

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
FRIDAY, JUNE 25, 2021

Present:

Trustees: Steve Hatfield, Diane Lehouiller, Will Jennison, BJ Putvain, Ken Tourangeau

Others: Rosemary Audibert, Mike Dunham, Jackie Stanton, Eric Hutchins, Andrew Crews, Sophia Berard, Doug Collins, Andrew Churchill, Richard Cross

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Will called the meeting to order at 6:02.

2. *Review of Agenda and Any Adjustments, Changes, Additions*

No changes to the agenda were needed.

3. *Banner Policy*

Steve said he looked at the banner policies from different towns that were emailed to the board by Eric Hutchins. He is still in favor of making decisions on a case-by-case basis for the most part. He is fine with a policy on the technical aspects of banners. Will said he talked to village staff and their recommendation was to have banners 36 to 48 inches high and up to 30 feet long with grommets and carabiners for hanging, made of a breathable material. Steve said he trusts the employees' judgment on that. We are just dealing with the Pearl Street location, right? Will said yes; staff feel the potential loss would be too high at the site by Union Bank.

Diane said she also favors case-by-case decisions.

Ken said his ideas were that any banner should be allowed for no more than a 10 day period and that banners should not be controversial, political or divisive. If the board says no to any request, people can get on the town ballot for a vote to override the decision. He feels anything that flies should only be put up once a year. Will asked, if NVU wants a banner for parents' weekend and another one for welcoming back students, are those different events? Ken said yes, he would consider them different. Will said he would hate to limit the Red Cross or NVU. He thinks sometimes the Red Cross has more than one event a year. Ken said he thinks a realistic likeness of each banner should be pre-approved by the board before it is flown.

BJ said his idea was that a banner for any event going on in town would be automatically approved. Ken asked, do we call a 5-person gathering an event? BJ said he was thinking of larger gatherings like parades. Ken said the NVU graduation or parents' day would be examples of events. He feels any event should benefit the village. Diane said automatic approval should be for events that invite the whole community. Will said that would exclude parents' weekend at NVU. BJ said he was thinking that community events would be automatically approved but he doesn't see why events at the college would be turned down even though they are not open to the whole community. Ken suggested anything for NVU or the Red Cross should be automatic. He said he thinks in the past the board has granted any requests from NVU. Diane suggested requests from NVU, the Studio Center or Laraway could just go to the village manager for approval instead of the board. That would be quicker. Ken said if a group of five people want to have an event, he feels

that wouldn't count as one to automatically be approved. The board should set some parameters for automatic approval and for having the village crew put the banner up for free.

Will said it takes two people about an hour to put up a banner. Steve asked how much we pay the employees per hour. Rosemary said they each get at least \$50 an hour. So our cost to put up a banner would be about \$100. Will said NVU contributes \$6000 each year to the budget for the fire department, which they are not required to do, so putting up their banners for free could be a way to show appreciation. (*Richard Cross arrived at 6:15.*)

Ken asked how long NVU and Red Cross banners fly. Will said typically for 2 weeks. He thinks that length of time is reasonable. Ken said he is okay with that.

Will said most events are planned out well in advance so he doesn't feel groups would be handicapped by needing to come to the board. He also doesn't see a problem with having requests go to the village manager or clerk.

Will said he thinks board members agree that event banners are probably positive for the town. Would everyone agree to have banners for events approved by the village manager or clerk? If they have questions about whether something is an event or not or feel uncomfortable they can come to the board.

Andrew Crews asked how this relates to the Town of Johnson or VTrans. Will said the town hasn't had any issue with banners on town roads. The infrastructure to put the banners up is village-owned. Ken said putting a banner over a state highway requires a state permit.

The board agreed that banners for events could be approved by the village manager or clerk.

Richard Cross asked, has it been decided that banners will go up in the town? Will said right now the board is trying to make a policy. He brought up the suggestion at the last meeting that the board should set a policy in place before raising any banners. If we open up the opportunity for any banner there will be some that are not beneficial to the town or village. We need a way to keep an eye on that. Richard said he is against any kind of banner in any place. He feels the only one we need is the American flag.

Will suggested that the policy say all other banners will be approved by the board on a case-by-case basis. Ken and BJ said they are okay with that. (*Andrew Crews left at 6:24.*)

Ken said he feels if someone disagrees with the board's decision their main option should be to get on the ballot. He brought up the idea of providing a shortcut to get on the ballot for a town vote without having to submit a petition signed by 5% of voters. The board agreed not to provide any shortcut. The option will be available to submit a petition, as it always is to any voter.

Eric Hutchins said the trustees are democratically elected representatives. If they do something people don't like, people can vote them out. The trustees are the people elected to make decisions. He thinks a simple policy saying that events can be approved by the town clerk and other banner requests come before the board sounds great. He would prefer not to have a policy that would rule out certain types of banners.

It was agreed that the policy will say banners should be 36 to 48 inches high and up to 30 feet long with grommets and carabiners for hanging, made of a breathable material and approved by village staff, that banners can be hung for a maximum of 14 days, that banners for events can be approved by the village clerk or village manager and all other banners are to be approved by the board. Will asked Rosemary to write up a policy based on that outline and give it to the village's lawyer for review.

Eric Hutchins said he doesn't know why the board should put a time limit in the policy. He thinks that could be decided on a case-by-case basis. Will said the majority of banners he has seen up in the past were there for 2 weeks. Diane said she thinks if there is an event that lasts longer than a week and the organizers want the banner up ahead of time they will probably want it hanging for more than 14 days. Will said the policy doesn't prevent the board from approving a banner for a longer period on special occasions. Diane said the policy could be changed to have a longer time limit. Will said he is comfortable with 14 days. Ken said he doesn't know of any event longer than 2 weeks. Steve said he is okay with the 14 days since that is just a framework and the board will be able to make decisions on a case-by-case basis anyway. Diane asked, the board can make the period longer on a case-by-case basis? Will said the policy is not saying we can't do that.

Andrew Churchill said he would like the board to pay attention to the question of what an event is. That could be a loophole for any number of things. Ken suggested specifying a number of people needed for the event. Eric said it won't be known ahead of time how many people will show up.

The board agreed that it can be left to Rosemary to decide whether something seems to be an event.

4. *Racial Justice Committee Request to Hang REAL Banner Across Pearl Street*

The Racial Justice Committee is asking to hang a REAL Black Lives Matter banner across Pearl Street. Sophie Berard gave copies to the board of the statement that will be on the banner. It has "Black Lives Matter" on one side and the other side says: "Building a safe community of inclusion, equity, justice, dignity and respect. All are welcome with kindness and belonging." She said it is a pretty positive banner that flew in Stowe and now is at Morrisville Co-op.

Sophie said the banner could start flying as soon as June 28. The Racial Justice Committee had planned on having it up from June 28 through July 31. It would be great to have it up before the first Tuesday Night Live on July 6. The band that night is a West African band with at least two Black members. At least four of the Tuesday Night Live bands this year have Vermont BIPOC representation. It would be great to have the banner up for a large chunk of the Tuesday Night Live season.

Will said the village crew may not be able to get the banner up as soon as June 28.

Steve moved to approve flying the REAL Black Lives Matter banner across Pearl Street for 14 days, with the banner to be hung as soon as possible, before July 6 if possible. The motion was not seconded. **Diane moved and Steve seconded to approve flying the REAL Black Lives Matter banner across Pearl Street for 21 days, with the banner to be hung as soon as possible, before July 6 if possible.**

Andrew Churchill asked how the board will resolve requests with conflicting dates. Will said he would say it is first come, first served. BJ said if the board knows about both requests they will

make a decision that deals with the conflict. If they have already given approval for one banner another group would just have to wait before they could put their banner up. The man asked, what if two applications come in on the same day? Will said then the board would decide which one will fly.

Ken moved to amend the motion to change the time to 14 days. He said it is close to the 4th of July so July 6 wouldn't be a good time to put up the banner. He feels the 4th of July is a significant holiday in the state and country and shouldn't be interfered with. The motion was not seconded.

Richard Cross said he thinks the phrase "Black Lives Matter" should be taken off the flag. All lives matter, not just Black lives.

The motion was passed with Steve, Diane and BJ voting in favor and Ken and Will opposed.

5. *Discuss Gray Water at Mudgies Food Truck*

Will said we asked Mudgies to get a gray water tank to go under their trailer but putting it under the trailer would mean raising the trailer too high so the owner of Mudgies is asking for permission to put the tank (which is 17 inches high, 54 inches wide and 19 inches long) right behind the rear corner of the food truck. She would put up a picket fence around it.

Ken moved to allow the requested modification to the location of the gray water tank for Mudgies, allowing it to be installed behind the Mudgies truck as long as it is installed with some beautification, BJ seconded and the motion was passed.

6. *Adjourn*

Ken moved to adjourn at 6:45, BJ seconded and the motion was passed.

Minutes submitted by Donna Griffiths