORDER**

29 City Council President Chawla called the meeting to order at 6:30 P.M.

31 2. **AGENDA ADDITIONS/CHANGES**

32 Councilor Thibeault asked to move Consent Item #7f to the deliberative agenda as Business Item #6d.

34 3. **APPROVE AGENDA**

35  
36 **Councilor Thibeault made a motion, seconded by City Council President Chawla, to move agenda  
37 item #7f to be item #6d. The motion passed 5-0.**

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39 4. **PUBLIC TO BE HEARD**

40 a. Comments from public on items not on the agenda  
41 None.

42  
43 5. **PUBLIC HEARING**

44 a. Stormwater Ordinance Public Hearing #2  
45 Water Quality Superintendent Mandigo began by speaking about the rationale for stormwater management  
46 and the history of stormwater management in Vermont, and described what stormwater utilities are and why  
47 they are used. She spoke about how stormwater utilities would calculate ratepayer bills based on the  
48 impervious area in a given parcel. She described the credit manual that is being developed and would provide  
49 credit toward the stormwater fee assessed for a given property, noting that only non-single-family residential  
50 properties would be eligible for this.

51  
52 She then outlined the proposed ordinance changes related to a new stormwater utility, saying that some  
53 chapters are being amended, some are proposed additions to the municipal code as ordinances, and that  
54 again noted the additional stormwater utility credit manual. She noted amendments to Chapter 19 that would  
55 reference the City’s stormwater ordinance rather than the Town’s ordinance, and establish policies and

procedures related to stormwater for the City. She noted the creation of Chapter 20 in the municipal code for the regulation of stormwater management. She also noted the creation of Chapter 21, which would create a stormwater utility, outline its administration, development, and procedures, establish the residential units assigned to each parcel, form a stormwater enterprise fund, and would establish a stormwater billing and collections system and credit manual for fees for non-single-family parcels. She provided a brief description of what a stormwater utility is, how it is funded, and how it manages stormwater. She spoke about next steps, noting that the City is still obtaining feedback from non-single family residential parcels, which could lead to amendments to the proposed ordinance. She noted that another round of public hearings is likely in January/February, if additional amendments to the ordinance are made. She also noted that the City Council would approve the ERU rate and ordinance adoption in early 2025 and would begin collecting the ERU fee in June 2025, and that the ERU rate for FY26 would then be set as part of the enterprise fund budget for stormwater. City Manager Mahony noted that a deliberative item will likely be placed on the Council's agenda at its first January meeting.

The following public comments were received:

- Steve Eustis asked how the ERUs would be calculated for a condominium building with multiple units, whether the total ERUs would be divided by the number of units, and whether the ERUs per unit could be less than 1. He also asked about the process for billing for the utility for condominiums. Water Quality Superintendent Mandigo said that staff would research this question and get back to Mr. Eustis.

## 6. **BUSINESS ITEMS**

### a. Discussion and Consideration of Management of the Tree Farm

City Manager Mahony began by noting that the City is at the end of Year 2 of the 3-year agreement with the Tree Farm Management Group for managing the Tree Farm facility through both a lease and management agreement. She said the agreement requires that discussions about future agreements be opened in December of 2024.

City Council President Chawla said that bringing the property under municipal management would be his preference, but the timeline for that is still an open question. He said infrastructure improvements need to be made to the property that shouldn't fall to the management group to complete, such as having restroom and refreshment facilities at the site. He said that asking the management group to take on capital investments while having a lease agreement with the City and Town isn't appropriate. He said that the City now has a mechanism and capacity to manage this property through Essex Junction Recreation and Parks (EJRP), where it didn't have those when this agreement was signed.

Councilor Certa said he has concerns and questions around capacity within EJRP, and also noted that EJRP is going through its own processes around studying its facilities and evaluating potential future states. He said he is in support of extending the current Tree Farm agreement, though he agrees with City Council President Chawla's statements about the need for facilities on the property. He said that a future agreement could stipulate that the Tree Farm Management Group build up a capital fund or some mechanism to help add to the property's amenities. Councilor Miller agreed with Councilor Certa.

Councilor Haney said she isn't concerned with EJRP's capacity to take on management of the Tree Farm property, but that she is concerned about the City's financial capacity to take on a large parcel of property. She agreed with Councilors Certa and Miller about extending the contract at this time, with the intention of moving more rapidly toward transferring to municipal management at the end of the next contract term. She said it is not unreasonable to ask tenants to contribute towards capital, if they are the primary users of it, and would support contractual language around the creation of a capital fund. She noted that the Town of Essex has already taken action to offer a lease, and that the Town and City should coordinate around future discussions, given that they are both owners of the property.

Councilor Thibeault said she is in favor of extending the lease with the consideration for capital upgrades and the goal of moving toward more municipal management in the future.

City Council President Chawla suggested forming a subgroup of the Essex Junction Council President and Vice President, and the Town of Essex Selectboard's Chair and Vice Chair to discuss this topic further, given the joint ownership of the property. He suggested that this occur in January.

The following public comments were received:

- Marie Daneau spoke about her family's use of the Tree Farm facilities, saying that it is a unique space in the community that provides the opportunities for multiple sports and other forms of recreation. She spoke about how the Tree Farm Management Group has maintained the fields and surrounding areas with dedication and a commitment to providing a beautiful facility, and has worked to provide services equitably and fairly, as well as fostering good connections with its neighbors. She asked what the cost would be to the community and taxpayers if the City were to take on managing the facility, and suggested that the City focus on other critical areas.
- Mike Nick spoke as a user of the facilities and a board member of the Tree Farm Management Group, suggesting that the two municipalities that own the property get together and discuss how to raise capital and conduct capital improvements.
- Steve Eustis asked if the transition to municipal management could be for certain aspects of the property, rather than a total handover of all functions. He used the example of the City or Town coming in and laying down gravel on walking paths, for example, given the Management Group's focus on maintaining the fields.
- Ally Vile spoke as a board member of the Tree Farm Management Group, saying that the Management Group has worked with O'Leary Burke to conduct a road assessment and survey and develop a five-year plan to address drainage issues.
- Mike Dimitroff spoke in favor of having the Tree Farm Management Group run the Tree Farm, pointing out the large number of volunteers it currently has and the added expense to municipalities if they were to take on its management. He expressed support for capital improvements and recommended that the municipalities work with the Management Group to make those happen. He said he would like to see more support from the municipalities for fixing the trails and parking lot and stepping up to help maintain it.
- Jim Goudie spoke as the Vice President of the Tree Farm Management Group, saying that the Board is very supportive of entering into a subsequent agreement with the City and Town for managing the property.
- Giles Willey spoke as the Treasurer of the Tree Farm Management Group, saying he can provide details to the Council about the dollar equivalent of the number of volunteer hours put in at the facility. He said that the Group is willing to explore creative ways to implement a capital fund but noted that the facility is at a saturation point with how much it can charge for an hourly rate.
- Malcolm Wilson spoke as a user and volunteer at the Tree Farm facilities, saying that the Tree Farm board's excellent responsiveness to issues is something to take into consideration when deciding on a future agreement.
- Corey Cenate spoke as a user of the Tree Farm facilities, expressing support for the Tree Farm Management Group.
- Charlie Lancaster spoke as a board member of the Tree Farm Management Group, speaking about how the group is contributing to the City and Town by keeping the property in great shape. He spoke about collaboration between the Management Group, the municipalities, and the school district. He said that he is not sure what the benefits of a municipally owned property would be.
- Maria Godleski spoke as the Secretary of the Tree Farm Management Group and a user of the facilities, saying that having the Tree Farm Management Group allows the two municipalities to run a shared property. She noted that the Group is responsive in meeting the needs of the City and Town as well as quickly addressing issues that arise on the property. She asked that the City and Town discuss a future agreement and engage in discussion about potential future capital funds.

- Victor Vireo expressed support for the Tree Farm Management Group’s stewardship of the facilities, suggesting that the City step in to provide support for the property, especially related to the parking lot.
- Richard DeGraff-Murphy spoke as a user of the facilities, expressing full support for the Tree Farm Management Group’s work and future plans.
- Marcella Melloni expressed support for the Tree Farm Management Group continuing its work on the property. She spoke about the number of volunteers who have cared for and invested in the space.
- Ryan McDermott expressed support for the continuation of the Tree Farm Management Group’s agreement with the Town and City to manage the property.
- Sean Riehl said he is encouraged by the idea of collaboration between the municipalities and the Management Group to run the facility but expressed concern about one municipality or both trying to run the facility, given recent disagreements and the separation of the City and Town.
- Sven Eklof spoke as the President of the Tree Farm Management Group, saying that if the agreement is extended, better collaboration between the City and Town will be paramount for the successful management of the property. He said that one joint clear vision for the property would make it easier to manage the property.
- Annie Cooper expressed support for the Tree Farm Management Group continuing its agreement with the Town and City to manage the facilities. She said it would be inappropriate for the management to go to one of the municipalities and spoke about the sense of community the property has created and fosters.

Councilor Certa asked about the best next step to engage the Town in this discussion, and whether it should be a subcommittee or staff conversations. City Manager Mahony said that they could work at a staff level if they have clear direction on what the Council would like. Councilor Certa said that if there is a subcommittee formed he would be happy to participate. Councilor Haney said it would be worthwhile to have a conversation with the Town and their position, how to jointly manage capital development, and how to improve the conditions of the parking lot and road. City Council President Chawla suggested that City leadership and Town leadership get together to begin a conversation. Councilor Miller expressed support for collaborating with the Town. Councilor Thibeault agreed that two members of the Council meet with two members of the Selectboard and bring the discussion back to their respective boards. Councilors agreed that signaling the direction of the Council and Selectboard to the Tree Farm Management Group by spring of 2025 would be good timing.

**City Council President Chawla made a motion, seconded by Councilor Haney, that staff set up a meeting between City Council representatives Marcus Certa and Raj Chawla to request a meeting with two Town of Essex Selectboard representatives to begin a dialogue around the future of the Tree Farm property. The motion passed 5-0.**

b. \*Police Community Advisory Board, Governance Committee, and Recreation Advisory Committee Interviews and Consideration of Appointments

The City Council interviewed David Harrington and Jenny Parker for seats on the Police Community Advisory Board (PCAB). City Council President Chawla began by describing the PCAB’s purpose, which is to facilitate communication between the Essex Junction Community and the Essex Police Department and provide feedback and support to the EPD on strategies and policy, especially around equity issues and elevating the voices of the most vulnerable in the community. The candidates introduced themselves and spoke about their interest in serving the community on the PCAB and their respective backgrounds and experiences that would help them serve on the board. Councilors asked questions of each candidate.

The City Council interviewed Joshua Birmingham and Rachel Hamm Vaughan for seats on the Recreation Advisory Committee (RAC). City Council President Chawla began by describing the RAC’s purpose, which is to serve as a link between the Essex Junction community and EJRP, to provide insight and guidance on the development and maintenance of parks and recreation services. He said the RAC will operate in an

212 advisory capacity and offer recommendations to the EJRP on programs, facility needs, and strategic capital  
213 and financial planning. The candidates introduced themselves and spoke about their interest in serving the  
214 community on the RAC. Councilors asked questions of each candidate.  
215

216 The City Council interviewed Joshua Birmingham, Steve Eustis, Deb McAdoo, Candace Morgan, Brian  
217 Shelden, and Gabrielle Smith for seats on the Governance Committee. City Council President Chawla began  
218 describing the Governance Committee’s purpose, which is to explore the governance structures aimed at  
219 ensuring equitable representation of voices when making policy decisions. He noted that this committee will  
220 serve in an advisory capacity to the Council and will focus on the form of government, election of officials,  
221 governing body composition, term limits, and Councilor compensation. He noted that this is a time-limited  
222 committee. The candidates introduced themselves and spoke about their interest in serving on the  
223 Committee. Councilors asked questions of each candidate. Councilor Haney also pointed out that there have  
224 been multiple iterations of governance groups in the community and that this group could leverage a lot of  
225 what has already been discussed previously by the community.  
226

227 See item #10a below for appointments.  
228

229 c. Discussion and Consideration of Budget Engagement Schedule and Annual Meeting Schedule

230 Director Snellenberger said this item relates to obtaining the Council’s feedback on the engagement period  
231 for the FY26 budget, which would be in January and February, in order to get the budget on the ballot for the  
232 annual meeting. She noted that the community meal could serve as an opportunity to provide education to  
233 the public on the budget and ballot items, as well as move forward on strategic planning efforts. She said  
234 that because Champlain Valley Expo only had January 25<sup>th</sup> as an option that would work for the timeline,  
235 staff would like input on whether the event should be held during the morning, as a lunch, or held in the  
236 evening with a dinner. She also noted that there are opportunities to engage the community through coffee  
237 chats. She further noted that the informational meeting requirement has been extended from 10 days prior  
238 to the vote to up to 30 days prior to the vote, which would allow for the informational meeting to occur around  
239 when ballots are mailed out to voters. She noted that the informational meeting could occur on March 17<sup>th</sup> or  
240 25<sup>th</sup>. City Council President Chawla said it makes so much sense to have the informational meeting match  
241 when the ballots go out. City Manager Mahony said that in terms of a ballot mailing approach, the Council  
242 needs to consider whether the City should universally mail ballots or have a hybrid approach where residents  
243 are sent a postcard early in the year which they can return to express a preference for receiving a mailed  
244 ballot or not (for the entire year). Councilors spoke about holding a community meal, and decided to hold it  
245 on Saturday midday for a lunch. Councilors discussed timing of the informational meeting, and decided that  
246 it should be held on March 25<sup>th</sup>. Councilors discussed other engagement opportunities, and whether they are  
247 engaging with enough aspects of the community to solicit meaningful, representative feedback. Director  
248 Snellenberger noted that one group that is difficult to engage with is parents with young children, and  
249 suggested conducting a Saturday in the Park event or events at Brownell Library as opportunities for people  
250 to engage with the Council and City staff regarding the budget. City Council President Chawla also spoke  
251 about department head videos, one-pagers, and Town Meeting TV chats as a great way to get information  
252 out into the community about the budget. He also suggested inviting the School Board to conduct a joint  
253 event.  
254

255 The following public comments were received:

- 256 • Steve Eustis spoke as the moderator for the City’s annual meeting, saying that he liked last year’s  
257 arrangement of having a moderated meeting and the community meal midday on a Saturday prior to  
258 the budget being finalized, because it felt like people could make suggestions that could have an  
259 impact and be considered.  
260

261 d. Approve Dog License Fee Increase \*\*was Consent Item #6f\*\*

262 Councilor Thibeault noted that she would like the Council and staff to take a deeper dive into the fees it is  
263 charging in light of increases in cost for the animal control contract, as well as look at them in relation to what  
264 other surrounding communities are doing, and report back next week.

265  
266 **Councilor Thibeault made a motion, seconded by City Council President Chawla, to table this item**  
267 **until the City Council’s December 18, 2024 meeting. The motion passed 5-0.**  
268

269 e. **\*\*Discussion and Consideration of an Executive Session to Discuss a Contract**  
270 See item #10b below.

271  
272 f. **\*\*\*Discussion and Consideration of an Executive Session to Discuss Attorney Client Communication and**  
273 **Public Official**  
274 See item #10c below.

275  
276 g. **\*\*\*\*Discussion and Consideration of an Executive Session to discuss Personnel**  
277 See item #10d below.

278  
279 **7. CONSENT ITEMS**

- 280 a. Approve Meeting Minutes: November 13, 2024  
281 b. Approve CVE 2025 Banner Applications  
282 c. Approve Better Back Roads Grant Application  
283 d. Re-Appoint City Representative to Chittenden County Communications Union District  
284 e. Acting as Local Cannabis Control Commission: Approval of Cannabis Retail License – VT CCB:  
285 Application S-000010393 for The High Bar  
286 f. Approve Dog License Fee Increase **\*\*now Business Item #6d\*\***  
287

288 **Councilor Haney made a motion, seconded by Councilor Certa, to approve the consent agenda as**  
289 **presented. The motion passed 5-0.**  
290

291 **8. COUNCILOR COMMENTS & CITY MANAGER REPORT:** Councilor Certa thanked the Public Works  
292 Department for their snow-clearing efforts and attention to the sidewalks during the recent significant  
293 snow event. Councilor Thibeault noted the Train Hop event occurring this Friday. Councilor Miller noted  
294 the Fire Department Open House being held this Saturday. City Manager Mahony noted that there will  
295 be a temporary power cut to the senior center offices on Friday December 20<sup>th</sup> and Monday December  
296 23<sup>rd</sup>.  
297

298 **9. READING FILE**

- 299 a. Check Warrant #24061 11/15/2024 and #24062 11/26/2024  
300 b. November Financial Reports  
301 c. Candidate Petition Information  
302 d. Planning Commission Letter Re: Lightshift 16MW/52MWh battery energy storage system at Global  
303 Foundries (Essex VT BESS)  
304 e. Essex VT BESS Notice of Petition Application  
305 f. Bike Walk Advisory Committee Minutes 11/14/2024  
306 g. Planning Commission Minutes 11/7/2024  
307 h. Development Review Board Minutes 11/21/2024  
308 i. Tree Advisory Committee Minutes 10/29/2024 and 11/21/2024  
309 j. Esses Community Justice Center Newsletter  
310

311 **10. EXECUTIVE SESSION**

- 312 a. **\*An Executive Session may be needed for the appointment of public officials**  
313

314 **Councilor Certa made a motion, seconded by City Council President Chawla, that the City Council**  
315 **enter into executive session to discuss the appointment of public officials, pursuant to 1 V.S.A. §**  
316 **313(a)(3) to include the City Manager. The motion passed 5-0.**  
317

318 City Council President Chawla made a motion, seconded by Councilor Certa, to exit executive  
319 session. The motion passed 5-0 at 10:13 P.M.  
320

321 City Council President Chawla made a motion, seconded by Councilor Certa, to appoint Jenny Parker  
322 for a three-year term and David Harrington for a two-year term to the Police Community Advisory  
323 Board. The motion passed 5-0.  
324

325 b. \*\* An Executive Session may be needed to discuss a contract  
326

327 City Council President Chawla made a motion, seconded by Councilor Haney, that the City Council  
328 make the specific finding that premature disclosure of the contractual matters would place the city  
329 at a substantial disadvantage, and that the City Council enter into executive session to discuss a  
330 contract, pursuant to 1 V.S.A. § 313(a)(1)(A) to include the City Council, City Manager and Harlan  
331 Smith. The motion passed 5-0.  
332

333 c. \*\*\* An Executive Session may be needed to discuss Attorney Client Communication and Public Official  
334

335 City Council President Chawla made a motion, seconded by Councilor Certa, that the City Council  
336 make the specific finding that premature disclosure of the confidential attorney-client  
337 communications would place the city at a substantial disadvantage, and that the City Council enter  
338 into executive session to discuss confidential attorney-client communications regarding a Public  
339 Official, pursuant to 1 V.S.A. § 313(a)(1)(F) and 1 V.S.A. § 313(a)(3) to include the City Council and  
340 City Manager. The motion passed 5-0.  
341

342 d. \*\*\*\* An Executive Session may be needed to discuss Personnel  
343

344 City Council President Chawla made a motion, seconded by Councilor Haney, that the City Council  
345 enter into executive session to discuss personnel evaluation (quarterly check-in), pursuant to 1  
346 V.S.A. § 313(a)(3) to include the City Council and the City Manager. The motion passed 5-0.  
347

348 11. ADJOURN  
349

350 Councilor Haney made a motion, seconded by Councilor Certa, to adjourn the meeting. The motion  
351 passed 5-0 at 10:14 P.M.  
352

353 Respectfully Submitted,  
354 Amy Coonradt