

Special Council Meeting Minutes

May 22, 2023

A duly warned Special Meeting of the Newport City Council was held on Monday, May 22, 2023, in the council room in the Newport Municipal Building. Present were Mayor Beth Barnes, Council President John Wilson, Council Members Kevin Charboneau, Clark Curtis, Chris Vachon, City Manager Laura Dolgin, City Clerk/Treasurer James Johnson, Asst. City Clerk/Treasurer Stacey Therrien, Program Administrator Rebecca Therrien, Public Works Director Tom Bernier, Fire Chief John Harlamert, Recreation Director Mike Brown, Police Chief Travis Bingham, Zoning Administrator/Assessor Francis Cheney, City Attorney David Rugh, members of the Press and Public.

Mayor Barnes called the meeting to order at 5:30 PM.

Mayor Barnes read a statement, resigned as Mayor, and left the meeting.

Additions, Deletions or Changes to the Agenda

None

Public Comment

Anne Chiarello commented on holding special meetings.

Jennifer Bjurling commented on discussions in executive session.

Felicia Updyke suggested the council follow rule two of the council's Rules of Procedure.

Anne Chiarello commented on the contract with the City Manager for consulting services.

Melissa Pettersson commented that council decisions should be for the benefit of all citizens of Newport.

Paul Monette commented on Water and Sewer, a recent letter to the editor, and the State Auditor's office.

Jennifer Bjurling commented on having to go through a tax appeal hearing.

Jay Walsh commented on Public Meeting Law violations.

Consider Attorney Communications for Legal Services Regarding Open Meeting Law Notice 1 V.S.A. sec 313(a)(1)(A)

Mr. Vachon moved that premature public knowledge of the confidential attorney-client communications made for providing legal services to the City council would place the City at a substantial disadvantage because of the otherwise confidential advice and communications could harm the city. Seconded by Mr. Charboneau, motion carried.

Mr. Vachon moved to enter executive session to consider attorney communications for legal services regarding Open Meeting Law, 1 V.S.A. sec313(a)(1)(A). Seconded by Mr. Charboneau, motion carried.

Mr. Wilson moved to come out of executive session at 6:12 PM. Seconded by Mr. Charboneau, motion carried.

No action.

Address and Respond to Notice of Open Meeting Law Violation

Mr. Wilson stated that in response to the Notice of Open Meeting Law Violations from Jennifer Bjurling, dated May 16, 2023, the council acknowledges that on May 15, 2023 the council's agenda item regarding Executive Sessions for the appointment of a Public Officer or Employee was too vague to provide the public with reasonable information about what was to be discussed; that during the executive session the actions of the Mayor were briefly discussed along with a discussion regarding the appointment of a new City Manager; and acknowledges that no action was taken during or as the result of that executive session.

Mr. Charboneau moved that the city council only enter executive sessions for a singular purpose to help emphasize and delineate the scope of each executive session discussion. If there are multiple executive sessions anticipated or needed in a single meeting, the council will come out of executive session and vote in open session to enter the next executive session. Seconded by Mr. Curtis, motion carried.

Mr. Vachon moved that on its agenda, the council shall not put executive session as an agenda item. Instead, it shall list the general topic to be discussed as the agenda item. Such an agenda item may indicate that an executive session is anticipated or something similar. Seconded by Mr. Curtis, motion carried.

For the Purpose of Setting the Water & Sewer Rates as Presented. (attached)

Mr. Charboneau moved to approve the Water & Sewer rates as presented. Seconded by Mr. Vachon, motion carried.

Review of City Manager Job Description and Recruitment Ad. (attached)

Mr. Vachon moved to approve the City Manager Job description and Recruitment Ad. Seconded by Mr. Charboneau; motion carried.

Evaluation of Programs Administrator 1 V.S.A. sec 313(a)(3).

Mr. Charboneau moved to enter executive session for evaluation of Programs Administrator 1 V.S.A. sec 313(a)(3). Seconded by Mr. Vachon, motion carried.

In open session Mr. Vachon moved to promote Rebecca Therrien to Programs Director at 42.00 per hour effective June 5, 2023. Seconded by Mr. Charboneau, motion carried.

Review Laura Dolgin's Proposed Contract for Consulting Services 1 V.S.A. sec 313(a)(1)(A)


Mr. Curtis moved to table until the next meeting, June 5, 2023. Seconded by Mr. Vachon, motion carried.

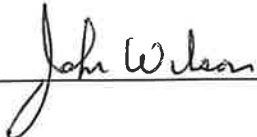
Public Statement on City Manager Transition (attached)

The Council authorized a contract with Municipal Resources Inc. on May 9, 2023. The council has updated the city manager job description and approved the draft recruitment ad. Becky Therrien has been promoted Programs Director effective June 5, 2023, and I have offered to engage in a consultation contract after my departure to assist with and ensure continuity of operations. The recruitment will be placed in the International City/County Management Association, VLCT, the Burlington Free Press and local media.

Adjournment

Mr. Charboneau moved to adjourn at 7:17 PM. Seconded by Mr. Vachon, motion carried.

Attested  This 5th Day of June 2023.

 Council President

City Manager..... (802) 334-5136
 City Clerk/Treasurer 334-2112
 Public Works/Parks 334-2124
 Zoning Adm./Assessor 334-6992
 Recreation 334-6345
 Fax..... 334-5632



City of Newport
 222 Main Street
 Newport, Vermont 05855
 www.newportvermont.org

Water & Sewer Department
 Schedule of Rates and Fees
 Enacted by the Water Commissioners on the
22nd Day of MAY, 2023

Rates to be effective with the Period Beginning August, 2023

Water Rates

Metered Water Rates for Each Quarterly Billing Period:

Usage under the Equivalent Unit (EU) of 13,500 gallons per quarter:

Minimum connection rate of \$42.00, plus the variable water use rate of \$2.15 per 1000 gallons

For usage over the Equivalent Unit (EU) of 13,500 gallons per quarter:

Fixed rate of \$3.15 per 1000 gallons plus a variable water charge of \$2.15 per 1000 gallons for a combined rate of \$5.30 per 1000 gallons

** Equivalent Units are defined as 13,500 gallons of water per quarter of 150 gallons per day.

Variable Water Use Rate per 1,000 Gallons	\$2.15
Fixed Base Rate per 1,000 Gallons	\$3.15
Connected Residential	\$72.00
Connected Above Ground Seasonal (Ledges)	\$32.00
Connected Industrial/Commercial	\$124.00
Connected Outside City Boundary	\$124.00
Vacant Land with Connection	\$42.00
Water Turn On or Off	\$45.00
Water Turn On or Off After Hours	\$60.00
Non-Metered Swimming Pools (Annual Fee)	\$78.00
Water Purchase per 1,000 gallons	\$50.00 Per 1,000 Gallons, \$50 minimum
Water Allocation Fees	
Application Fee New Residential	\$44
Existing Residential	\$17
Comercial	\$110
Industrial	\$220
Allocation Permit Fee	\$0.15 Per Gallon Per Day

Sewer Rents

Metered Sewer Rents for Each Quarterly Billing Period:

Usage under the Equivalent Unit (EU) of 13,500 gallons per quarter:

Minimum connection rate of \$71.00, plus the variable wastewater use rate of \$3.60 per 1000 gallons

Usage over the Equivalent Unit (EU) of 13,500 gallons per quarter:

Fixed rate of \$5.25 per 1000 gallons plus a variable wastewater charge of \$3.60 per 1000 gallons for a combined rate of \$8.85 per 1000 gallons

** Equivalent Units are defined as 13,500 gallons of water per quarter of 150 gallons per day.

Variable Wastewater Use Rate per 1,000 Gallons	\$3.60
Fixed Base Rate per 1,000 Gallons	\$5.25
Connected Residential	\$120.00
Connected Industrial/Commercial	\$126.00
Connected Outside City Boundary	\$505.00
Vacant Land with Connection	\$71.00

Service Fees

Labor	\$45.00
Labor After Hours	\$60.00
Equipment (Does not include labor)	
Backhoe	\$92.00
Truck	\$67.00
Loader	\$98.00
Grader	\$135.00
T.P. Tanker	\$110.00
Ton Truck	\$51.00
Vactor	\$208.00
Sweeper	\$178.00
Sewer Rodder	\$86.00
Steam-jenny	\$67.00
Compressor	\$61.00
Skid-steer	\$74.00
Roller	\$67.00
Water Tap Machine	\$214.00

Septage Discharge Fees	\$0.12
------------------------	--------

Sewer Allocation Fees

Application Fee New Residential	\$44.00
Existing Residential	\$17.00
Comercial	\$110.00
Industrial	\$220.00

Reserve Sewer Capacity Commitment Annual Fee	\$0.15 Per Gallon Per Day
Final Sewer Allocation Permit Fee	\$0.29

Enacted by the Water Commissioners on this 22nd day of MAY, 2023, in Newport, Vt.

Mayor Beth Barnes

John A. Wilson
John Wilson, Council President

[Signature]
Kevin Charboneau

[Signature]
Christopher Vachon

[Signature]
Clark Curtis

City of Newport City Manager Job Description

City Council Approved May 22, 2023

Nature of Work:

The City Manager is the Chief Administrative Officer for the city, providing executive leadership and representation on all matters concerning city government. The duties and responsibilities of the City Manager are determined by the City Council in compliance with the City Charter and state statutes. Responsible for planning, directing, managing, and reviewing all activities and operations of the city; coordinates programs, services, and activities among city departments; ensures the financial integrity of the municipal organization; represents the city's interests; provides highly responsible and complex policy advice and long range planning and administrative support to the Mayor and City Council.

Specific Duties and Responsibilities:

- Comprehensive analyses of a wide range of municipal policies; prepare policy and procedural proposals for review and adoption by the City Council.
- To attend City Council Meetings.
- Oversee the preparation of meeting agendas and supporting materials; present recommendations to council; and respond to questions and direction from City Council.
- To implement policies as determined by the City Council.
- To collect information relating to issues facing the city and to analyze, interpret and summarize it to recommend action, if any.
- Direct/Oversee/Monitor the development and administration of the City's budget; directs the forecast of funds needed for staffing, equipment, materials, and supplies; controls expenditures; and keeps the City Council informed on matters related to the financial condition of the city. Produces an annual detailed operational budget proposal in cooperation with city department heads and treasurer for review and recommendation to the city voters.
- To furnish to the city council an annual detailed five year capital improvement program and strategic plans for a wide range of municipal activities for their approval.
- Authorize and oversee the administration of grant proposals ensuring all requirements for funding and operations can be met within City policies.
- To serve as liaison with regional, state, and federal agencies to advise the City Council and other Boards.
- To collect delinquent taxes and sewer and water fees.
- Execute deeds, deeds of trust, easements, releases, contracts and other instruments binding the City to financial obligations.
- To implement negotiated agreements for the City Council.
- To be available to the people of the City of Newport to hear complaints, questions and suggestions and work with the appropriate boards and officials to handle these matters.
- Develop and maintain positive working relations with other local governments and state/federal agencies.
- To review all invoices presented to city for payment
- To administer the personnel policies, procedures and regulations as established by the City Council. Responsible for the full range of supervisory activities including selection, training, evaluation, counseling, and termination, and employment records management. To develop and foster a work environment in which employees recognize their vital role in the functioning of the city.

- To administer and enforce the ordinances and bylaws of the City of Newport not specifically delegated to others.
- Research, analyze, and make recommendations for cost effective improvements in City operations.
- Assists with City functions and performs any other duties as required or necessary.

Knowledge, Ability and Skill:

- Knowledge of modern and highly complex principles and practices of municipal administration and organization in order to effectively formulate and implement strategic planning initiatives.
- Knowledge of principles and practices of municipal finance, budget preparation, and administration.
- Knowledge of current social, political, and economic trends and operating problems of municipal government.
- Knowledge of organizational and management practices as applied to the analysis and evaluation of programs, policies, and operational needs.
- Ability to identify and respond to the public and City Council issues and concerns.
- Ability to analyze problems, provide alternatives, identify solutions in support of established goals, project consequences of proposed actions, and implement recommendations.
- Application of good knowledge of city, state, or federal regulations and City ordinances, rules, regulations and standards.
- Ability to interpret and apply Federal, State, and local policy, procedure, law, and regulation.
- Application of good knowledge of research methods.
- Proven experience in developing and leading teams of people to accomplish City tasks, setting goals and objectives, work organization, delegation and employee supervision. Knowledge of municipal bonds (general obligation, certificates of obligation, and revenue, ect.).
- Knowledge of local government purchasing laws and practices.
- Ability to work with and coordinate between multiple agencies and different governmental structures to meet goals and objectives.
- Ability to read, analyze, and interpret reports and documents
- Application of good knowledge of City Charter and Ordinances.
- Knowledge of document retention and records management;
- Application of good knowledge of rules and regulations of the open meeting law and public records act.
- Execute oral and written instructions.
- Prepare clear, concise oral and written communication.
- Ability to establish and maintain cooperative working relationships with City Council, government officials, community groups, and the general public and media representatives.
- Skill in resolving problems or situations requiring the exercise of good judgment.

Other Job Characteristics

- Exposure to irate members of the public.
- Requires flexible time management.
- Regular travel for training.
- Operation of a motor vehicle

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Regularly required to walk, stand, sit, talk, and hear; operate objects, tools, or controls; pick up paper, files and other common office objects. Ability to view computer screens and work with details for extended periods of time. May move objects weighing up to 10 pounds. Must be able to communicate.

Job Environment:

- Most work is performed in office conditions; regular schedule requires attendance at evening meetings; additional time is required to prepare for meetings and other events.
- Operates a computer, telephone, and other standard office equipment.
- Performance of duties requires regular contact with city residents, city employees, state and federal officials, business and community organizations, consultants, and vendors.
- The employee has access to all city-wide confidential information, including bid proposals, personnel records, agreements, and legal proceedings.
- Errors in judgment and administration could have a continuing adverse effect on the town's ability to deliver services, and result in monetary loss and legal repercussions.

DISCLAIMERS

The above information is intended to describe the general nature of this position and should not be considered a comprehensive statement of duties, activities, responsibilities, and requirements. This job description is neither an employment contract nor a promise of work for any specific length of time.

The City of Newport is an equal opportunity employer.



City manager transition

Laura Dolgin <laura.dolgin@newportvermont.org>
o: James Johnson <james.johnson.clerk@newportvermont.org>

Tue, May 23, 2023 at 1:08 PM

The Council authorized a contract with Municipal Resources Inc on May 9th. The council has updated the city manager job description and approved the draft recruitment ad. Becky Therrien has been promoted Programs Director effective June 5, and I have offered to engage in a consultation contract after my departure in order to assist with and ensure continuity of operations. The recruitment will be placed in the International City/County Management Association, VLCT, the Burlington Freepress and local media.

Laura Dolgin, City Manager
City of Newport
222 Main St.
Newport, Vt. 05855
(802) 334-5136

Please note that this email message, along with any response or reply, is considered a public record, and thus, subject to disclosure under the Vermont Public Records Law (1 V.S.A. §§ 315-320).

Thank You.