



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday,
December 20, 2017
06:00 P.M.

- 1) Call to Order by the Mayor
- 2) 17-387. Review and Approve Agenda
- 3) 17-388. General Business and Appearances
- 4) 17-389. Consideration of the Consent Agenda
 - a) Approval of 12/13/17 Council Meeting Minutes
 - b) March For Our Future 1/20/18 Street Closure Request
 - c) Our Voices Xposed 2/6/18 Street Closure Request
 - d) Bills
 - e) Addendum - Library Funding on City Meeting ballot
- 5) 17-389(a). 6:15 P.M.
- 6) 17-390. Master Plan Public Hearing
- 7) 17-391. Zoning Public Hearing
- 8) 17-392. Montpelier Community Fund Board

- 9) 17-393. Water Resource Recovery Facility Update
- 10) 17-394. Green Mountain Transit
- 11) 17-395. Housing Trust Fund Update
- 12) 17-396. Hubbard Park Land
- 13) 17-397. Charter Amendments
- 14) 17-398. Other Business
- 15) 17-399. Council Reports
- 16) 17-400. Mayor's Report
- 17) 17-401. City Clerk's Report
- 18) 17-402. City Manager's Report
- 19) Adjournment



CITY COUNCIL Agenda Item #17-389(b)

Date: December 20, 2017

Consent X Discussion

SUBJECT: Consideration of a Street Closure Permit Application, March For Our Future, January 20, 2018.

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Approve a Street Closure Permit Application from the Peace & Justice Center for the rolling closure of one lane only from City Hall at Main Street, to the State House lawn via State Street on Saturday, January 20, 2018 at 12:30 PM for their March For Our Future, which begins at 1:00 PM.

RELATED COUNCIL GOAL/PRIOR ACTION: N/A

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Requests for street closures require Council approval.

BACKGROUND INFORMATION: The City's new Street Closure Permit Application has a section which shows that Police, Public Works, Fire and Montpelier Alive have reviewed and signed off on these applications. Another step in the new Street Closure Policy is that if the request is for State, Main, Langdon or Elm Streets or adjacent parking lots, the City will provide public notification of both the proposed closure and the date the Council will consider this request. If this request is approved, the organizers will then provide written notice of their event to all nearby property owners.

SUPPORTING DOCUMENTS: Street Closure Application

INTERESTED PARTIES: Property owners/businesses on State Street; Peace & Justice Center; Fire; Police and Public Works

CITY MANAGER'S APPROVAL:

Street Closure Permit Application

1. Event Sponsor

Name: Rachel Siegel	Email: rachel@pjcvr.org
Address: Peace & Justice Center, 60 Lake St, Burlington 05401	
Cell Phone: (802) 777-2627	Other Phone: (802) 863-2345 x1

2. Event Details

Name of Event: March For Our Future	
General description of the event (1 to 3 sentences): Youth-led march and rally for human rights, dignity, and equality for all.	
Date of Event: 1/20/2018	Start and End Time of Event: 1 - 1:45
Street(s) to be Closed - Please provide a sketch of the event layout. City Hall Main Street to Statehouse State St	
Time Street will close (recommend up to an hour before event): 12:30	Time Street will reopen (recommend 30 minutes after the event ends): 2:00
Number of Staff/Volunteers on site for Event: 15 - 20	
Number of people expected at event: 500	Number of vendors and/or entertainers who will participate: one

3. Community Support

Is this a reoccurring event in Montpelier? no	If no, do you have experience elsewhere with such events? Please explain. yes - Women's March, May Day and Climate March
--	---

How does this event benefit the public (as outlined in the Street Closure Policy)? The MFOF stands for progress on the issues that affect young people and our planet. Youth voices need to be heard. This generation is taking action to create a better, more inclusive, future. The public benefits by celebrating, supporting, and joining the young people of Vermont.
--

4. Public Safety and Public Health

Please describe any discussions or arrangements that the Event Sponsor has made with public safety or public works professionals in Montpelier.

We will follow up with this later.

What arrangements have been made for food, water, and toilet facilities (if applicable)?

*We will have porta lets at Statehouse.
Episcopal Church is offering a warming facility.*

What arrangements have been made to assure that litter will be cleaned up and disposed of and that trash and recycling containers will be provided?

We will have volunteers sweeping the area after the event.

If additional law enforcement officials will be hired for your event, please list:

n/a

Please note any other unique aspects of this event:

This is truly a youth-led event which is unusual and very worthy.

Will noise levels or hours exceed the city's noise ordinance? If so, will this event require a request for variance from the noise ordinance? *n/a*

5. Accessibility

As this event will take place on public property, I, as the Event Sponsor, attest that this event and all related programming and facilities meet the Americans with Disabilities Act accessibility requirements. These requirements are available at the City's website.

Street Closure Permit Application

Rachel A Siegel

Signature

Rachel A Siegel

Printed Name

11/17/17

Date

6. Signature

I, the undersigned, certify that the information provided above is valid and I will abide by any additional provisions note by Officials below. I acknowledge that I have read and understand the Montpelier Street Closure policy and that I am responsible for compliance with all requirements contained in that policy. I also agree to be onsite for the duration of the above mentioned street closure.

Rachel A Siegel

Signature

Rachel A Siegel

Printed Name

11/17/17

Date

Notice Documentation

Name of Event: <i>March For Our Future</i>	
Date of Event: <i>1/20/18</i>	Start and End Time of Event: <i>1-1:45</i>
Street(s) to be Closed: <i>Main and State</i>	
Time Street will close (recommend up to an hour before event): <i>12:30</i>	Time Street will reopen (recommend 30 minutes after the event ends): <i>2:00</i>
Date of City Council Meeting to consider permit request:	
Describe Efforts made to notify residents and businesses along the street to be closed. Notification must include both the date/time of the proposed event and the date/time of the City Council meeting where the street closure will be considered. <i>Page 2 of the Street Closure Permit state in #2 that the City will provide public notification. Please let me know if I am misunderstanding this.</i>	

Street Closure Permit Application

FOR OFFICIAL USE ONLY

The following parties have reviewed and approved:

POLICE	
Reviewed by: <i>NEIL MONTPELIER</i> Print Name <i>[Signature]</i> Signature <i>11/21/17</i> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>STAGING IN FRONT OF CITY HALL, IF PARTICIPANT GROUP OR EXCEEDS \$500 WILL NEED TO CONSIDER ALLEY BETWEEN CITY HALL & FIRE DEPT, HOWEVER WILL NEED TO KEEP OPEN ACCESS FOR FIRE/AMBULANCE VEHICLES DEPARTING FOR EMERGENCIES. POLICE WILL ASSIST W/ TRAFFIC AT MAJOR INTERSECTIONS ALONG COURSE</i> ☐ Reviewed – do not recommend approval
PUBLIC WORKS	
Reviewed by: <i>Thomas McAdle</i> Print Name <i>[Signature]</i> Signature <i>11/30/17</i> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>CANNOT SUPPORT CLOSURE OF MAIN ST. (VT Rte 12). IF STATE ST. TO BE CLOSED, RECOMMEND CLOSURE & DETOUR SIGN PACKAGE (MUTCD COMPLIANT) TO BE SUBMITTED FOR REVIEW & APPROVAL. MAY ALSO NEED UTO FOR ACTIVE TRAFFIC CONTROL & INTERSECTIONS.</i> ☒ Reviewed – do not recommend approval <i>Also, minimum one week advance public notice for public relations & Utrans traffic alert.</i>
FIRE DEPARTMENT	

Revised: After Police explanation, street closure regards one lane only & rolling closure with P.D. assist for relatively short duration

Street Closure Permit Application

FIRE DEPT.

Reviewed by: <i>Robert Gowen</i> Print Name <i>Robert Gowen</i> Signature <i>11-27-17</i> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>Maintain Emergency Vehicle Access</i> ☐ Reviewed – do not recommend approval
MONTPELIER ALIVE	
Reviewed by: Print Name Signature Date	☐ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval
OTHER	
Reviewed by: Print Name Signature Date	☐ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval

This permit request was reviewed at the _____ City Council



CITY COUNCIL Agenda Item #17-389(c)

Date: December 20, 2017

Consent X Discussion

SUBJECT: Consideration of a Street Closure Permit Application, Our Voices Xposed State House Rally, February 6, 2018 (snow date February 7, 2018).

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Approve a Street Closure Permit Application from the Vermont Department of Health for the rolling closure of one lane only of the Bailey Avenue extension from the High School to State Street onward to the State House on Tuesday, February 6, 2018 at 7:30 AM for their Our Voices Xposed State House Rally, which begins at 8:00 AM.

RELATED COUNCIL GOAL/PRIOR ACTION: This is a recurring event.

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Requests for street closures require Council approval.

BACKGROUND INFORMATION: The City's new Street Closure Permit Application has a section which shows that Police, Public Works, Fire and Montpelier Alive have reviewed and signed off on these applications. Another step in the new Street Closure Policy is that if the request is for State, Main, Langdon or Elm Streets or adjacent parking lots, the City will provide public notification of both the proposed closure and the date the Council will consider this request. If this request is approved, the organizers will then provide written notice of their event to all nearby property owners.

SUPPORTING DOCUMENTS: Street Closure Application

INTERESTED PARTIES: Property owners/businesses on State Street; Vermont Department of Health; Fire; Police and Public Works

CITY MANAGER'S APPROVAL:

Street Closure Permit Application

1. Event Sponsor

Name: Vermont Department of Health	Email: Naaaku.addo@vermont.gov
Address: 108 Cherry Street Suite 203 Burlington VT 05401	
Cell Phone: 802-777-6404	Other Phone: 802-863-7359

2. Event Details

Name of Event: OVX Statehouse Rally	
General description of the event (1 to 3 sentences): Our Voices Xposed (OVX) youth groups made up of 19 Supervisory Unions will be marching to the Statehouse from the Montpelier High School to educate their local decision makers about the dangers of flavored tobacco products and the impact on youth initiation	
Date of Event: February 6th 2018 with a snow date of 2/7	Start and End Time of Event: 8:00am-12:00pm
Street(s) to be Closed - Please provide a sketch of the event layout. From Montpelier High School via Bailey Ave Ext through to State Street to the State House Steps	
Time Street will close (recommend up to an hour before event): 7:30am	Time Street will reopen (recommend 30 minutes after the event ends): 11:00am
Number of Staff/Volunteers on site for Event: 6	
Number of people expected at event: 90 students and advisors	Number of vendors and/or entertainers who will participate: 0

3. Community Support

Is this a reoccurring event in Montpelier? Yes, this is an annual event that the youth participate in at the Statehouse.	If no, do you have experience elsewhere with such events? Please explain.
How does this event benefit the public (as outlined in the Street Closure Policy)? Youth groups in Vermont are able to march to the statehouse to educate their local decision makers about the impacts tobacco products have on them and also talk about the work they have been involved in in their communities. The public also gets to see the messages created by the youth about the issue.	

Street Closure Permit Application

4. Public Safety and Public Health

Please describe any discussions or arrangements that the Event Sponsor has made with public safety or public works professionals in Montpelier.

No arrangements have been made with public works however, we have reached out to the Statehouse to request use of the lawn and steps as well as the facilities inside the Statehouse as this event will be inside the Statehouse.

What arrangements have been made for food, water, and toilet facilities (if applicable)?

Food and water will be served from the Montpelier High School. Toilet facilities at the High School and the Statehouse will be used for this event. The home base for this event is the High School. An arrangement between the Vermont Department of Health and the Montpelier High School has been made to ensure provision of these accommodations.

What arrangements have been made to assure that litter will be cleaned up and disposed of and that trash and recycling containers will be provided?

Please refer to the response above.

If additional law enforcement officials will be hired for your event, please list:

N/A

Please note any other unique aspects of this event:

N/A

Will noise levels or hours exceed the city's noise ordinance? If so, will this event require a request for variance from the noise ordinance? No

5. Accessibility

As this event will take place on public property, I, as the Event Sponsor, attest that this event and all related programming and facilities meet the Americans with Disabilities Act accessibility requirements. These requirements are available at the City's website.

Street Closure Permit Application

Naa Aku Addo

Naa Aku Addo

11/17/2017

Signature

Printed Name

Date

6. Signature

I, the undersigned, certify that the information provided above is valid and I will abide by any additional provisions note by Officials below. I acknowledge that I have read and understand the Montpelier Street Closure policy and that I am responsible for compliance with all requirements contained in that policy. I also agree to be onsite for the duration of the above mentioned street closure.

Naa Aku Addo

Naa Aku Addo

11/17/2017

Signature

Printed Name

Date

Notice Documentation

Name of Event: OVX Statehouse Rally	
Date of Event: February 6th 2018	Start and End Time of Event: 8:00am-12:00pm
Street(s) to be Closed: Bailey Ave Extension to State Street (State House Steps)	
Time Street will close (recommend up to an hour before event): 7:30am	Time Street will reopen (recommend 30 minutes after the event ends): 11:00am
Date of City Council Meeting to consider permit request: November 17th 2017	
Describe Efforts made to notify residents and businesses along the street to be closed. Notification must include both the date/time of the proposed event and the date/time of the City Council meeting where the street closure will be considered.	

Street Closure Permit Application

FOR OFFICIAL USE ONLY

The following parties have reviewed and approved:

POLICE	
Reviewed by: <u>NEIL MARTEL</u> Print Name <u>[Signature]</u> Signature <u>12/1/17</u> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>1 LANE OF TRAVEL, Street TO ONLY Be CLOSED While Stunts Are Marching- Police will ASSIST AT HIS. DRIVE AT STATE/BAILEY AVE. CRUISEK WILL follow AT RARE of March - THIS IS SAME Event AS in past years w/ SAME Conditions of Approval + Police Controls.</i> ☐ Reviewed – do not recommend approval <i>+ MUST Provide Proof of Liability Insurance if USING city Street</i>
PUBLIC WORKS	
Reviewed by: <u>Thomas McArdle</u> Print Name <u>[Signature]</u> Signature <u>12/4/17</u> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>As per Police explanations of partial closure to plan for rolling closure w/ PD assist.</i> ☐ Reviewed – do not recommend approval
FIRE DEPARTMENT	

Street Closure Permit Application

Reviewed by: <u>Robert Gowers</u> Print Name <u>[Signature]</u> Signature <u>12-11-17</u> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <u>Maintain Emergency Vehicle Access</u> ☐ Reviewed – do not recommend approval
MONTPELIER ALIVE	
Reviewed by: _____ Print Name _____ Signature _____ Date	☐ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval
OTHER	
Reviewed by: _____ Print Name _____ Signature _____ Date	☐ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval

This permit request was reviewed at the _____ City Council

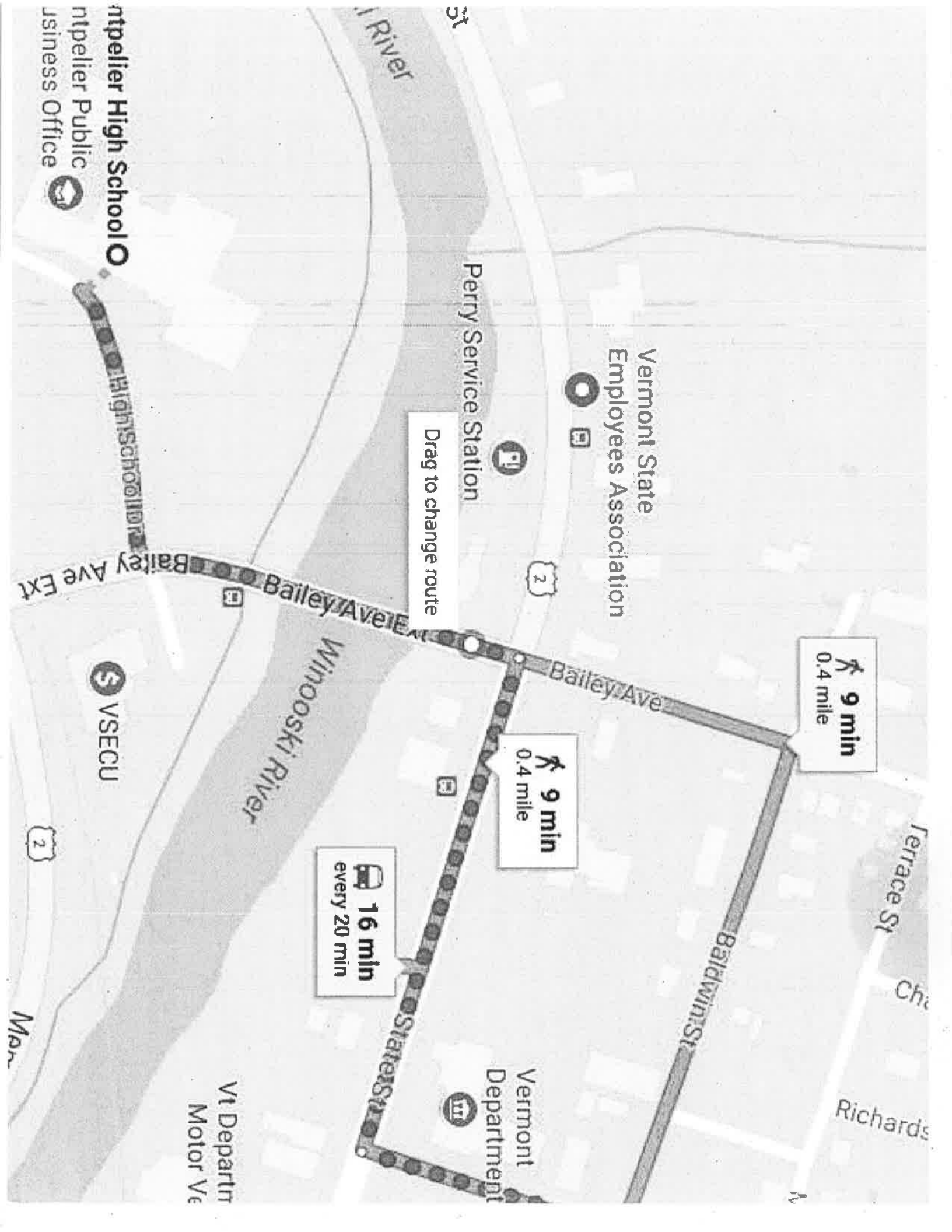


Street Closure Permit Application

(MONTH/DAY/YEAR)

meeting. This permit request was:

APPROVED _____ DENIED _____



9 min
0.4 mile

9 min
0.4 mile

16 min
every 20 min

Vermont State
Employees Association

Perry Service Station

Winooski River

Winooski High School

Winooski Public
Business Office

Terrace St

Ch...

Richards

Vermont
Department
of Motor Vehicles

Vt Departm
Motor Ve

VSECU

High School Dr
Bailey Ave Ext

Bailey Ave

Baldwin St

State St

Winooski River



CITY COUNCIL Agenda Item #17-390
Date: December 20, 2017 (@ 6:15PM)
Consent ☐ Discussion ☒

SUBJECT: Public hearing to take public comment on the readoption of the Master Plan

SUBMITTING DEPARTMENT: Planning & Community Development

RECOMMENDED ACTION: The Council may vote to make any changes to the plan during or after the hearing. Following the hearing the Council should have a motion to approve the readoption of the amended Master Plan incorporating the changes discussed at the hearing on December 13th and 20th.

RELATED COUNCIL GOAL/PRIOR ACTION: The City Plan supports all of the Council Goals.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Title 24 Chapter 117 lays out the requirements for the development and adoption of municipal plans.

BACKGROUND INFORMATION: Following Council's directives from August, the Planning Director reviewed the 2010 and 2015 Master Plans to make updates to information. The Planning Commission held a public hearing on October 23rd, took comments from the public, and made changes to the plan. The Commission then voted to forward this to council for consideration. You received the draft Master Plan and required report from the Planning Commission and now need to hold two public hearings before readopting the plan.

SUPPORTING DOCUMENTS: The draft Master Plan has been sent to you in two forms- a redline strike out version and a clean version. The clean version is the official version if any differences are discovered. The required report has also been provided which outlines compliance with state law. These are all on the web link - <http://www.montpelier-vt.org/974/20172018-Master-Plan-Re-adoption>

INTERESTED PARTIES: Planning Commission, Citizens of Montpelier

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. J. [unclear]".



CITY COUNCIL Agenda Item #17-391

Date: December 20, 2017

Consent ☐ Discussion ☒

SUBJECT: Public hearing to take public comment on the adoption of the revised Unified Development Regulations (also known as the zoning bylaws) and River Hazard Area Regulations.

SUBMITTING DEPARTMENT: Planning & Community Development

RECOMMENDED ACTION: The Council must vote to make any changes to the bylaws during or after the hearing in order have a clean version for adoption on January 3rd. A vote on final adoption of the zoning and river hazard regulations will be after a hearing on January 3, 2018 (no changes are allowed at that hearing).

RELATED COUNCIL GOAL/PRIOR ACTION: Support and promote a vibrant downtown; Alleviate parking pressures in Montpelier to maintain a vibrant downtown; Create a hospitable environment for housing development and grand list growth; Create a hospitable environment for housing development and grand list growth.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Title 24 Chapter 117 lays out the requirements for the development and adoption of land use regulations.

BACKGROUND INFORMATION: This will be the second of two public hearings on the adoption of the draft Zoning and River Hazard Area Regulations. The drafts now incorporate all changes from the previous thirteen input meetings. If any changes are made (and I expect there will be a few) then we will need to have a final hearing on January 3rd where no changes will be allowed to be made in order to formally adopt the final bylaws.

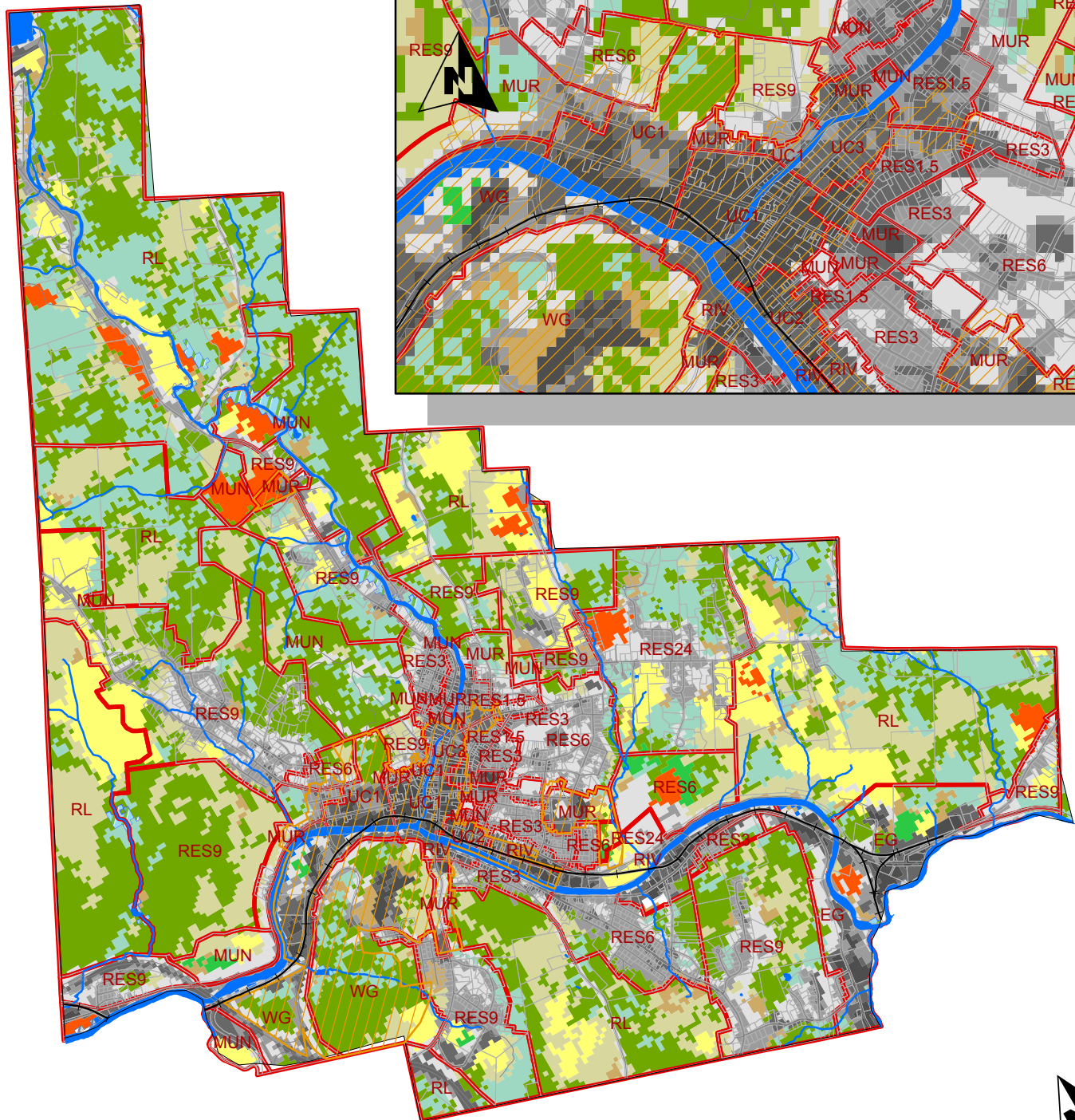
SUPPORTING DOCUMENTS: The final versions of the Zoning and River Hazard Area regulations as well as all maps and required reports can be found at. <http://www.montpelier-vt.org/833/Proposed-Zoning-and-Subdivisions-Regulat>

INTERESTED PARTIES: Planning Commission, Housing Task Force, Conservation Commission, and MEAC.

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.

Figure 29- Zoning & Current Land Use





CITY COUNCIL Agenda Item #17-392

Date: December 20, 2017

Consent ☐ Discussion ☒

SUBJECT: Montpelier Community Fund goals and procedures

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Engage in discussion regarding questions about the goals and procedures of the Community Fund Board

RELATED COUNCIL GOAL/PRIOR ACTION: F: Quality of Life

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: At the December 13, 2017 City Council meeting, questions arose regarding the goals and procedures of the Community Fund Board. The Board was invited to attend the December 20, 2017 meeting to engage in discussion.

SUPPORTING DOCUMENTS: Memo from Ron Wild, overview of the Fund's history and the Board's procedures, as well as the guidelines that accompany the grant application.

INTERESTED PARTIES: City Council, Finance Department, Montpelier Community Fund Board

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.

Date: December 19, 2017

To: Members of the Montpelier City Council

Re: Upcoming meeting with Council

Mayor Hollar has invited the members of the Montpelier Community Fund Board to appear at the December 20th meeting of the Council in order to discuss the Fund with you and to answer any questions that we can.

Following is a brief overview of the Fund's history and the Board's procedures, as well as the guidelines that accompany the grant application.

Since the full Board has not had a chance to meet since the Mayor's invitation, I've taken it upon myself to provide this overview. Although the other Board members have seen them, please note that these comments come from me alone.

We look forward to meeting with you on December 20th.

Regards,
Ron Wild
Chair
Montpelier Community Fund Board

The Montpelier Community Fund (MCF)

Description

The Montpelier Community Fund (MCF) Board was created by the City Council in 2012 to review requests and recommend allocation of municipal funds to local non-profit organizations and individual artists.

Goals

- To create a rational process by which funding requests are evaluated in the context of an overall budget, with funds allocated based on need and benefits to the community.
- To allow for the subsequent review of grants to ensure that they were spent as intended.
- To relieve voters of making funding decisions on an ad hoc basis with little information.
- To maintain the city's commitment to funding non-profit organizations and artists.

Process

Five MCF Board members are appointed by the City Council for staggered two-year terms. In the fall of each each year, the Board receives applications for grants from the fund. Board members individually read each application and then meet collectively to discuss each application. The Board takes into consideration prior funding and accomplishment of funded projects and criteria that are stated in the published grant guidelines and included with application materials. These include, but are not limited to: breadth of support, collaboration with other programs and services (as appropriate), and the extent to which the grant benefits Montpelier, its residents, and the public good.

The MCF Board submits its funding recommendations to the City Council which in turn decides either to accept or reject the entire list recommendations. If accepted, the The Montpelier Community Fund recommendation is incorporated into the City budget pending voter approval at Town Meeting.

Ballot Initiatives

Under the Montpelier City Charter, anyone has the right to place funding initiatives on the ballot by petition. However, to ensure municipal budget control and the integrity of the MCF process, grant funds are available only to those organizations and individuals who choose not to petition for funding through a ballot initiative in the same year.

Recent Funding History

Year	Total Requested	# of Applications	Total MCF Recommendation	
FY14	\$133,667	38	\$108,500	
FY15	\$140,825	43	\$111,600	
FY16	\$138,025	38	\$111,700	
FY17	\$179,022	45	\$119,500	
FY18	\$190,090	44	\$120,000	
FY19	\$143,282	37	\$115,500 (not yet presented)	



City of Montpelier, Vermont

39 Main Street, City Hall
Montpelier, Vermont
05602

MONTPELIER COMMUNITY FUND

FY 2019 (7/1/18 - 6/30/19)

GUIDELINES

In 2012, the Montpelier City Council established the Montpelier Community Fund (MCF) as its method for funding organizations and projects that benefit Montpelier residents. The City Council now includes an appropriation for MCF grants within its annual budget, which is voted on annually at Town Meeting. The MCF reviews all applications submitted and recommends grants for eligible organizations and projects as set forth in the MCF policy. MCF award recommendations are considered by the City Council prior to Town Meeting. The MCF is administered by a five-person Board of Montpelier residents, appointed by the City Council.

Eligibility - Private, non-profit organizations that benefit the residents of Montpelier are eligible to apply to the MCF. In addition, MCF will make arts grant awards to arts organizations and individual artists for specific events. Any organization or person who petitions to place an article requesting funds on the 2018 City ballot is not eligible for MCF funding in FY 2019.

Grant Types - The MCF offers two types of grants: **General Community Fund** and **Arts Grants**. The Arts Grants are designed to support specific art-related events (or series of events) to benefit downtown, with awards typically \$1,000 or less. General Community Fund grants support operating budgets or specific projects of local community service and related organizations.

Grant Award Criteria - The MCF Board considers the following criteria in awarding funds:

The extent to which the grant will benefit Montpelier, its residents, and the public good -
by effectively addressing basic human needs; or
by enhancing the quality, vitality and sustainability of life in Montpelier.

The extent to which the applicant has raised, can raise, or can leverage funds from other sources.

Application - Completed applications must be submitted in digital form (Word or PDF; a single file preferred) on or before midnight, November 27, 2017. Applications must be complete, legible, and with all attachments in order for a request to be considered.

MCF GUIDELINES - Continued

Grant Awards - The Montpelier Community Fund Board's recommendations to the City Council will be published prior to town meeting, and grant awards will be announced after the City budget is approved. Award payments are processed by the City after the first property tax installment due date of August 15. Awards greater than \$10,000 will be paid in two installments, one after August 15 and the second after November 15.

Please note that all individual award recipients will be asked to complete a W-9 form

Recipient Reporting - If you are applying for FY19 funding, please submit: a) a Final Report on FY17 Grant Funds received (if applicable) and b) a Progress Report on FY18 Grant Funds received (if applicable).

Questions regarding the Montpelier Community Fund may be directed to the City Manager's office - 803-223-9503 - or JGranfield@montpelier-vt.org.



CITY COUNCIL Agenda Item #17-393

Date: December 20, 2017

Consent ☐ Discussion ☒

SUBJECT: Water Resource Recovery Facility (WRRF) – Organics to Energy Project

SUBMITTING DEPARTMENT: Public Works

RECOMMENDED ACTION: Receive an update on the project scope and costs associated with it. Comparisons between Aging Infrastructure needs and Organic receiving upgrades will be discussed.

RELATED COUNCIL GOAL/PRIOR ACTION: Goal G – Make Steady progress toward maintaining and improving infrastructure and establish a clear timeline for achieving steady state. Goal H – Maintain a clean and healthy natural Environment, move towards net zero.

EXPENDITURE REQUIRED: Dependent on preferred facility upgrade alternative.

SOURCE OF FUNDS: Sewer enterprise fund, energy savings, tipping fee revenue, bond.

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: ESG is an energy services contractor with a specialty in wastewater treatment facilities. City council approved a Project Development Agreement (PDA) with ESG in July, 2017. Engineering work has been completed, quotes from contractors solicited and more in depth discussions have been had with organic hauling companies.

SUPPORTING DOCUMENTS :

- Project Narrative

INTERESTED PARTIES: Sewer Rate Payers, Energy Committee, DPW

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.

Status Update

Aging Infrastructure/Organics-to-Energy Project

December 15, 2017

Work Completed and Proposed Project(s)

At the July 26, 2017 City Council meeting, ESG presented a preliminary estimate of the scope, cost, savings and net-zero energy benefits associated with the Aging Infrastructure/Organics-to-Energy (AI/OE) project. The project objectives are to: (1) comprehensively upgrade aging infrastructure; (2) restore the WRRF's anaerobic digestion and waste receiving systems; (3) generate new revenue and savings sufficient to reduce the cost of implementing AI upgrades; and (4) generate enough renewable energy to make the plant a net zero facility.

At this meeting City Council approved a Project Development Agreement (PDA) with ESG. The objective of the PDA was to define the project scope, cost and revenue/savings that would form the basis of a contractual agreement between the City and ESG to implement AI/OE project. Since this date, with input from the City and Aldrich & Elliot, ESG has completed the following project development activities defined in the PDA:

- Completion of engineering design and bid documents
- Definition of project work scope
- Receipt of competitive contractor and major equipment proposals
- Development of guaranteed maximum price
- Identification of organic waste sources
- Development of revenue and savings guarantee amounts
- Evaluation of biogas conversion alternatives, including combined heat and power (CHP)

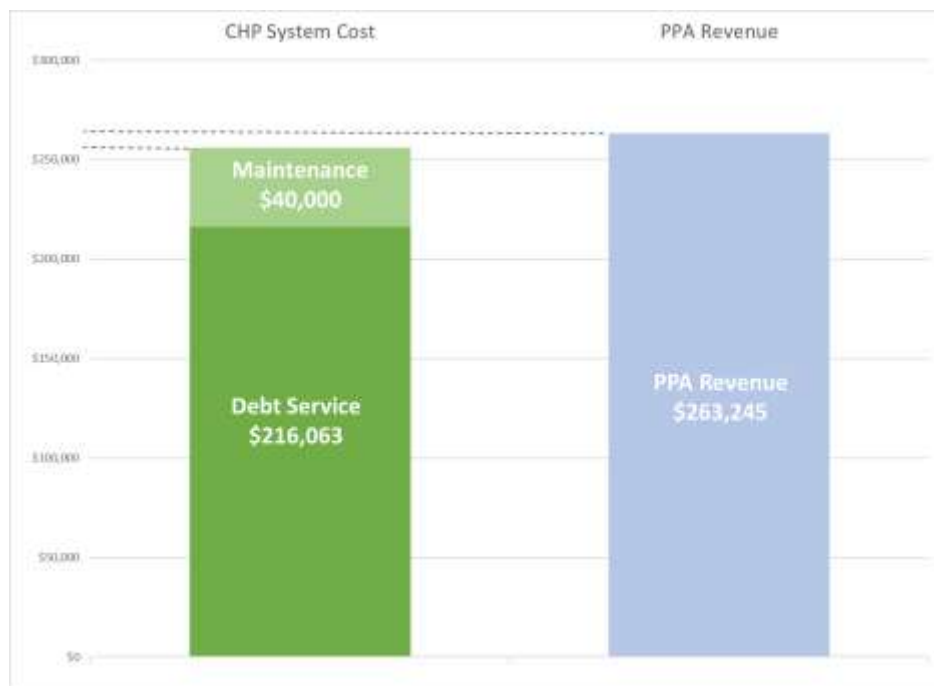
Based on this development work, a complete \$14 million Aging Infrastructure/Organics-to-Energy (AI/OE) project and associated revised budget and cash flow projections have been defined for a scope of work comprising a comprehensive upgrade of the WRRF with an average annual revenue/savings of \$732,000. This upgrade includes the original AI budgeted work, other needed AI upgrades identified in the WRRF's Preliminary Engineering Report (PER), in addition to the OE upgrades that restore the anaerobic digestion capability of the WRRF to provide new revenue and reduce operating costs.

Combined Heat and Power (CHP) and Net Zero Energy

The project will result in the WRRF producing enough renewable biogas to meet all of its electric and heat energy demand. At City Council's request, ESG evaluated several energy conversion options for this biogas, summarized in the table below. Based on this evaluation it is evident that CHP is the only alternative that has a positive impact on the project financial results.

Gas Conversion Options	Cost	Savings	Simple Payback
CHP	\$ 3,918,681	\$ 261,245	15
District Heat	\$ 9,027,247	\$ 84,972	106
Snow Melt	\$ 509,120		N/A
Dryer	\$ 6,600,000	\$ 194,825	34
CNG Vehicles	\$ 6,682,500	\$ 130,449	51

The CHP can convert all of the biogas generated and will produce more power and heat than the WRRF requires, enabling the facility to achieve Net Zero. The CHP can be incorporated into the project scope now or as a second phase. In either event the City would not have to commit to this element until it secures a 20 year power purchase agreement through the renewable energy feed in tariff offered through Vermont Public Utility Commission's VEPP program. Under this program the City would submit a response to an RFP that VEPP issues in April 2018. If the project is accepted the award would be made in the fall of 2018, coinciding with AI/OE construction. The cost of the total CHP system (engine generator, switch gear/interconnection, gas cleaning) is \$3.6 million. The annual costs and revenue associated with CHP is illustrated below.



Aging Infrastructure

The WRRF is a 40 year old facility. The City has implemented various upgrades and equipment replacements over the years, although certain key process areas have not been upgraded since

the 1970's or 1980's. For example, the anaerobic digesters and sludge handling systems do not anaerobically digest sludge, resulting in high operational costs and loss of waste receiving and energy production potential. In 2015 the City retained Aldrich & Elliot to perform an analysis, the results of which are contained in the PER, to identify equipment condition, provide scope and estimates for immediate repairs needed, and a developed schedule for planned repairs or replacement based on age and status.

The current Sewer Fund Master Plan, developed prior to the PER, was based on a \$3.5 million capital expenditure for upgrades. The PER identified additional upgrades to the WRRF that will be required over the next 10 years. These upgrades are for systems that are currently well beyond their useful life, present operational challenges, and/or do not meet current building code requirements. However, the costs associated with the additional upgrades are not included in the current sewer fund master plan.

The AI/OE project includes many of these additional upgrades as they are necessary to achieve the revenue, savings and energy benefits. These benefits would not be realized if they were deferred and separated. As shown in the following table, the progression of AI scope and cost definition associated with the PER and AI/OE design steps includes:

- The initial AI budget of \$3.5 million formed the basis of the master plan.
- During the PER work, it was determined that the dewatering system needed to be replaced within the planned \$3.5 upgrade, increasing the budget from \$3.5 million to \$5.0 million.
- The PER identified the additional AI needs. In ESG's July 2016 PDA presentation, their preliminary project scope included \$1.6 million of upgrades identified in the PER, bringing the total estimated AI upgrade portion of the project to \$6.6 million.
- Based on ESG's engineering analysis/design and review by DPW and Aldrich & Elliot, it was determined that additional AI upgrades, defined in the PER, were required to fully realize savings and revenue within the project. This results in a total AI upgrade cost of \$9.4 million when added to the \$5 million presented in July.

Original AI	AI w/Dewatering	July Presentation - Basis of PDA	Engineering Design - Defined Project
\$3.5M	\$5M	\$6.6M	\$9.4M
	Item	Item	Item
	Dewatering	Primary Clarifiers	Septage Transfer Pump
		Septage Receiving Unit	Septage/ Leachate Mixers
		Dewatering Feed Pumps	Heating and Ventilating
			Thickening
			Polymer
			Sludge Recirc Pumps
			Gas Collection, Flare+
			Conveyors
			Digester Cleaning
			Digester Covers

Financial Analysis

The AI/OE project includes \$9.4 million of AI upgrades that the WRRF will have to make over the next 10 years. Their inclusion in the AI/OE project will lower the total cost impact to the City and ratepayers over 20 year performance period (and the upgrade's useful life of 25 years). This is established by comparing annual debt service, net of savings and revenue, of the necessary AI upgrades (AI baseline) versus the AI/OE project. DPW and the City's Engineer/PER author (Aldrich & Elliot) estimated how long the additional PER upgrades could be deferred and applied the cost in the year a bond would be required to accurately project the cost impact to the City over this time period. The new revenue and savings generated by the AI/OE project will reduce the City's annual average costs over the 20 year period by over \$200,000.

DPW and the City's Finance Director are currently evaluating the cash flow impacts and debt service requirements and will provide the relevant tables and graphs as an addendum to this memorandum. The sources of AI/OE revenue and savings are shown in the following table.

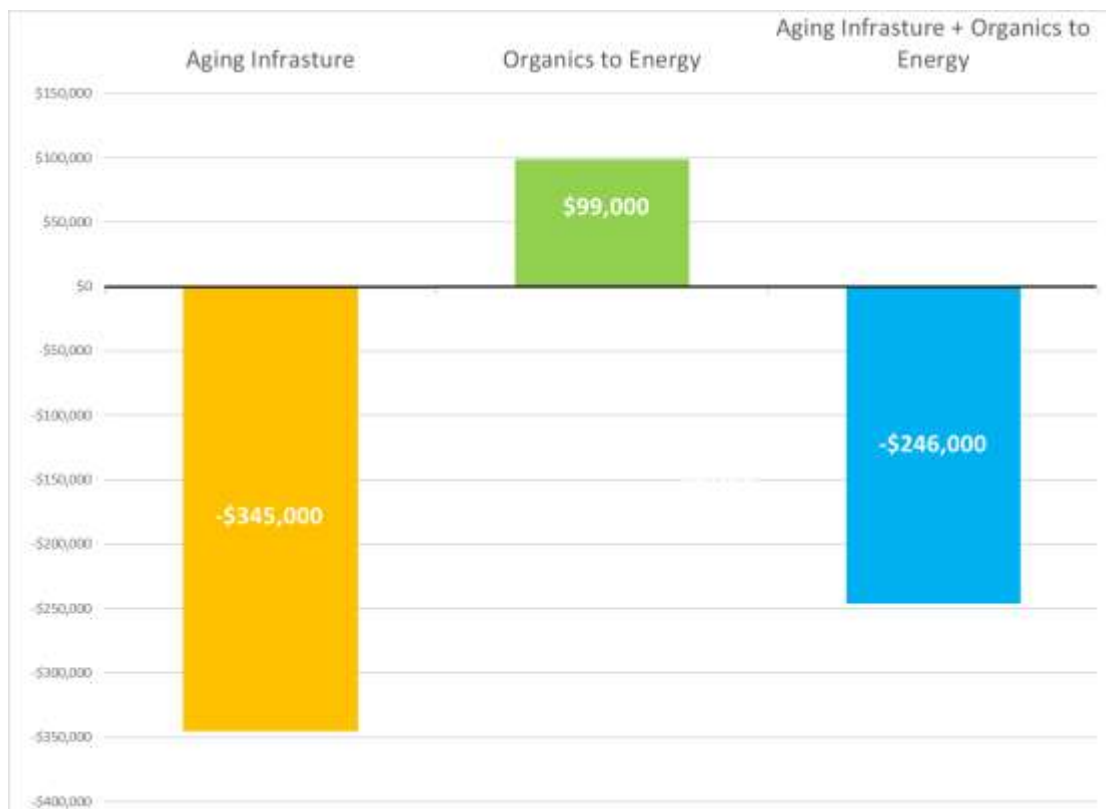
Sources of AI/OE Project Savings and Revenue

Solids Disposal	\$ 88,309
Electric	\$ 1,000
Water	\$ 247,216
Organics Revenue	\$ 346,750
Added Maintenance	\$ (20,000)
Total	\$ 663,275

The savings identified above represent ESG guaranteed annual values. The organics revenue is based on the projected organic waste volumes. ESG's organics revenue guarantee will be based on the amount of revenue required to cover the OE related debt service

Benefits

The original AI budget represents a partial upgrade of the WRRF. It does not address a number of other PER recommended AI upgrades, most of which should be made in within the next five years. The AI/OE project incorporates these upgrades now instead of deferring them, and restores the waste receiving and anaerobic digestion systems to preserve and increase hauled waste revenue and reduce the cost of sludge disposal. As shown in the following chart, the net cost of necessary WRRF upgrades are lower with a combined AI/OE project due to the guaranteed revenue and savings associated with the OE scope.



Other significant benefits include:

- The City is at risk of losing or a reduction of a major portion of its septage receiving revenue (>\$300,000) as its major customer is requesting a fee reduction. There is currently no commitment or agreement in place for with this customer. The AI/OE project will lower the cost of septage treatment and allow the City to make the fee adjustments necessary to retain this important revenue stream and obtain a long term

(five years or more) commitment from its major customer. This will provide revenue budget stability which we currently don't have.

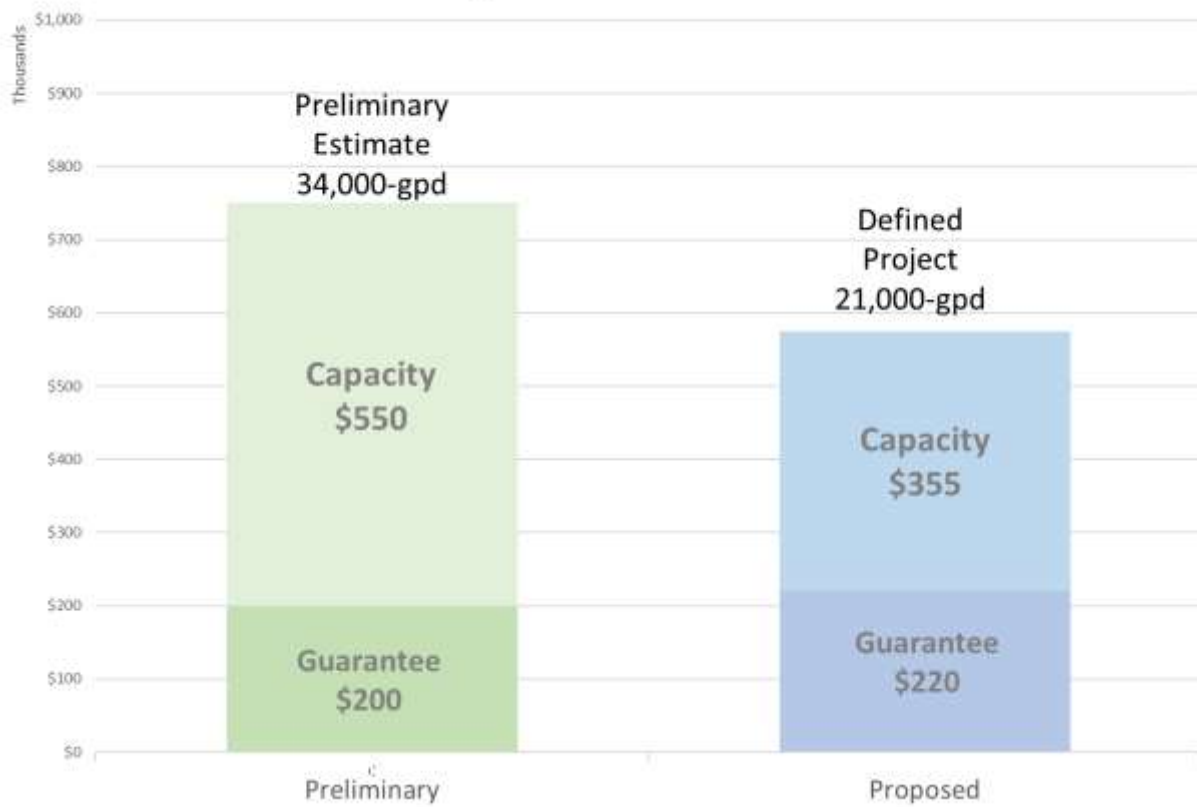
- The WRRF will produce enough biogas to meet its electric and heat energy loads and become a net zero energy facility. This includes replacing the WRRF's heating and ventilation systems which are badly in need of repair.
- By offsetting the cost of electricity for the facility, the City is protected from the risk of future electric energy price increases.
- By eliminating almost all fuel oil use the City will be shielded from the risk of future volatility and escalation of fuel oil costs.
-
- In addition to reduced sludge volumes through improved digestion and dewatering, the new systems will produce Class B biosolids which can be beneficially land applied instead of landfilled. This "zero waste" sustainable practice will also protect the City from future regulatory & cost escalation risks associated with landfill disposal.
- The WRRF's current single point waste receiving station is not sufficient to handle the current hauling customers and often results in congestion and traffic backups. The AI/OE project will include process improvements to alleviate this condition.

Comparison to Preliminary Estimates

The primary differences between the preliminary estimates presented in July and the defined project include: (1) the organics receiving capacity created by the project; and (2) the inclusion of additional recommended AI upgrades.

The preliminary project presented to the City Council in July was based on creating 34,000 gallons per day of new treatment capacity by converting an unused tank to a waste blending station and rehabbing all three digesters. However, due to the current organic waste market and the need to preserve the unused tank for future nutrient treatment processes, the scope was narrowed to 21,000 GPD capacity by converting one digester to a blending tank and rehabbing the other two for co-digestion. As shown in the following chart, while the ESG revenue guarantee is the same, the upside revenue potential is reduced from \$555,000 to \$390,000.

Organics Revenue





CITY COUNCIL Agenda Item #17-394

Date: December 20, 2017

Consent ☐ Discussion ☒

SUBJECT: Green Mountain Transit Montpelier Circulator

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Receive presentation from Green Mountain Transit regarding the Montpelier Circulator, discuss future funding contribution.

RELATED COUNCIL GOAL/PRIOR ACTION: F: Quality of Life

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: For 8 years, the City of Montpelier has contributed \$40,000 toward Green Mountain Transit's Montpelier Circulator service which provides citizens with free public transportation to numerous locations throughout the downtown area.

SUPPORTING DOCUMENTS: N/A

INTERESTED PARTIES: City Council, Finance Department, Green Mountain Transit

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over the City Manager's Approval line.



CITY COUNCIL Agenda Item #17-395

Date: December 20, 2017

Consent: _____ Discussion: X

SUBJECT: Housing Trust Fund update

SUBMITTING DEPARTMENT: Department of Planning and Community Development
on behalf of The Housing Task Force

RECOMMENDED ACTION: Discuss Housing Task Force proposal to fund the Housing Trust Fund

RELATED COUNCIL GOAL/PRIOR ACTION: E: Housing – Facilitate Housing Projects

EXPENDITURE REQUIRED: TBD

SOURCE OF FUNDS: General Fund

LEGAL REQUIREMENTS: NA

BACKGROUND INFORMATION:

The Housing Task Force role is to provide advisory recommendations to City Council to help support housing projects, policies, and programs which seek to increase housing units and affordability for renters and homeowners. The Housing Trust Fund has been a critical tool used by the City to accomplish these goals. The Housing Trust Fund has supported projects such as the Senior Housing at 58 Barre Street, Bianchi Building, and most recently the French Block rehabilitation. The First Time Homebuyer program has assisted 9 families and individuals with down payment assistance. The Housing Task Force is seeking to discuss options for funding the Housing Trust Fund to ensure it that it is appropriately funded going forward.

SUPPORTING DOCUMENTS: Memo from Housing Task Force

INTERESTED PARTIES: City Council, Housing Task Force

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.

To: Montpelier City Council
From: The Housing Task Force
Re: The Montpelier Housing Trust Fund Background and Request
Date: Tuesday, December 19, 2017

The Housing Task Force believes that there is a need for a predictable and growing pot of money for the Montpelier Housing Trust Fund (MHTF). The Fund must continue to grow if it is to help the city meet its housing and economic development goals. This memo sets forth a couple of ideas for growing the Trust Fund.

Montpelier's Master Plan and Economic Development Strategic Plan set forth a number of goals for housing within the city. The Montpelier Housing Trust Fund (MHTF) is an important tool that the city established to help meet these goals.

The Master Plan states: "Montpelier has a mix of housing that is affordable, safe, healthy, accessible, eco-efficient, in diverse neighborhoods that enhances the experience of people who live here and fosters community. The housing adapts over time to reflect changes in demographics, climate, and technology while maintaining its historic character."

The City's Economic Development Strategic Plan calls for a variety of housing types to "build the pipeline of workforce talent" and lists housing projects as one of seven potentially "transformational" projects and the one that serves nearly all of the key sectors. The Economic Development Plan notes that "An adequately funded Trust Fund will be an important tool in financing the variety of housing types called for in this Economic Development Strategic Plan."

Funding History

Funding for the Montpelier Housing Trust Fund has fluctuated over the last ten years. Initially introduced by petition on the principle of "One cent for housing," the funding level was set at a tax rate of one cent for housing for every \$1,000 in grand list value and produced \$52,000 annually in its first year. The Council appropriated varying levels in the succeeding years, ranging from \$21,000 to \$60,000, with a current appropriation of \$60,000. If the idea of a penny for housing per \$1,000 of grand list value had been maintained, this year's contribution to the Trust Fund would have been \$86,139 based on the current grand list (\$861,139,291).

Investment History, Leverage, and Additions to the Grand List

The City has been making Trust Fund investments since 2007. These investments have totaled \$364,000 to date. Investments have included River Station Apartments and Condominiums, the Bianchi/Hebert development (direct MHTF investment in Bianchi of \$52,000), and 58 Barre St. Senior Housing (\$105,000). More recently, the Trust Fund invested \$145,000 in 11 homes through the first-time homebuyers program along with \$175,000 for the upcoming renovation of the French Block.

Historically, leverage has ranged from 10 dollars from other sources for every Trust Fund dollar invested (10-1) for an inexpensive single family home to 30 dollars from other sources for every Trust Fund dollar invested (30-1) for the 58 Barre St. Apartments. Units directly subsidized by the Trust Fund on Barre St. alone have leveraged more than \$4 million in additional funding for those same units.

In most cases, Trust Fund investments have been in new or renovated properties resulting in substantial additions to the Grand List. In total, MHTF investments have added \$4.321 million to Montpelier's grand list to date, resulting in an additional \$118,659 in tax revenue in FY'18 alone.

First-Time Homebuyers Program

A few years ago the City Council gave permission for Trust Fund dollars to be used to help first-time homebuyers purchase existing homes in Montpelier with the goal of enabling younger families to purchase homes in the city. Under this program to date, \$145,000 has been invested in 11 loans. Eligible beneficiaries must earn less than 125% of median income. Many city employees such as beginning teachers, teachers aides, clerks, and public works employees earn less than 125% of the median as do the many service and retail employees who work in Montpelier. Trust Fund assistance is in the form of a deferred loan of up to \$10,000 (formerly \$15,000). Currently, one third of the loan is forgivable if the homeowner remains in the home for 5 years, 2/3 if s(he) remains for 10 years and all if the homeowner doesn't move for 15 years.

An indirect, but substantial financial benefit of this program is that each new child in the Montpelier schools increases the amount of aid for education that the city gets from the state. Currently there are 9 children among participants in the first-time home buyers program. Given the current value of the grand list each new school child generates approximately \$17,000 annually, which this year would translate to \$153,000 in additional state education payments to Montpelier.

Proposals to Enhance the Trust Fund

Historically, either Downstreet or the Montpelier Housing Authority has made a substantial request for Trust Fund dollars every 2-3 years for a multi-family housing development. It is important that annual appropriations be sufficient so that there is sufficient revenue to fund these proposals when they are made, as well as to provide modest annual funding for the program for first-time homebuyers. Although this current year's appropriation was a significant increase over recent years, it is not enough to meet the needs of both programs.

The Housing Task Force believes that there is a need for a predictable and stable funding stream for the Montpelier Housing Trust Fund (MHTF). The Fund must continue to grow if it is to help the city meet its housing and economic development goals. We recognize, however, that it is difficult to meet this need through an ever

increasing allocation from the city's General Fund. Therefore, we ask the City Council to consider the following approach to funding the MHTF:

1) Maintain Base Funding

Maintain \$60K budgeted contribution to the Trust Fund

2) Reinvest 25% of New Revenue from Added Value

For projects funded by the Housing Trust Fund that create additional grand list value, beginning in 2018, allocate 25% of the new annual municipal property tax revenues associated with this added value and reinvest this in the Housing Trust Fund to use for further investment in new and improved housing. This proposal would build the Housing Trust Fund based on the value it adds to the City, and it would help the City leverage this resource to continue to improve housing opportunities and grow revenues.

3) Dedicate 25% of the Rooms and Meals Tax to the Trust Fund

The Rooms and Meals Tax currently generates approximately \$218,000 (FY19 projection) in revenue for the city. It could grow substantially if the proposed Hampton Inn is built. We suggest that, beginning in 2019, 25% of the rooms and meals tax revenue be dedicated to the Trust Fund. A number of Montpelier property owners rent space in their homes or former apartments to tourists through Airbnb or other services. Dedicating a portion of the rooms and meals tax to the Trust Fund for the purpose of funding the creation of additional housing would help to make up for the loss of these year-round dwellings for permanent residents.

4) Recapture Funds from Beneficiaries of the First-time Homebuyers Program Whose Income Increases over Time

The First-time Homebuyers Program is currently structured so that the loan is gradually forgiven over time if the beneficiary remains in his or her home. The reality is that in many cases a household's income increases and they could easily repay the loan at some time. In keeping with the wishes of the City Council, we suggest that future first-time homebuyer grants require repayment at the time of sale to a subsequent buyer if the income of the beneficiary household has exceeded 125% of median when they sell. Repayments would be reinvested in the Trust Fund as they are now.



CITY COUNCIL Agenda Item #17-396

Date: December 20, 2017

Consent ____ Discussion X

SUBJECT: Purchase of about 8 acres of land abutting Hubbard Park

SUBMITTING DEPARTMENT: Parks Department

RECOMMENDED ACTION: Authorize the Parks Department to move forward with purchase of nearly 8 acres of private property adjacent to Hubbard Park.

RELATED COUNCIL GOAL/PRIOR ACTION: Continue with pedestrian and bicycling initiatives, promote open space.

EXPENDITURE REQUIRED: \$14,000 from the Park Impact Fee Fund; an additional \$5,000 would come from fundraising.

SOURCE OF FUNDS: Impact fees and donations

LEGAL REQUIREMENTS: Council approval.

BACKGROUND INFORMATION: Parks Director Geoff Beyer would like to use the remaining \$14,000 in the Park Impact Fee Fund and private donations to purchase two pieces of land abutting Hubbard Park. The two lots, owned by Mark Rippon and Nancy Boone, total 7.8 acres with an appraised value of about \$2,400 per acre. The total cost of purchase is \$19,420. The land is located near the Old Shelter and the soccer field (down near the Winter Street entrance), and while not suitable for development, is ideal for hiking, cross country skiing and provides the possibility to add a mountain bike trail in Hubbard Park. The Parks Department want to explore community interest in creating a mountain biking trail that extends from Spring/Winter Streets to the pool area or the stump dump to connect to both the North Branch River park and East Montpelier multi- mountain bike trail systems. Beyer said that would be the longest stretch of non-intersected trail in the park. The Parks Department has been talking to the two landowners for 10 years about the properties, but one was unwilling to sell until very recently. The land will be bought at its appraised value.

Beyer said the Parks Department has been working on other City parks, including adding playground equipment at Blanchard Park, meeting with mountain bikers regarding North Branch River Park, and working with residents and the condo association at Stonewall Meadows on a management plan. When the land was originally donated to the city the Stonewall Meadows Association indicated it prefers the land open and wild, preferring it to remain in the condition it was given.

Using the Park Impact Fee Fund, which is generally earmarked for land acquisition, for the Hubbard Park project will not negatively impact work and focus on other parks.

Note: Collection of park impact fees were terminated several years ago. This acquisition will close out that fund.

SUPPORTING DOCUMENTS: Map showing approximate property line and potential trail location.

INTERESTED PARTIES: Hubbard Park trail users, dog owners, non-dog owners, potentially mountain biking community, the Parks Department, some of this depends on the outcome of community input on

potential uses after the land is purchased since the Parks Commission and Parks Director will get community input before finalizing plans.

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", is written over a faint, circular official stamp.



Park Boundary



CITY COUNCIL Agenda Item #17-397

Date: December 20, 2017

Consent ☐ **Discussion** ☒ **Time Sensitive** ☒
(outlined below)

SUBJECT: Proposed Charter Amendments for March 6, 2018 election

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Review proposals, direct manager to include the recommended or revised language on January 3rd consent agenda to be filed with the City Clerk.

RELATED COUNCIL GOAL/PRIOR ACTION: B: Good Governance

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Proposed charter amendments must be filed with the City Clerk, subject to a public hearing process, approved by voters and adopted by the legislature. The attached memo from the City Manager outlines the specific dates and requirements.

BACKGROUND INFORMATION: The Council indicated a desire to amend the charter to increase Development Review Board (DRB) membership from 5 to 7. Additionally, the council indicated interest in coordinating Planning Commission and DRB terms.

Not related to PC or DRB issues, the decision of voters to create the Montpelier-Roxbury School District requires amendments to the City Charter to eliminate provisions for the former Montpelier School Department.

City Clerk John Odum proposes an addition to the Assessment and Collection of Taxes charter which would exclude from the grand list of the City as taxable personal estate, an owner whose personal property does not exceed the assessed value of \$10,000.

SUPPORTING DOCUMENTS: Memo from City Manager concerning dates and requirements, Attachment 1 concerning the DRB and PC membership and terms, Attachment 2 concerning the School District, Attachment 3 concerning personal property taxes

INTERESTED PARTIES: School Officials, DRB members, Planning Commissioners

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.



America's Small Town Capital

Mayor John Hollar

City Council Members:

Dona Bate

Ashley Hill
Rosie Krueger
Jean Olson

Justin Turcotte
Anne Watson

William Fraser,
City Manager

Sue Allen,
Assistant City Manager

MEMORANDUM

To: Mayor Hollar & City Council Members
From: William Fraser, City Manager
Re: Proposed Charter Amendments
Date: December 15, 2017 (minor update from November 3, 2017)

I have attached recommended charter amendments. The following timeline applies the statutory requirements for the March 6, 2018 elections.

The statutes allow for charter amendments to be initiated either by the legislative body (the City Council) or by petition of five percent of the registered voters. The hearing and adoption process is similar but not identical depending on how the amendment is initiated. For our purposes, I will focus on amendments proposed by the Council.

- 1) The first requirement is that an official copy of the proposed charter amendments must be filed with the City Clerk at least 10 days prior to the first public hearing on the amendment. That means that a draft of the amendment must be on a Council agenda in sufficient time to allow for formal adoption of the item and the timely filing of that item with the Clerk.
- 2) Charter Amendments require two public hearings. The first public hearing **MUST** be held more than 30 days prior to voting day. The second must be held in advance of the election but the timing is otherwise not specified.

- 3) If the Council changes the proposed amendment based on comments heard at the first public hearing, the revisions must be posted publicly and filed with the Clerk at least 20 days prior to the election day.
- 4) Otherwise, notices of the charter change must be warned and publicized in the same manner as the annual or special town meeting.

Using our meeting schedules and printing deadlines I recommend the following.

One working meeting to discuss possible amendment(s)	December 20, 2017
Adopt language to file with Clerk (at least 10 days prior to 1 st PH)	January 3, 2018
1 st Public Hearing (at least 30 days in advance of voting) & Deadline for revisions (at least 20 days in advance of voting)	January 24, 2018
2 nd Public Hearing	February 14 or 28, 2018
Voting Day	March 6, 2018

ATTACHMENTS

- **Proposed charter amendments concerning Planning Commission and DRB**
- **Proposed charter amendments concerning School District**
- **Proposed charter amendments concerning personal property taxes, submitted by City Clerk**

ATTACHMENT 1

§ 805. PLANNING COMMISSION

The Planning Commission shall consist of seven members appointed by the City Council ~~for two-year terms~~ in accordance with 24 V.S.A. §§ 4322-4323, as may be amended from time to time. On October 1, 2018, the City Council shall appoint four members to two year terms and three members to 1 year terms. Thereafter all terms shall run for two years. Terms shall begin on October 1 and expire on September 30. Appointments to vacated positions shall run until the expiration of the existing term. The Planning Commission shall perform such planning functions and duties as may be required by the City Council, this chapter, ordinances, or applicable State laws.

§ 806. DEVELOPMENT REVIEW BOARD

~~(a)~~ ~~(a)~~ The Development Review Board shall consist of ~~five~~ seven regular members and two alternate members, appointed by the City Council ~~for three-year terms~~ in accordance with 24 V.S.A. § 4460, as may be amended from time to time.

~~(a)~~ (b) On May 1, 2018, the City Council shall appoint three members to three year terms, three members to 2 year terms and one member and two alternates to 1 year terms. Thereafter all terms shall run for three years. Terms shall begin on May 1 and expire on April 30. Appointments to vacated positions shall run until the expiration of the existing term.

~~(b)~~ (c) The Development Review Board shall, upon the request of an interested person, hear the appeal of any decision or act taken by the Administrative Officer in accordance with the procedures outlined in 24 V.S.A. chapter 117, subchapter 11, as may be amended from time to time, and perform such other duties as may be required by the City Council, this chapter, ordinances, or applicable State laws.

~~(e)~~ (d) A quorum shall consist of a minimum of ~~three~~ four regular or alternate members up to a maximum of ~~five~~ seven regular or alternate members.

~~(e)~~ (e) Alternate members may serve on the Development Review Board when one or more regular members are unable to attend a meeting.

~~(e)~~ (f) The Development Review Board shall be further governed by rules and procedures as provided in the City ordinances.

ATTACHMENT 2

§ 102. GENERAL POWERS

The City shall have all the powers given to towns ~~and town school districts~~ by the general law; and may purchase, hold, and convey any real estate and erect and keep in repair any buildings necessary or convenient for its purposes; and may acquire, construct, and maintain such infrastructure as it may deem necessary for the benefit of the City.

§ 105. INTERGOVERNMENTAL RELATIONS

The City, through its City Council ~~or Board of School Commissioners, or both~~, may enter into agreements with the United States of America or the State of Vermont to accept grants, loans, and assistance to make public improvements, and the City may make appropriations consistent with this chapter to accomplish such purposes.

§ 509. ELECTION OF CITY OFFICERS

(a) At the annual meeting, Montpelier voters shall elect from among the City voters a Mayor for a term of two years; a City Clerk for a term of three years; a City Council member from each district for a term of two years; and other elective City officers; ~~and two school commissioners, each for a term of three years.~~ At the annual meeting there shall be elected from among the City voters members of the Board of School Directors of the Montpelier-Roxbury Unified Union School District as provided in the June 20, 2017 Articles of Agreement between the City of Montpelier and the Roxbury Town School District.

(b) Each elected city officer shall hold office until a successor has been duly elected and qualified.

§ 515. ~~[Repealed]~~ SCHOOL BUDGET VOTE

~~————The school budget shall be voted as a separate ballot item at an annual meeting.~~

§ 601. Effective July 1, 2018, the Montpelier School Department will cease to exist and will be supplanted by the Montpelier-Roxbury Unified Union School District. On July 1, 2018, all City assets and property under the control of the Montpelier School Department Board of Commissioners, together with all City liabilities attributable to the Montpelier School Department, shall pass to be assumed by the Montpelier-Roxbury Unified Union School District in accordance with the June 20, 2017 Articles of Agreement between the City of Montpelier and the Roxbury Town School District.

Subchapter 6. Schools

§ 601. SCHOOL COMMISSIONERS

~~———— The exclusive management and control of the public schools and of all school property of the City shall be vested in a board of seven school commissioners for terms of three years.~~

~~§ 602. ELECTION OF BOARD OFFICIALS~~

~~———— (a) The Board of School Commissioners shall annually, not later than the second Wednesday after the first Tuesday in May, elect one of their number Chair of the Board, one of their number Vice Chair of the Board, one of their number Secretary of the Board, and one of their number Treasurer of the Board.~~

~~———— (b)(1) The Board shall require its Treasurer and other commissioners it deems necessary to give bond to the City to the satisfaction of the Board for faithful discharge of their trust. If the Board shall require a bond with a fidelity company as surety, the expense thereof shall be paid from the School Fund.~~

~~———— (2) The Board may, by agreement with the City Council, provide that its Treasurer be covered under a blanket bond to be contracted as authorized by section 910 of this chapter. In such event, an equitable proportion of the cost of such blanket bond shall be paid out of the School Fund.~~

~~§ 603. VACANCY IN THE OFFICE OF SCHOOL COMMISSIONERS~~

~~———— A vacancy in the office of school commissioner with more than 90 days of unexpired term remaining shall be filled by the remaining members of the Board of School Commissioners until the next annual meeting of the City.~~

~~§ 604. SUPERINTENDENT OF SCHOOLS~~

~~———— The Board of School Commissioners shall, at the meeting specified in section 602 of this subchapter or at any subsequent meeting, appoint a Superintendent of Schools who shall not be one of their number. The Board shall fix the compensation of the Superintendent of Schools, and the compensation shall be paid in the same manner as other expenses for the support of schools.~~

~~§ 605. DUTIES OF SUPERINTENDENT OF SCHOOLS~~

~~———— The Superintendent of Schools shall perform such duties in connection with the public schools of the City as shall be assigned to the Superintendent by the Board of School Commissioners. The Superintendent shall annually report to the City Council such statistics as are required to be kept by law and such other information as the Board of School Commissioners shall direct.~~

~~§ 606. TERM OF OFFICE~~

~~—The Superintendent of Schools may be appointed for a term not to exceed three years. The Board of School Commissioners may remove the Superintendent of Schools for causes of incapacity, neglect of duty, or misconduct. Said Board shall by appointment fill all vacancies in such office.~~

~~§ 607. ANNUAL SCHOOL REPORT~~

~~—The Board of School Commissioners shall submit to the City Council, on or before February 15 of each year, its annual report on the status of the schools. Said report shall include an estimate of the necessary expenditures for the support of schools for the ensuing year, the amount of school income to be received from sources other than local taxation, and a recommendation of the amount of money to be raised by local taxation for the support of schools for the ensuing year. Said report shall be published with the report of City officials.~~

~~§ 608. REQUISITION OF SCHOOL FUND~~

~~—The Board of School Commissioners shall, from time to time as the same shall be required, make requisitions on the City Council for warrants on the City Treasury for such sum of money as they shall require for the payment of the expenses of the schools, which warrants in the aggregate in any year shall not exceed the amount of the School Fund established as provided by Section 613 of this subchapter.~~

~~§ 609. DEPOSIT OF SCHOOL REVENUES~~

~~—All moneys received by the School Board from tuition and other sources, except from the City Treasurer on requisition as provided in the preceding section, shall be turned over to the City Treasurer, unless specifically exempted by the City Council. The Board of School Commissioners shall have no authority to expend any money which may be received by them from any source, except such as may be received from the City Treasurer on requisition as above provided, or unless specifically exempted by the City Council.~~

~~§ 610. BORROWED FUNDS APPROPRIATED TO SCHOOL FUND~~

~~—All money received from notes or bonds issued by authority of the legal voters as provided in Subchapter 11 of this Charter for improvements relating to schools or school property shall be appropriated to the School Fund, and may be spent by the Board of School Commissioners for the purpose for which issue of said notes or bonds was authorized.~~

~~§ 611. PAYMENT OF SCHOOL NOTES AND BONDS~~

~~(a) —The Board of School Commissioners shall include in its estimate of necessary expenditures for the support of schools and its recommendation of the amount of money to be~~

~~raised by local taxation for the support of schools, which estimate and recommendation are provided for in Section 607 of this subchapter, the amount of money required for payment of principal or interest, or both on any bonds or notes heretofore or hereafter issued by the City of Montpelier for school purposes, and the amount shall be specifically designated in the estimate and recommendation by the Board of School Commissioners.~~

~~—(b)—The City in voting money for school purposes at any annual or special meeting shall include in the amount voted for the support of schools the amount of money needed for the payment of principal or interest, or both on bonds or notes heretofore or hereafter issued by the City for school purposes. The amount of money required for the payment of principal or interest, or both on bonds or notes as hereinbefore set forth shall be used by the Board of School Commissioners for the purpose of paying the principal or interest, or both.~~

~~—(c)—In case of conflict between this section and other provisions of this chapter, this section will prevail.~~

~~§ 612. FINANCIAL REPORT TO CITY TREASURER~~

~~—The Board of School Commissioners shall each year, after its accounts have been audited, make available to the City Treasurer, on request, all vouchers showing money expended during the preceding year, which vouchers shall be kept by the school system.~~

~~§ 613. SCHOOL FUND~~

~~—The City Council shall annually appropriate such dollar amount necessary for support of the school budget as may be voted at the annual City meeting or any special meeting duly warned and held for that purpose, all such moneys as shall be received from the State for the use of schools, all moneys and income from tuition and any other sources for the use of schools, and the income of any other property or money donated by any person to the City for the use of schools, all money as may be received from the federal government for the use of schools and money received from any source and specifically designated as money to be used for schools, the total amount of which shall be kept by the City Treasurer unless especially exempted by the City Council, and the City Council shall authorize warrants drawn on the City Treasury for the payment of the same to the Treasurer of the Board of School Commissioners, upon requisition made by such Board, at such times and for such amount, not exceeding in the total for the year the amount of the School Fund, as such requisition shall designate.~~

~~§ 614. COMPENSATION~~

~~—The School Commissioners shall receive as compensation for their services such sum as may be voted to them at the annual meeting of each year.~~

§ 909. ANNUAL CITY REPORT

A full record of expenditures shall be kept and a clear statement of all receipts and disbursements of City money and of the affairs of the City generally, together with the report of ~~the Board of School Commissioners, auditors, and~~ other City officials, shall be annually published under the direction of the City Manager. A reasonable number shall be made available for distribution among the voters of the City at least 10 days prior to the annual City meeting. The report shall include estimates of receipts and proposed expenditures of the City for the ensuing year.

§ 910. OFFICERS' BONDS

All officers from whom the City Manager may require bonds, or as required by State Statute, shall annually give bonds to the City, to the satisfaction of the City Manager, for the faithful discharge of their respective trusts. Such bond shall be given before the officer concerned enters upon the officer's duties. If the City Manager requires a bond with a fidelity company as surety, the City shall pay the expense thereof. The City Manager may contract for one blanket bond to cover all City officials and employees required to furnish bonds. Such blanket bond may, with the concurrence of ~~the Board of School Commissioners and~~ other boards or agencies requiring bonds from officers and employees under their control, cover ~~the Treasurer of the Board of School Commissioners and~~ other officers or employees under control of such boards.

§1102. SUBMISSION TO VOTERS

(a) When the City Council shall determine that the public necessity or interest demands improvements, ~~other than improvements relating to schools or school property,~~ and that the cost of the same will be too great to be paid out of the ordinary revenue of the City, the Council may by vote of two-thirds of its members order the submission of a proposition to make such improvements and incur debt to pay for the same to the voters of the City at an annual or special meeting warned and held for that purpose.

§1103. ~~[Repealed] SUBMISSION TO VOTERS; SCHOOL IMPROVEMENTS~~

~~When the School Board shall determine that the public necessity or interest demands improvements relating to schools or school property, or upon a petition signed by at least ten percent of the voters, and that the cost of the same will be too great to be paid out of ordinary revenue of the City, the School Board may by vote of two-thirds of its members request the City Council to order the submission of — proposition to make such improvements and incur debt to pay for the same to the voters of the City at an annual or special meeting warned and held for that purpose. The City Council shall, on receipt of such a request from the School Board or by petition, promptly order the submission of a proposition to make such improvements and incur debt to pay for the same to the voters of the City at an annual meeting or special meeting warned and held for that purpose.~~

§1106. AUTHORIZATION

When a majority of all the voters voting on such proposition at an annual meeting or special City meeting shall vote to authorize such improvements and the incurring of debt to pay for the same, the City Council ~~or, if the improvements relate to schools or school property, the School Board~~ shall be authorized to make such improvements.

§1117. USE OF UNEXPENDED BOND PROCEEDS

~~(a)~~—The proceeds of all bonds or notes shall be used for the purpose for which they were authorized. However, any unexpended balance remaining after carrying out the purpose for which they were authorized, ~~other than school purposes,~~ may, by vote of any annual or special City meeting duly warned and held for that purpose, be authorized for any purpose for which bonds may be issued, in accordance with general law, or transferred to a sinking fund established by the Council.

~~(b)~~—~~Any unexpended balance remaining after carrying out a purpose relating to schools or school property for which bonds or notes were authorized may, in addition to other uses permitted by law, be transferred to a sinking fund.~~

§1125. BUDGET SURPLUS AND DEFICIT

Unless otherwise disposed of in the manner provided by law or set in reserve by the City Council ~~or School Board~~, any surplus existing at the end of the fiscal year shall be carried forward as revenue in the General Fund ~~or School Fund, as appropriate,~~ for the next ensuing fiscal year. Any deficit existing at the end of the fiscal year shall be liquidated in the manner provided by law.

§1201. ASSESSMENT OF TAXES AND ESTABLISHMENT OF TAX RATE

(a) The City Council shall assess such taxes upon the grand list of the City as the voters at any annual or special meeting warned for that purpose have approved for the payment of debts and current expenses of the City, for carrying out any of the purposes of this chapter, ~~for the support of schools~~ and for the payment of all State and county taxes and obligations imposed by law. The vote of the City shall be upon the specific sum of budgeted tax appropriation for the support of all City departments, grants, schools, recreation, and senior citizens. The City Council shall establish a tax rate based upon the true grand list as appraised by the City Assessor, and shall deliver the same to the City Treasurer for computation and collection.

ATTACHMENT 3 – Submitted by Montpelier City Clerk, John Odum

§1201. ASSESSMENT OF TAXES AND ESTABLISHMENT OF TAX RATE

(c) For the purpose of assessing taxes upon the grand list of the City as provided in subsection (a) of this Section, an owner whose personal property does not exceed the assessed value of \$10,000 shall not be set in the grand list of the City as taxable personal estate.