



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

Online & 145 Maple St.
Essex Junction, VT 05452
Wednesday, November 13, 2024
6:30 PM

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This meeting will be in-person in the Community Room at the Essex Police Department located at 145 Maple 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
5. **PUBLIC HEARING**
 - a. Public Hearing on Ordinance 8 Regulations of Motor Vehicles
 - b. Public Hearing on Stormwater Management and Utility Ordinances
6. **BUSINESS ITEMS**
 - a. Discussion and Consideration of Amendments to Ordinance 8 Regulations of Motor Vehicles
 - b. Discussion and Consideration of Stormwater Related Ordinances – Amendments to Ordinance 19 (Stormwater Permit Transfer), New Ordinance 20 (Stormwater Management) and New Ordinance 21 (Stormwater Utility).
 - c. Department Head Brief to Council, Susan McNamara-Hill, City Clerk
 - d. *Recreation Advisory Committee Interviews and Consideration of Appointments
 - e. Annual Winooski Valley Parks District Presentation and Discussion
 - f. Annual Town Meeting TV Presentation and Discussion
 - g. Discussion and Consideration of a Rental Registry Program
 - h. **Discussion and Consideration of an Executive Session to discuss a Contract
7. **CONSENT ITEMS**
 - a. Approve Meeting Minutes: October 30, 2024
 - b. Approve Amendments to the Banner Policy Application and Increase the Fee
 - c. Execute the Step 1 Planning Loan for the Pump Station Improvements – River St., Maple St., West St.
 - d. Approve Development Fee Schedule Amendments
8. **COUNCIL MEMBER COMMENTS & CITY MANAGER REPORT**
9. **READING FILE**
 - a. Check Warrant #24059 11/01/24
 - b. Regional Boards and Committees Minutes Memo
 - c. October Financial Reports
 - d. Property Valuation and Review Letter from VT Department of Tax and Form RA-308
 - e. Reappraisal November 2024 Update and Timeline
 - f. Lead Service Line Inventory Notification Letters
 - g. Bike Walk Advisory Committee 10/22/24
 - h. Police Community Advisory Board Minutes 10/15/24

10. **EXECUTIVE SESSION**

- a. *An Executive Session may be needed for the appointment of public officials
- b. **An Executive Session may be needed to discuss a contract

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
REGULAR MEETING
MINUTES OF MEETING
November 13, 2024**

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

ADMINISTRATION: Regina Mahony, City Manager; Chris Gaboriault, Fire Chief; Susan McNamara-Hill, City Clerk, Chelsea Mandigo, Water Quality Superintendent; Jess Morris, Finance Director;

OTHERS PRESENT: Alexis Brown, Lauren Chicote, Rolenda Corrow, Paul Courtois, Jeff Dube, George Dunbar, Jocelyn Emilo, Christine Gaynor-Patterson, Gabe Handy, Shawn Handy, Pat Lynch, Bridget Meyer, Nick Meyer, Jordan Mitchell, Meghan O'Rourke, Nichole Rogerson, Brad Rubman, Brian Shelden, Cindy Smith, Richard Smith, Jason Struthers, Saramichelle Stultz, Dennis Thibeault, Mike Thorne, Tim Tremblay, Sarah Volinsky, Jim Waite, Nick Warner, Resa.

1. **CALL TO ORDER**

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

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

Brad Rubman spoke as a representative of the Autumn Pond development, which will eventually comprise 417 units once the final phase of construction is completed. He spoke about the rental registry proposal, saying that it does not seem like a practical way to monitor rental units, given the myriad types of inspections that units go through on an annual basis.

Christine Gaynor-Patterson spoke about the rental registry item. She shared an anecdote about a friend who moved into a rental unit and then discovered that it suffered from unsafe living conditions and had to move out of Essex Junction as a result. She emphasized that there need to be some measure of protections for renters to live in safe units.

5. **PUBLIC HEARING**

a. Public Hearing on Ordinance 8 Regulations of Motor Vehicles

City Council President Chawla opened the public hearing.

City Manager Mahony outlined the changes to the ordinance as proposed. She said the changes generally relate to the Crescent Connector and traffic pattern change coming out of Global Foundries, as well as additions around the Whitcomb Farms neighborhood.

There were no public comments.

Councilor Certa made a motion, seconded by Councilor Haney, to close the public hearing. The motion passed 5-0.

b. Public Hearing on Stormwater Management and Utility Ordinances

City Council President Chawla opened the public hearing.

Water Quality Superintendent Mandigo outlined the proposed ordinance changes, saying that some chapters are being amended, some are proposed additions to the municipal code as ordinances, and that there is also an additional stormwater utility credit manual. She noted amendments to Chapter 19 that would 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 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, which include a second public hearing on December 11th, approving the ERU rate, and setting the next ERU rate as part of the Fiscal Year 2026 budget process.

The following public comments were received:

- Gabe Handy asked about the methodology used to calculate the stormwater fees assessed for each property. Water Quality Superintendent Mandigo replied that a consultant helped calculate the amount of impervious surface for every non-single-family residential parcel through aerial assessment. Mr. Handy expressed concern about increasing costs of doing business in Essex Junction, between tax increases and new fees such as this. Water Quality Superintendent Mandigo noted that since separating from the Town, the City needed to create its own stormwater management system and create a funding mechanism for stormwater capital that doesn't impact the General Fund, as well as create an equitable way for all parcels to contribute funds.
- Rolenda Corrow asked several clarifying questions, and Water Quality Superintendent Mandigo provided more detail, and City Manager Mahony asked Ms. Corrow to reach out to her directly with other questions regarding her specific situation.
- George Dunbar suggested having a definition of impervious surfaces articulated in the ordinance, and Water Quality Superintendent Mandigo noted that there is a definition included in Chapter 20. He asked several clarifying questions about exemptions in the ordinance, and Water Quality Superintendent Mandigo provided answers.
- Saramichelle Stultz asked if there were considerations during separation about the funds the City paid into the Town's stormwater fund, and City Council President Chawla replied that this was a negotiation item and that any capital funds remaining that were paid into the Town would remain with the Town. Ms. Stultz asked about the impacts of missing the EPA-mandated deadlines for compliance, and Water Quality Superintendent Mandigo replied that these deadlines and milestones are requirements of the federal government on the State, and that any action resulting in missing the milestones would be passed down from the State to the municipalities covered by these requirements.

Councilor Haney made a motion, seconded by Councilor Certa, to close the public hearing. The motion passed 5-0.

6. **BUSINESS ITEMS**

a. Discussion and Consideration of Amendments to Ordinance 8 Regulations of Motor Vehicles

City Council President Chawla made a motion, seconded by Councilor Certa, that the City Council approve the amendments to Essex Junction Municipal Ordinance Chapter 8: An Ordinance Relating to Motor Vehicle Regulations. The motion passed 5-0.

b. Discussion and Consideration of Stormwater Related Ordinances – Amendments to Ordinance 19 (Stormwater Permit Transfer), New Ordinance 20 (Stormwater Management) and New Ordinance 21 (Stormwater Utility)

Councilor Certa asked how stormwater utility formation will impact the line items related to stormwater in the FY25 General Fund budget. City Manager Mahony replied that there is currently \$230,000 in the General Fund budget for stormwater management, which is funding the bare minimum necessary to comply with

110 regulations. She said that it isn't funding a stormwater management position, nor supporting stormwater-
111 related capital projects, both of which are needed. She said that any stormwater utility rate for FY25 assumes
112 the costs above \$230,000, since the \$230,000 is already included in the General Fund budget for this fiscal
113 year. She said that any stormwater utility fee for FY25 would begin in February 2025 or later.

114
115 **City Council President Chawla made a motion, seconded by Councilor Certa, to hold a public hearing**
116 **at the City Council's December 11, 2024 meeting to further discuss the stormwater utility ordinances**
117 **discussed at tonight's meeting. The motion passed 5-0.**
118

119 c. Department Head Brief to Council, Susan McNamara-Hill, City Clerk
120 City Clerk McNamara-Hill began by speaking about highlights from the last six months. She noted that staff
121 moved into the Senior Center space in July for the duration of 2 Lincoln Street renovations and that most are
122 currently teleworking due to space constraints. She spoke about primary elections held in August, as well as
123 the General Election held last week. She noted that all elections have generally gone smoothly, though they
124 have experienced high turnout. She spoke about a traffic pattern change when exiting the polls that worked
125 well and was an improvement over prior elections. Councilor Certa said that he had a very positive
126 experience at the election, and said that he appreciated Clerk McNamara-Hill being present on site for the
127 entirety of Election Day. Councilor Haney commended Clerk McNamara-Hill and her staff's work to run a
128 smooth election. She also asked how residents can be prepared for the upcoming reappraisal and appeal
129 process, and Clerk McNamara-Hill recommended that people attend the training that VLCT will put on.
130 Councilor Miller congratulated Clerk McNamara-Hill for receiving the State Treasurer of the Year award.

131
132 d. *Recreation Advisory Committee Interviews and Consideration of Appointments
133 The City Council interviewed Jeff Dube, Jocelyn Emilo, Pat Lynch, Bridget Meyer, Nichole Rogerson, and
134 Mike Thorne for seats on the Recreation Advisory Committee (RAC). Each candidate introduced themselves
135 and spoke about their backgrounds, qualifications, and interest in serving the community on the RAC. The
136 Council asked each candidate about their experience in the parks, what their favorite parks and park activities
137 are, how the parks could be improved, their vision for a healthy parks department, what kinds of programming
138 EJRP should have and offer for the community. Candidates spoke about their variety of reasons for wanting
139 to serve on the RAC, what perspectives they could offer the RAC, and suggestions for identifying sustainable
140 funding sources for programming. Candidates were given the opportunity to ask questions of the Council.

141
142 e. Annual Winooski Valley Parks District Presentation and Discussion
143 Nick Warner, Executive Director, and Lauren Chicote, Operations Manager, of the Winooski Valley Parks
144 District, presented the WVPD Annual Report. They provided a brief overview of the District, which includes
145 8 municipalities and a portfolio of over 1,700 acres of permanently conserved land across 18 public parks.
146 He said that the participating municipalities supply over 80% of the funding for the district, which is used to
147 fund the district's three staff. He spoke about leveraging grants and a significant number of volunteers to
148 support the district as well. He spoke about number of significant flooding events that have occurred over the
149 last several years, noting that they have learned a lot about water resiliency through those experiences. He
150 spoke about the properties the district is in the process of acquiring, including a 29-acre parcel owned by the
151 Town of Williston, a parcel that would enlarge the Colchester Pond park, and working on a canoe launch with
152 the Town of Essex.

153
154 f. Annual Town Meeting TV Presentation and Discussion
155 Meghan O'Rourke, Projects Director, and Jordan Mitchell, Director of Operations, of CCTV, presented the
156 Town Meeting TV Annual Report for FY25 and budget proposal for FY26. Ms. Mitchell spoke about the
157 coverage provided to Essex Junction over the past year, which included 38 City Council, Development
158 Review Board, and Planning Commission meetings, as well as more general non-municipal meeting
159 coverage. She highlighted a monthly program co-hosted by City Manager Mahony and Communications
160 Director Snellenberger called Junction City News, which has helped with community outreach. She noted
161 that Town Meeting TV is funded by cable subscribers of Comcast and Burlington Telecom, and that municipal
162 contributions help to cover other operating costs. She noted that this year, Town Meeting TV is requesting a
163 contribution of \$14,586 for general operating funds from Essex Junction, which represents a 5% increase

164 over the prior year. She spoke about Town Meeting TV’s work to diversify its revenue sources, given that
165 cable revenue is declining. She noted that they received legislatively appropriated funding in the prior year.
166

167 Councilor Certa asked what is being considered for additional revenue diversification, such as a broadband
168 user fee. Ms. O’Rourke replied that they are monitoring legislation and regulatory activity at the national level
169 that could affect funding, but that they don’t have a clearer roadmap for the next ten years in this area. Other
170 Councilors thanked Town Meeting TV staff for their work to produce municipal meeting recordings.
171

172 g. Discussion and Consideration of a Rental Registry Program

173 City Manager Mahony began by noting that this topic has been discussed at four City Council meetings last
174 autumn and winter, and that a proposal did not move forward at that time. She said that it still remains
175 important for the Council to consider a rental registry and inspection program for the City for a number of
176 reasons. She said that staff are proposing starting with a rental registry program, which would come at no
177 fee to property owners and landlords, and would allow the City to inventory the rentals it has in the City. She
178 said that they could move forward with a rental inspection program in the future, once data is collected from
179 the registry. She said that this current proposal does not include any ordinance creation or amendments.
180 She confirmed that the software that would be used to track rentals is already available for the Fire
181 Department to use.
182

183 City Council President Chawla added that the state may develop a statewide system in the future, which
184 would eliminate the need for the City to have its own rental registry and inspection program, but said that the
185 data collected from a registry would be valuable. Councilor Miller asked if the Fire Department has the
186 capacity and budget to stand up and collect the data necessary to populate the registry. Chief Gaboriault
187 replied that the Fire Department would begin by putting together a questionnaire of basic information about
188 the rental properties and asking high volume landlords test it out, and then insert a flyer in next year’s tax bill
189 asking that all rental owners complete the survey. He said that this would be no-cost and would not be
190 administratively complex. He said that this would also provide more insight into properties for improved
191 emergency response. Councilor Certa expressed concern that this could detract from other high-priority
192 activities and initiatives in the community, and that its ultimate goal still seems to be to inform an inspection
193 program. Councilor Haney said that this data collection would be important for the City’s development needs
194 and for the Fire Department’s ability to safely evacuate people from burning buildings. She asked about data
195 on complaints from tenants received by the Health Officer and where that would be housed. City Manager
196 Mahony noted that tenant complaints go directly to the state fire marshal. She said staff can provide health
197 officer data and can reach out to the state fire marshal to see what complaint data they have received.
198 Councilor Certa said that they need to think through what they will do with the information and data collected
199 through a rental registry. City Council President Chawla said that this proposal seems like a good first step
200 to obtain more detailed information on the City’s rental housing stock.
201

202 The following public comments were received:

- 203 • George Dunbar asked what compliance mechanism the City will use to ensure that it has an accurate
204 database rather than just estimates. City Manager Mahony replied that this intended initial step
205 assumes compliance.
- 206 • Resa said that if one of the uses of the data is to determine how many individuals reside in a home
207 for purposes of fire rescue, that is difficult to ascertain even with this survey. Chief Gaboriault said
208 that the information in the survey is more than the City currently has, and would be good information
209 to have when responding to an emergency at a residence.
- 210 • Rolenda Corrow suggested sending a survey to everyone (even single-family home owners) in the
211 City to obtain the information the Fire Department says will be useful. She also asked why the City
212 doesn’t already have this information.
- 213 • Gabe Handy said the system currently isn’t broken and doesn’t think this proposed data collection is
214 necessary, given the number of inspections each rental unit needs to go through.
- 215 • Jason Struthers said this is an obvious cash grab and is an attempt to incrementally implement the
216 inspection program. He said it would represent the third-highest fee in the state and is a redundant
217 proposal. He asked how this proposal helps the housing crisis. He asked how the Fire Department

218 would respond differently to a call based on the collected data. He also asked what issues renters
 219 are causing in the City.
 220 • Jim Waite asked what finite decisions will come out of this finite proposal.
 221 • Brian Shelden said the point of this proposal is tenant safety and the City would be collecting data to
 222 know where it can be doing a better job with public safety.
 223 • Alexis Brown noted that because the City already has around 95% of this data, this exercise would
 224 simply confirm the data that the City already has. She also spoke about the state’s strong smoke
 225 detector and carbon monoxide laws. She spoke about the City’s low vacancy rate. She emphasized
 226 that she supports data collection on rentals but that most landlords do not want an inspection program
 227 due to affordability.
 228

229 **Councilor Haney made a motion, seconded by City Council President Chawla, that the City Council**
 230 **authorize staff to move forward with a rental housing registry program. The motion passed 4-1**
 231 **(Councilor Miller dissenting).**
 232

233 h. ****Discussion and Consideration of an Executive Session to discuss a Contract**
 234 **See #9b below.**
 235

236 **7. CONSENT ITEMS**

- 237 a. Approve Meeting Minutes: October 30, 2024
- 238 b. Approve Amendments to Banner Policy Application and Increase the Fee
- 239 c. Execute the Step 1 Planning Loan for the Pump Station Improvements – River St., Maple St., West St.
- 240 d. Approve Development Fee Schedule Amendments

241
 242 **Councilor Thibeault made a motion, seconded by City Council President Chawla, to approve the**
 243 **consent agenda with a minor change to the development fee schedule (#7d), to in the first paragraph,**
 244 **last sentence, remove the words “school impact fees” and delete the extra “s” at the end of the**
 245 **paragraph. The motion passed 5-0.**
 246

247 **8. COUNCILOR COMMENTS & CITY MANAGER REPORT:**

248 City Manager Mahony noted that the Library is currently working on their strategic plan and have fielded a
 249 survey and encouraged residents to take it. She said there are still several minor punch list items on the
 250 Crescent Connector project. City Council President Chawla spoke about a very positive letter received about
 251 the Public Works Department and thanked them for their service. Councilor Certa thanked the Fire
 252 Department for putting on a great lifesaving event.
 253

254 **9. READING FILE**

- 255 a. Check Warrant #24059 11/01/2024
- 256 b. Regional Boards and Committees Minutes Memo
- 257 c. October Financial Reports
- 258 d. Property Valuation and Review Letter from VT Department of Tax and Form RA-308
- 259 e. Reappraisal November 2024 Update and Timeline
- 260 f. Lead Service Line Inventory Notification Letters
- 261 g. Bike Walk Advisory Committee 10/22/2024
- 262 h. Police Community Advisory Board Minutes 10/15/2024

263
 264 **10. EXECUTIVE SESSION**

- 265 a. ***An Executive Session may be needed for the appointment of public officials**
 266 **None.**
- 267
- 268 b. ****An Executive Session may be needed to discuss a Contract**
 269

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

273
274 Councilor Certa made a motion, seconded by City Council President Chawla, that the City Council
275 enter into executive session to discuss a contract, pursuant to 1 V.S.A. § 313(a)(1)(A) to include the
276 City Council, City Manager, and Mark Brislin, EJRP. The motion passed 5-0.
277

278 Councilor Thibeault made a motion, seconded by City Council President Chawla, to exit executive
279 session. The motion passed 5-0 at 10:59 P.M.
280

281 11. ADJOURN
282

283 Councilor Thibeault made a motion, seconded by City Council President Chawla, to adjourn the
284 meeting. The motion passed 5-0 at 10:59 P.M.
285

286 Respectfully Submitted,
287 Amy Coonradt