CITY OF MONTPELIER
MONTPELIER, VERMONT

Agenda for City Council Meeting
Wednesday,
September 13, 2017
6:00 P.M.

1) Call to Order by the Mayor

2) 17-263. Review and Approve Agenda

3) 17-264. General Business and Appearances

4) 17-265. Consideration of the Consent Agenda:

   a) Consideration of the Minutes:

      i. August 23, 2017 Regular Council Meeting

   b) Appointments to the Development Review Board

   c) Appointments to the Design Review Committee

   d) Appointments to the Historic Preservation Commission

   e) Water/Sewer rates

   f) Consideration of Becoming the Liquor Control Commission for the Purpose of Acting on the Following: Approval of 2nd class liquor license for Jolley Associates, LLC, 56 River Street

5) 17-266. Sprinkler Ordinance discussion

6) 17-267. Historic District

7) 17-268. Dog Ordinance, 2nd reading

10) 17-270. Zoning

8) 17-269. Caledonia Spirits Tax Stabilization, 2nd public hearing

9) 17-269(a). 7:00 â€“ 9:00 P.M â€¦

11) 17-271. Housing Goal update

12) 17-272. Alternative transportation definition

13) 17-273. City Manager/City Council Evaluation Process, Council Policies

14) 17-274. Other Business

15) 17-275. Council Reports

16) 17-276. Mayorâ€™s Report

17) 17-277. City Clerkâ€™s Report

18) 17-278. City Managerâ€™s Report

19) Adjournment

Minutes of the Montpelier City Council Meeting
August 23, 2017, 6:00 PM
City Council Chambers, City Hall

In attendance: Mayor John Hollar (Chair), Councilors Anne Watson, Ashley Hill (arrived at 6:09), Justin Turcotte, Dona Bate, Jean Olson, and Rosie Krueger. City Clerk John Odum acted as secretary of the meeting.

At 6pm, the Mayor called the meeting to order.

17-248. The Mayor noted the addition to the proposed agenda of a litigation settlement, as well as the appeal of the French Block zoning decision. Also, the approval of a purchase of an electric vehicle charging station to be installed at the North Branch, and the discussion of the City Manager review process were pulled from the consent agenda for discussion. Without objection the proposed agenda was approved with those amendments by unanimous consent.

17-250. Councilor Watson moved approval of the consent agenda as amended and was seconded by Councilor Bate. Motion carried unanimously (5-0).

17-251. City Manager Fraser gave the report on the submitted Econo Lodge mitigation plan. Discussion followed. Councilor Turcotte moved the Council approve the submitted mitigation plan with the following additional conditions: COPS, Inc. will provide the city with a full list of all required permits within one week, will provide the city notice of application dates for all permits needed and will provide the city copies of all issued permits within 2 days of issuance. As per submitted plan, buildings will be demolished, debris removed and site cleaned within 30 days of receipt of all permits. Full compliance with the Council's order will be deemed to have occurred when the Building Inspector certifies that the structures have been demolished and all debris has been removed. Failure to apply for all required permits in a timely manner will void acceptance of the mitigation plan. Councilor Hill seconded. Motion carried unanimously (6-0).

17-252. Paul Gambill discussed Montpelier ArtSynergy and offered a Public Arts Master Plan update. Discussion followed. No formal action taken.

17-253. Fire Chief Bob Gowans came forward for a public hearing on changes to the Dog Ordinance (1st reading, formall opened at 6:27PM). After discussion, Councilor Hill moved the Council approve a proposed amendment to strike from the proposed changes the victim restitution language in Sections 201, 208 and 210, and the proposed offense changes to sections 208 and 210. Councilor Bate seconded. Discussion followed before the motion carried unanimously. The public hearing was closed at 6:34PM

Councilor Turcotte moved to amend Section 5 paragraph D to include phrases "in reaction to pain or injury"; "in reaction to an emergent situation." Councilor Hill seconded. The motion carried unanimously at 6:37.

Councilor Turcotte moved to remove the word "only" from the last line of paragraph 2

in section 803 remove word. Motion died for lack of a second.

Danis Regal addressed the Council. Marilyn Mode also commented. Councilor Bate moved the Council pass 1st reading as amended and set the second hearing for the next city council meeting. Councilor Watson seconded. Motion carries unanimously.

Sarah Swenson (Parks Commission) addressed the council. After discussion, Councilor Krueger moved the Council request a report from the parks commission within 6 months regarding dogs in Hubbard Park. Councilor Turcotte seconded. The motion carried unanimously at 7:03.

Recess at 7:04. Reconvened at 7:09.

17-255. Planning Director Mike Miller and Barbara Conrey came to the front table for the continuation of the discussion of the proposed zoning ordinance. Steve Sease, Alan Goldman and Joe Castellano offered questions and comments.

17-254. The 1st public hearing on Caledonia Spirits Tax Stabilization opened at 9:04. Discussion followed. Joe Castellano asked a question. Councilor Turcotte moved to conclude public hearing 1st reading and to set the second hearing for next meeting. Councilor Olson seconded. After further discussion, motion carries 5-1 (Councilor Hill voting nay).

17-257. In other business. Councilor Olson moved to approve the following amendments to the City Manager performance review process: delete reference "May to August, October to December, Manager will meet with council members at least once." Under September, add "will include written comments and be fully documented" and ask the Manager to come back with recommendations to add a meeting to the council policies. Councilor Turcotte seconded. After a brief discussion, the motion was withdrawn.

Councilor Olson moved to delete from the City Manager performance review process the following: "May to August, October to December – Manager will meet with council members at least once." Councilor Turcotte seconded. Motion carried 5-1 (Councilor Bate voting nay).

Councilor Watson moved to add to the City Councilor self-review process a bullet point for councilors to consider if they have met with the City Manager. Councilor Turcotte seconded. Motion carried 5-1 (Councilor Olson voting nay).

Jean moved to add to the City Manager review process a mid year check in with full Council and Manager – will include written comments and be fully documented. Councilor Turcotte seconded. Discussion followed. Motion carries 5-1 (Councilor Bate voting nay).

Councilor Turcotte moved the City Manager evaluation process me amended under documents paragraph 2, the description of the evaluation process in the inclusion of the 360 review, to change the word on included comments from "compiled" to "all." Comments were offered from Police Chief Tony Facos. Motion died for lack of a second.

Councilor Turcotte moved that the 2nd paragraph regarding feedback in evaluation section of review paragraph in the City Manager review process be eliminated entirely. Councilor Olson seconded. Discussion followed. The motion was withdrawn.

Approval of the purchase of an electric vehicle charging station to be installed at the North Branch center was taken off the table for review. Discussion followed. Councilor x moved to approve the purchase not to exceed $8300. Councilor x seconded. Motion carried 5-1 (Councilor Olson voting no).

City Manager Fraser introduced the French Block zoning appeal discussion. Council Hill moved the city provide up to $5000 to participate in the appeal regarding the French Block. Councilor Watson seconded. Discussion followed. Motion carried 5-1 (Councilor Turcotte voting nay).

The City Manager introduced the discussion of the mediation on drainage appeal, and the proposed tentative settlement. Councilor Watson moved to authorize the City Manager to settle under the terms laid out in the settlement agreement. Councilor Bate seconded. The motion carried unanimously.

17-258. Councilor Bate thanked the City Manager and Councilors Turcotte and Watson for their work on the evaluation processes. Councilor Turcotte shared comments from the public on construction, he also noted he was looking forward to the discussion in October around "aging in place" and fees. Councilor Krueger noted the passage of the gender neutral bathroom policy. Councilor Watson shared an update on the Guertin pocket park and the Mayors' Innovation Project. Councilor Hill reported on volunteering at the Senior Center and commended city employees.

17-261. The City Manager's report on the development of a 4-way stop, and the addressing of problems with mold and the roof at City Hall.

17-262. Councilor Watson moved the Council enter Executive session with Chief Facos and the City Clerk for a Police Department Security Briefing. Councilor Bate seconded. The motion carried unanimously.

Without objection, the Mayor declared the meeting returned to open session and subsequently adjourned by unanimous consent.

CITY COUNCIL Agenda Item #17-265(b)
Date: September 5, 2017
Consent __X__ Discussion ___ Time Sensitive _____

SUBJECT: Appointments to the Development Review Board

SUBMITTING DEPARTMENT: City Manager's office

RECOMMENDED ACTION: Make appointments to fill one, 3-year term and two, 1 year-alternate seats on the Development Review Board

RELATED COUNCIL GOAL/PRIOR ACTION:

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: No legal requirements; Council makes appointments to fill vacancies on City Boards and Commissions

BACKGROUND INFORMATION: Staff advertised and received responses from the following:

James LaMonda, Summit Street
Will Schebaum, North Street
Ryan Kane, North Street
Deb Markowitz, Pearl Street

SUPPORTING DOCUMENTS: Letters of interest from applicants

INTERESTED PARTIES: Applicants; Planning Department; DRB Members

CITY MANAGER'S APPROVAL:

Jamie Granfield

From: debmarkowitz <debmarkowitz@gmail.com>
Sent: Wednesday, September 6, 2017 8:30 AM
To: Jamie Granfield
Subject: Application to the Development Review Board
Attachments: one pagecv.docx

Dear City Counselors,

By this email I am expressing interest in an appointment to the Development Review Board. My understanding is that you are looking to fill a three-year seat.

I have been a resident of Montpelier since 1987, when my husband and I rented a house (which we later purchased) in the Meadow neighborhood. Over the years, I have appreciated the careful attention that has been given to orderly growth in Montpelier; balancing many competing community interests. As a result, we have a thriving downtown, housing to meet a variety of needs, a growing business sector and parks, cultural and recreational spaces that, together, support a great quality of life in Montpelier. I have also watched, with interest, the recent community visioning process, and was enthusiastic about the plan that won the competition.

After a long career in public service I am now working as a Professor at the University of Vermont. I miss public service and I am interested in serving on the Development Review Board as a way to give back to my community. As an attorney, who understands the rule of law, the importance of unbiased decision makers, and the value of an open and transparent public process, and as a thirty-year resident of Montpelier, I believe I will have a lot to offer the board.

I am happy to answer any questions that the board might have about my interest in serving. I have attached a resume FYI.

Yours,

Deb

Deb Markowitz
4 Pearl Street
Montpelier, Vermont 05602
802-433-3233

Deb Markowitz

4 Pearl Street *802-477-3233*
Montpelier, Vermont 05602 *debmarkowitz@gmail.com*

EDUCATION

Harvard University, Kennedy School, Senior Executives in State and Local Government 2015
Georgetown University Law Center, Juris Doctor, *Magna Cum Laude* 1987
University of Vermont, B.A., Philosophy and Political Science, *with Honors* 1982

PROFESSIONAL EXPERIENCE

Visiting Professor of Environmental Policy and Leadership, University of Vermont Rubenstein School of Environment and Natural Resources, 2017 – Present. Provide presentations to UVM faculty and students on environmental leadership, policymaking, equity and action, with a focus on the impact of the new federal administration on national and global efforts to address climate change, and on the intersection between science and environmental policy.

Secretary, Vermont Agency of Natural Resources, 2011- 2017. Oversaw the operations of all departments of the agency, including managing a $104 million budget, over 600 employees, public communications and legislative and stakeholder relations. Led the agency during one of its most productive times in its history, expanding protections of air and water, supporting the deployment of renewable energy, investing in new state parks, and building resilience to climate change.

Vermont Secretary of State, 1999 – 2011. Elected by Vermont voters six times to serve as Vermont's Secretary of State. Twice nominated as a candidate of both the Democratic and Republican parties. Prominent national leader in elections, civics education, business services, government transparency and government innovation. Responsible for overseeing Vermont's elections; ethics laws; corporate registration; professional licensing; public records and state archives and assisting municipalities in governance issues.

Director, Vermont League of Cities and Towns Law Center, 1990 – 1997. Established a law center through the state's municipal association to provide legal services to Vermont's municipal officials. Led with an entrepreneurial approach and succeeded in making the program financially self-sustaining. Lectured locally and nationally on municipal law issues; published academic articles and handbooks on topics of municipal law, land use law, personnel law and government ethics.

Associate Attorney, Langrock, Sperry, Parker & Wool, 1988 – 1990. General practice of law. Represented corporate and individual clients with focus on appellate litigation, land use and permitting, business planning.

SELECTED BOARDS

The Nature Conservancy, Vermont Chapter, Board of Directors, 2016-present
Vermont Parks Forever, Board of Directors, 2012 – present
Vermont Housing and Conservation Board, 2012-2017
Capstone Community Action, Board of Directors, 2000 - 2014
Vermont Women's Business Center, Advisory Board, 2003-2010
Vermont Girl Scout Council, Board of Directors, 2000 - 2009

From: JAMES LAMONDA [mailto:jlamonda@comcast.net]
Sent: Wednesday, August 16, 2017 10:32 AM
To: Sarah C. McShane <SMcShane@montpelier-vt.org>
Cc: Jamie Granfield <JGranfield@montpelier-vt.org>
Subject: RE: DRB advertisement

Sarah,

Thank you for the quick response, and including Jamie, which I can now use to express my continued interest in serving on the board, whenever the council gets to it.

James

James M. LaMonda

5 Summit Street, P.O. Box 1571
Montpelier, VT 05602

Phone: (802) 279-1975
E-mail: james.lamonda.esq@comcast.net

PROFESSIONAL LICENSES
State Bar of Vermont, 2006
United States District Court, District of Vermont, 2007

EDUCATION
Vermont Law School, South Royalton, VT
Juris Doctor, *Magna cum laude*, May 2006

Norwich University, Northfield, VT
Bachelor of Arts, *Summa cum laude*, History, May 2003
Minor in English

Woodbury College, Montpelier, VT
Associates Degree, Paralegal Studies, September 1999
Professional Certificate, Mediation/Conflict Management

WORK EXPERIENCE
Law Office of James M. LaMonda, Montpelier, VT
Since May 2011 working in solo practice, focused primarily on litigation but also acting as a general practitioner when appropriate. Current caseload includes mainly assigned counsel in conflict (criminal) and juvenile defender cases in three counties, and private family, criminal and civil clients in central and northeastern Vermont.

Axelrod & Adler, St. Johnsbury, VT
Law Clerk and Associate, May 2006 to May 2011

- Worked as law clerk and Associate in three-attorney firm primarily engaged in litigation practice.
- Full-service civil practice, with caseload consisting of:
    - Personal injuries;
    - Workers compensation;
    - Property disputes;
    - Property losses;
    - Contested family matters

- Criminal defense practice, representing defendants in:
    - Juvenile matters;
    - Fish and wildlife violations;
    - Misdemeanor and felony criminal charges.

Town of Northfield, Vermont
Primary contractor for "Ancient Roads" research, February 2008 to July 2009

- Contract work for the Town of Northfield, engaged in researching, documenting and producing graphic compilation of road history since the town's inception. Work was grant funded through appropriation dedicated by the State of Vermont

Vermont Defender General – Prisoners' Rights Office, Montpelier, VT
Summer Intern, May 2005 – August 2005

- Worked under supervision of four staff attorneys. Performed legal research, wrote memorandums of law, an appellate brief, and motions to be submitted to courts. Interviewed clients and attended parole hearings and status conferences. Maintained case files and communicated closely with staff, while also working independently as needed.

WORK EXPERIENCE – Continued

Vermont Bar Association (VBA), Montpelier, VT
Online Digest Manager, May 2004 – May 2006

- With the help of Editor, maintained online digest of pending Vermont Supreme Court cases. Read briefs of pending cases, summarized facts and issues, and posted summaries on VBA website for use by Association members.

Political Science Internships, January 2002 – May 2002 and January 2003 – May 2003

- Assisted VBA Executive Director by tracking legislation of interest to the VBA. Attended committee meetings and full debates within the state capital and elsewhere, and submitted reports to the Director, who posted weekly reports on the VBA website for use by members.

Anthony Otis, Esq., Montpelier, VT
Legislative Assistant, January 2006 – May 2006

- Worked as assistant for registered lobbyist in Vermont Statehouse. Worked on scope of practice issues regarding various health care professions, including researching the practice standards of all fifty states and curriculums of health care schools. Also researched administrative rules, met with clients and legislators, and conducted long-range planning.

South Royalton Legal Clinic, Vermont Law School
Student Intern, August 2005 – December 2005

- Worked as student intern under supervision of four staff attorneys. Handled Social Security appeal through ALJ hearing, including presenting argument at the hearing. Also did initial intake of new Social Security appeal, including interviewing the claimant, copying and reviewing the Social Security record, and drafting summary for the staff attorney's evaluation. Assisted on three family law cases, including foster child represented by the Clinic and post-divorce disputes. Drafted motions and orders for the Family Court, and presented to the Court on two occasions.

ACHIEVEMENTS

Vermont Law School

- *Vermont Law Review*, Senior Notes Editor, 2005-2006
- Am. Jur. Award for Torts and Civil Procedure I – Fall 2003;
- Dean's List, 2003/2004, 2004/2005, 2005/2006
- Class of 2006 Honor Code Committee representative, 2004/2005
- Member, General Practice Program
- Student Intern, South Royalton Legal Clinic, Fall 2005
- Recipient, Sterry R. Waterman Memorial Scholarship, 2004/2005, 2005/2006
- Recipient, Vermont Bar Association Young Lawyers' Division Scholarship, 2005/2006
- Research Assistant for Constitutional Law Professor; conducted research on Vermont history, including 19th and early 20th Century political, military and legal history.

Norwich University

- 2004 Winner, UVM Andrew E. Nuquist Award, presented by the Center for Research on Vermont, for Honors paper "Closing the Backdoor to Washington: Vermont Civil War Soldiers in the Shenandoah Valley Campaign, 1864"
- Graduate with Highest Honors-History—2003
- Recipient, American History Prize—2002
- University Scholar – 2000/2001, 2001/2002
- Member, Alpha Chi Society – 2001

Woodbury College

- Student Representative to the Board of Trustees, 1997—1999
- Student Teacher for Legal Research and Writing, 1998—1999

VOLUNTEER EXPERIENCE

City of Montpelier – Development Review Board, Member, 2011 -- forward

- Montpelier's Development Review Board has jurisdiction over proposed development, zoning and building permits, and variances. A five-member board, with two alternates and the assistance of the Montpelier Zoning Administrator.

Vermont Department of Public Records - VT Military Records Project, 2000 – 2002

- Assisted the archivist of the Vermont Military Records Project by handling and identifying fire-damaged documents, researching Vermont military history, and making public presentations. In March 2001, received recognition from Vermont Legislature through J.R.H. 62.

Vermont Attorney General's Taskforce against Telemarketing Fraud, 1999 – 2000

- Worked with Northfield Senior Center to educate elderly citizens on how to avoid being targeted by telemarketers. Reported attempted telemarketing abuse, and the techniques used, to Attorney General's office.

Northfield Youth Center, 1998 – 1999

- Worked with Center director to develop training program to help teens learn various tools to address problems or conflicts, including peer mediation. Developed and led training sessions for teens and supervisors, concentrating on conflict resolution.

PAPERS

- Vermont Law School - Act 250 Permit Reform: Good for Vermont, or Bad for Vermonters? (Law Review Note)

- Norwich University - Closing the Backdoor to Washington: Vermont Civil War Soldiers in the Shenandoah Valley Campaign, 1864 (Honors paper).

MEMBERSHIPS

American Bar Association
Vermont Bar Association
Vermont Association for Criminal Defense Lawyers
Washington County Bar Association

William L. Schebaum 217 North St. Montpelier VT 05602

802-999-6792 will@steeplechasedesign.com

September 4 , 2017

Dear Montpelier City Council Members,

I am writing this letter to you today to express my interest in renewing my seat as an alternate on the Development Review Board. As a resident of Montpelier who participates in the myriad of cultural activities that our wonderful city has to offer, it is only natural I would want to be engaged in how the future of Montpelier is developed on a larger scale.

Montpelier is a tapestry of past development in many forms; architectural, industrial, residential, commercial, and cultural; all immersed within a larger ecological framework that sustains us all. As we enter into the 21st century with many new opportunities and challenges ahead of us, it is only imperative that we foster an attitude of smart development for the sake of the greater community here and elsewhere.

Having a professional background in whole systems sustainability thinking and architectural design and construction, I feel that I would be able to continue to offer my fresh perspective to the Development Review Board that would help steer development in the city towards a more holistic and sustainably oriented model. I would hope that we can retain the core values that make Montpelier uniquely what it is while at the same time reimagine some of the details that make up the infrastructure necessary to transition us into the next chapter of Montpelier's history.

I hope you consider renewing my seat on Development Review Board. I thank you for your time and energy.

Sincerely,

William L. Schebaum

William L. Schebaum 217 North St. Montpelier VT 05602

802-999-6792 will@steeplechasedesign.com

William L. Schebaum

Steeplechase Design.Build L3C- Owner/Designer/Builder - 2009-Present
Steeplechase is an integrative design/build firm based in Montpelier that focuses primarily on the residential built environment, both new and existing. Long term company goals are to focus on the synthesis of the essential economies of food, shelter, energy and community.

Yestermorrow Design Build School - Intern - Winter 2009
Yestermorrow's mission to create a better more sustainable world through design and craft as an integrative process helped grow my appreciation for the built environment on a larger more community oriented scale.

VanDusen and Co. / Red House Inc. - Project Carpenter - 2005- 2009
I worked for two distinguished home building companies in the greater Burlington area that led to an appreciation for fine craftsmanship and quality architecture.

Onion River Coop - Facilities Manager - 2003-2005
I managed 25,000 sqft. of high performance building in a cooperative work place environment reinforcing my ethic of being a team player.

Liszt Historical Restoration - Restoration Technician - 2001-2003
I most notably discovered the time capsule atop the VT Statehouse in the restoration of the hand carved wooden statue of the Goddess Ceres.

Education
University of Vermont- 2001- Philosophy

Notable
- Presented to City of Montpelier Planning Commission on Infill Development - May 2013

- Member of Montpelier's volunteer Development Review Board 2015- Present.

1220 North Street
Montpelier, VT 05602
(207)266-3780
ryan.kane13@gmail.com

September 6, 2017

William J. Fraser, City Manager
Office of the City Manager
39 Main Street
Montpelier, VT 05602

Dear Mr. Fraser,

I am an associate attorney at the law firm of Tarrant, Gillies & Richardson and practice in the area of land use, zoning, and environmental law. I am writing to express interest in continuing to serve an alternate for the Montpelier Development Review Board.

My wife, Kristina, and I moved to Montpelier in November of 2015 after spending two years living in Plainfield. We recently built a house here in Montpelier. Kristina just finished her fifth year as art teacher at Union Elementary School, and I am excited to be working at a small law firm that serves this community. I have enjoyed serving as an alternate on the Montpelier DRB for the past year and would value the opportunity to continue to do so. Decisions of local development review boards are very important in ensuring that development proceeds in a manner that will not negatively impact neighbors or the community.

My education and experiences make me a well-qualified candidate to be an alternate member of the Montpelier Development Review Board. I am a 2013 graduate of Vermont Law School and clerked for two years with the Vermont Superior Court, Environmental Division where I assisted two judges in legal research and writing, primarily on issues related to municipal land use decision appeals. Through clerking I have experience in applying Title 24, Chapter 117 and local zoning regulations to specific development proposals. The Environmental Division reviews decisions from most towns and cities anew and so I assisted both judges in deciding on dozens of conditional use applications, subdivision permit applications, site plan reviews, and other municipal permits. As an associate attorney at Tarrant, Gillies & Richardson I have assisted both applicants and interested persons with the process of obtaining or providing input on permit applications. I feel very comfortable with the relevant standards and governing law and have learned a great deal about how the Montpelier DRB works.

Please let me know if there is any other information I can provide.

Sincerely,

Ryan Kane

CITY COUNCIL Agenda Item #17-265(c)
Date: September 5, 2017
Consent __X__ Discussion ___ Time Sensitive _____

SUBJECT: Appointments to the Design Review Committee

SUBMITTING DEPARTMENT: City Manager's office

RECOMMENDED ACTION: Make appointments to fill three, 3-year terms and one, 3-year alternate term on the Design Review Committee

RELATED COUNCIL GOAL/PRIOR ACTION:

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: No legal requirements; Council makes appointments to fill vacancies on City Boards and Commissions

BACKGROUND INFORMATION: Staff advertised and received responses from the following:

Stephen Everett, Chestnut Hill Road
Seth Mitchell, Foster Street
Eric Gilbertson, Richardson Street
Ben Cheney, North Franklin Street
Jenna Lapachinski, Elm Street

SUPPORTING DOCUMENTS: Letters of interest from applicants

INTERESTED PARTIES: Applicants; Planning Department; DRC Members

CITY MANAGER'S APPROVAL:

Jenna Lapachinski
155 Elm Street, Apt. 5
Montpelier, VT 05602

August 18, 2017

Mr. John Odum, City Clerk
City of Montpelier
39 Main Street
Montpelier, VT 05602

Dear Mr. Odum,
I am writing to express my interest in serving as a member of Montpelier's Historic Preservation Commission and Design Review Committee. I am a preservation professional who has recently moved to Montpelier after working for a preservation non-profit in Georgia and a grant-making authority in New Hampshire. I am currently employed by Norwich University and am hoping to stay active in the field by serving on local commissions and committees. Attached are my qualifications, which I believe show a demonstrated interest, competence and knowledge of historic preservation, as well as appreciation of local historic and architecturally significant resources.

While working for Historic Macon and LCHIP I was involved with over one hundred planning and rehabilitation projects. Knowledge gained while working on those projects will allow me to successfully plan and advocate for the protection and appreciation of Montpelier's significant historic and architectural resources. I have experience writing and administering grants, interpreting and applying the Secretary's Standards, providing technical assistance to the public, as well as creating and administering public programming. I am familiar with Vermont's Certified Local Government program and recently attended the "Establishing a Local Preservation Program" session at Vermont's 2017 Downtown and Historic Preservation Conference. I believe these qualifications, as well as my passion for historic preservation, would make me a valuable addition to Montpelier's Historic Preservation Commission.

My experience of working with grant applicants and recipients and consulting on historic tax credit projects has taught me the importance of early communication and proper planning, both of which are important parts of the design review process. Early conversations and a clear understanding of project's restrictions and expectations save applicants time and money, which lead to better relationships between the community and the Committee. I believe my experience working with the public and enforcing preservation regulations in a tough but approachable manner would make me a valuable asset to the Design Review Committee.

Please let me know if you have any questions about my qualifications or past experience. Thank you for your time and consideration.

Jenna Lapachinski

Jenna Lapachinski

Historic Preservation Professional

Contact

Mobile: (413) 512-1683
Jenna.Lapachinski@gmail.com
155 Elm St. Apt 5
Montpelier, VT 05602

Education

University of Vermont
Burlington, VT
MS, Historic Preservation (2013)

University of Massachusetts-Lowell
Lowell, MA
BA, History (2011)

Skills

Architectural Historian
Grant Writing
Public Speaking
Community Outreach
Public Programming
Grant Management
Interpreting Secretary's Standards
Historic Tax Credits
Historic Building Assessments
Term and Perpetual Easements
Easement Monitoring
Walking Tours

Professional Experience

HISTORIC RESOURCE SPECIALIST / NH LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM
JAN 2015 – JUNE 2017 / CONCORD, NH

- Supported Executive Director and Board of Directors in review and evaluation of historic resource grant proposals
- Managed all active LCHIP-funded historic resource projects
- Assisted eligible applicants with proposal development and provided technical assistance to the public
- Served on committees with preservation partners and assisted with grant review, conference planning, and preservation services

PRESERVATION AND EDUCATION COORDINATOR / HISTORC MACON FOUNDATION
JAN 2014-NOV 2014 / MACON, GA

- Consulted on state and federal historic tax credit applications which generated nearly $2,000,000 in state and federal tax credits
- Planned and implemented all educational programming, including preservation month, summer camps, monthly lectures, and educational tours of the Sidney Lanier Cottage
- Wrote and implemented education grants, organized annual preservation awards, managed two volunteer committees

Presentations and Publications

Land and Community Heritage Investment Program Annual Grant Workshop, *Historic Resource Applicant Information Session,* May 2015, 2016, and 2017

New Hampshire Statewide Preservation Conference, *Understanding the Secretary of the Interior's Standards in Community Landmark Projects,* April 2015 and 2017

National Trust for Historic Preservation Conference, *Tax Credits-The Rest of the Story,* November 2014

Historic Macon's Preservation Month Lecture Series, *Old Home Essentials,* May 2014

Historic Homeowner's Handbook, Grant Writer and Contributing Author, http://www.historicmacon.org/historic-homeowners-handbook/

Public Programs

Box City Summer Camp, Macon, GA 2014
Programmed week long summer camp that introduced young campers to urban design and historic preservation through interactive activities

Preservation Month Workshop Series, Macon, GA 2014
Developed a workshop series focused on local preservation issues. Created content for *Old Home Essentials* and *Creating a Maintenance Plan*

Preservation Burlington Walking Tours, Burlington, VT 2013
Led educational walking tours of downtown and developed content for new tour that explored history and development of South Willard St.

Jamie Granfield

From: Eric Gilbertson <eric@ptvermont.org>
Sent: Wednesday, September 6, 2017 1:55 PM
To: Jamie Granfield
Subject: [BULK] Design Review Committee Appointment

September 6, 2017

Members of the Montpelier City Council:

I would like to be reappointed to the Design Review Committee for another term. I have been on the DRC for a number of years and feel that it helps preserve the integrity of the many historic buildings in the city for both residents and visitors. Protecting that integrity is important to the economy of Montpelier by preserving our strong "sense of place" that so many cities and towns across the country have lost. Anybody who visits or lives Montpelier will remember its historic and active downtown and the beautiful residential neighborhoods.

The DRC and Historic Preservation Commission are in the process of revising the regulations for design review to better meet the current needs of the community and make the process easier to understand and use. The current process could certainly be improved and made more user friendly while still protecting the integrity of our community. I would like to be part of completing that process by remaining on the DRC. The DRC is often helpful to applicants through the knowledge of the members on design and code issues and often makes suggestions to applicants. I bring over 40 years of working in historic preservation to the committee. I have also found that any regulatory process put in place to protect elements of our environment whether they be air or water quality or historic character will have detractors that feel it is an unfair imposition. By making the process better those objections can be reduced.

Thank you for considering my application. I would be happy to answer any questions and will be attending the September 13 City Council meetiing

Eric Gilbertson
7 Richardson Street
Montpelier, Vermont.
272-8543

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Stephen Everett
60 Chestnut Hill Rd.
Montpelier, Vt. 05602
August 15, 2017

Attn: William Fraser
Office of the City Manager
City Hall
39 Main St.
Montpelier, Vt. 05602

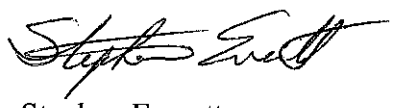
Attn: William Fraser

Please accept this letter as an indication of my interest in continuing to serve on the Montpelier Design Review Committee for an additional three year term which will expire in September, 2020.

Please call me if you have any questions.

Thank you for your consideration.

Sincerely,



Stephen Everett

Jamie Granfield

From: Seth Mitchell <Seth@josepharchitects.com>
Sent: Tuesday, September 5, 2017 9:16 AM
To: Jamie Granfield
Cc: Sarah C. McShane
Subject: DRC Vacancies
Attachments: SKM Resume 170905.pdf

September 5, 2017

City Manager's Office
Administrative Assistant
City Hall - 39 Main Street
Montpelier, Vermont 05602

Mr. Granfield,

It is truly a pleasure to be member of the DRC, and greatly appreciate the opportunity to serve the community in this capacity, along with having the utmost respect for and collaboration with members of this committee.

Given that my term is soon to expire, please let this e-mail serve as a sincere request to continue as a member of the DRC for another term.

I have attached my resume as per vacancy advertisement request.

Thank you,

Seth Mitchell
802-839-0284 (c)

19 Foster Street
Montpelier, Vermont 05602

802.839.0284 (c)
seth@josepharchitects.com

Seth Kenneth Mitchell

Work History

Current — Joseph Architects — Waterbury, VT

Architectural Designer/Project Manager

Work includes all facets of residential, commercial, and healthcare architecture planning and design.

2001-2002 — New York, NY

Architectural Design – Freelance

Commercial storefront design and details to be included in Base Bid in progress at 400 E. 85th Street. The finalized design proposal included drawing schemes, rendered CAD 3-D modeling, and specification of material for the completion of existing 1st Avenue commercial ground floor storefronts. The proposed design remained in keeping with previous Design Team strategy approved by the 400 E. 85th Street Design Committee.

1999 - 2001 — Cutsogeorge & Tooman Architects — New York, NY

Technical Staff - Technical II

Design, documentation, restoration and rehabilitation of primarily large residential buildings in New York City, including Historic Preservation work and affordable urban housing. Technical II work at Cutsogeorge & Tooman Architects involves all Architectural phases. Tech II staff work directly with the Principal and/or Project manager for each individual Project. Work primarily includes the following; technical drawings/specifications, building scaffold drops, Field Reports, weekly site meetings, Meeting Minutes, and overall Project coordination between the Owner, Managing Agent and Contractor.

1999 - 2001 — A & F Commercial Builders, Inc. — New York, NY

Architectural Design - Freelance

Interior design and documentation of a Historic Landmark brownstone building located at 64 West 119th Street in Harlem. The project included restoration of both street and rear façades of the building to match original construction. All floors were demolished and rebuilt with significant upgrades throughout. The design for this Project focused upon providing affordable housing with a modest and efficient open plan for a single-family private dwelling. Work on this Project included design, drawings, specifications, and Landmarks Preservation Commission approvals.

1998 - 1999 — Raquel Ramati Associates, Inc. — New York, NY

Administrative Assistant

Urban design, development and planning in New York City and Israel. Administrative Assistant to Raquel Ramati included all aspects of administrative work in a small office setting. Minor work included CAD and CAD mass modeling for large-scale urban design Projects.

Work History

1997 - 1999 Pratt, School of Architecture Brooklyn, NY

Architectural Archivist

School of Architecture - Archivist work includes; exhibition, documentation and cataloging of faculty and student work. In addition to archive work, graphics and media support was provided for the 1998 School of Architecture publication “In Process”. This yearly publication is a visually based book representing the Pratt School of Architecture.

1998 Allan Wexler New York, NY

Artist Assistant

Assistant to New York City artist Allan Wexler, in preparation for Wexler’s solo exhibition, “The Shape of Form”, at Ronald Feldman Fine Arts, Inc., September 12 10 October, 1998.

1994 - 1996 Plasteel Frames Seattle, WA

Staff

Fine art framing, restoration and installation of art. Highly focused upon quality framing, custom woodworking, art mounting, and art handling. Other minor work included preparation and execution of gold/silver leaf work, and metal fabrication for sculpture armature/mechanical attachment.

1993 Beliz Brother Seattle, WA

Artist Assistant

Assistant to Seattle based artist Beliz Brother, in preparation for the 1993 Bumbershoot, Seattle Arts Festival “Threshold” invitational exhibition.

1991-1994 Security Pacific Bank Gallery Seattle, WA

Gallery Assistant

College Work/Study through Cornish College of The Arts. Gallery Assistant work included gallery exhibition preparation, event organization assistance for public and private lectures, and fine art handling and installation.

1989-1990 Giro Contracting Moretown, VT

Carpenter Apprentice

Residential and commercial construction located primarily in Stowe, Vermont. Major Projects were primarily stick-frame additions to and/or renovation of existing residential homes. Other minor work included interior finish woodworking and tiling.

1987-1989 Yestermorrow Design/Build Warren, VT

Carpenter Apprentice

Residential construction, restoration, and renovation of homes located primarily in the Mad River Valley area. Work also included assisting the Yestermorrow Design/Build School professional curriculum that emphasized the Design/Build process.

Education

1988-1990 University of Vermont Burlington, VT
Studio Art Studies, painting and lithography.

Graduated 1994 Cornish College of The Arts Seattle, WA
BFA, five year degree, Summa Cum Laude. Major concentration in metal and mixed media sculpture.

1997-1999 Pratt, School of Architecture New York, NY
Junior Standing - Transfer

Professional Affiliations

Current Design Review Committee Member Montpelier, VT
Advisory role to the City of Montpelier Development Review Board on matters concerning exterior alterations to land or properties in the Design Control District.

Benjamin Cheney
49 North Franklin Street
Montpelier, VT 05602

(802) 274 0349
Kbenjmaincheney@gmail.com

To: Jamie Granfelid September 5, 2017

Re: Renewing my seat on the Montpelier Design Review Committee

I am writing to express my interest in the Montpelier design review committee and would like the opportunity to continue in my role as alternate. As a lifetime resident of Montpelier, the city's development and the preservation of its architecture are important to me. These things define the city's values, it's unique sense of place, and it's history.

I have been in the building business in central Vermont for fifteen years, with projects varying from new homes to custom furniture. I have also been an instructor at the Yestermorrow Design/Build School in Warren for the past 10 years, teaching the same subjects. I am currently a member of Yestermorrow's board of directors.

I understand the language of design and the practicality of building, and I have learned to strike a balance between good design, beautiful architecture, and the need for quick reasonable decisions. I have enjoyed bringing this experience to my role with the design review committee for the past 2 years and would like the opportunity to continue this work.

Thank you for your consideration of my application for renewal. Please feel free to contact me with any questions.

Sincerely,

Benjamin Cheney

CITY COUNCIL Agenda Item #17-265(d)
Date: September 5, 2017
Consent __X__ Discussion ___ Time Sensitive _____

SUBJECT: Appointments to the Historic Preservation Commission

SUBMITTING DEPARTMENT: City Manager's office

RECOMMENDED ACTION: Make appointments to fill one, 3-year terms and one, 2-year term on the Historic Preservation Commission

RELATED COUNCIL GOAL/PRIOR ACTION:

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: No legal requirements; Council makes appointments to fill vacancies on City Boards and Commissions

BACKGROUND INFORMATION: Staff advertised and received responses from the following:

Jenna Lapachinski, Elm Street
Gregory Tisher, Sabin Street

SUPPORTING DOCUMENTS: Letters of interest from applicants

INTERESTED PARTIES: Applicants; Planning Department; Historic Preservation Commission Members

CITY MANAGER'S APPROVAL:

September 5, 2017

Montpelier City Council
c/o City Manager's Office
39 Main Street
Montpelier, Vermont 05602

Dear Members of City Council:

I am interested in serving on the City of Montpelier's Historic Preservation Commission.

I have both academic training and vocational experience in historic preservation. My master's degree is in historic preservation (thesis: historic preservation and sustainable design).

As outlined in the attached resume, significant aspects of my historic preservation experience include: executive director of a "Main Street" downtown revitalization nonprofit; Americorps*VISTA experience developing a Native American nonprofit-owned cultural heritage business; and director of the Royalton Memorial Library, where I fundraised to rehabilitate the historic Colonial Revival-style library building (c. 1925) to improve handicapped accessibility and provide increased space for library services while respecting the building's historic integrity and significance. (My current employment is as grants manager with the U.S.-Asia Partnerships for Environmental Law at Vermont Law School.)

I also have experience with local government commissions, having served as a voting member on the City of Oberlin (Ohio) Design Review Subcommittee and on the Town of Royalton (Vt.) Revolving Loan Fund Committee.

I look forward to hearing from you. I can be reached at (802) 299-0243 or by email at gtisher@hotmail.com. Thank you for your time and consideration.

Sincerely,
Gregory Tisher

Gregory Tisher

7A Sabin Street
Montpelier, Vermont 05602

EDUCATION

- **University of Vermont –** February 2008
  - M.S. in Historic Preservation
  - thesis: www.uvm.edu/histpres/HPJ/Tisher/Thesis_(Tisher).pdf

- **University of Pittsburgh** – May 1999
  - B.Phil. in Politics-Philosophy & History

SELECT HISTORIC PRESERVATION EXPERIENCE

- **Royalton Memorial Library** – South Royalton, Vermont
  Director: March 2013 – May 2017
  (other positions: March 2012-March 2013)
  - responsible for all library operations, including staff supervision
  - fundraising to rehab & expand historic library building

- **Community-Resilience.Org** – South Royalton, Vermont
  Consultant: June – November 2013
  - researched flood protection strategies for historic buildings
  - contributed to "Property Owners' Guide to Re-building for Flood Resiliency"
  - presented findings at "Flood Mitigation: A Design Charrette" (Nov. 2013)

- **Main Street Oberlin, Inc.** – Oberlin, Ohio
  Director: February 2009 – July 2010
  - executive director of "Main Street" downtown revitalization nonprofit
  - organized & ran annual downtown events & bimonthly business networking
  - responsible for fundraising, e.g., donor appeals, grant-writing & events

- **William & Mary Center for Archaeological Research –** Williamsburg, Virginia
  Field Technician: May – November 2008
  - archaeological & architectural field surveys & related documentation

- **U.S. General Services Administration, Historic Buildings Center –** Washington, D.C.
  National Council for Preservation Education (NCPE) Intern: Summer 2005
  - researched histories & images for Public Buildings Heritage Program
  - developed website content for agency guidance in tribal preservation

- **Ahtna Heritage Foundation –** Glennallen, Alaska
  Americorps*VISTA: April 2002 – April 2004
  - planning & development of community-benefit cultural tourism business
  - assist with cultural preservation programs development & implementation

Jenna Lapachinski
155 Elm Street, Apt. 5
Montpelier, VT 05602

August 18, 2017

Mr. John Odum, City Clerk
City of Montpelier
39 Main Street
Montpelier, VT 05602

Dear Mr. Odum,
I am writing to express my interest in serving as a member of Montpelier's Historic Preservation Commission and Design Review Committee. I am a preservation professional who has recently moved to Montpelier after working for a preservation non-profit in Georgia and a grant-making authority in New Hampshire. I am currently employed by Norwich University and am hoping to stay active in the field by serving on local commissions and committees. Attached are my qualifications, which I believe show a demonstrated interest, competence and knowledge of historic preservation, as well as appreciation of local historic and architecturally significant resources.

While working for Historic Macon and LCHIP I was involved with over one hundred planning and rehabilitation projects. Knowledge gained while working on those projects will allow me to successfully plan and advocate for the protection and appreciation of Montpelier's significant historic and architectural resources. I have experience writing and administering grants, interpreting and applying the Secretary's Standards, providing technical assistance to the public, as well as creating and administering public programming. I am familiar with Vermont's Certified Local Government program and recently attended the "Establishing a Local Preservation Program" session at Vermont's 2017 Downtown and Historic Preservation Conference. I believe these qualifications, as well as my passion for historic preservation, would make me a valuable addition to Montpelier's Historic Preservation Commission.

My experience of working with grant applicants and recipients and consulting on historic tax credit projects has taught me the importance of early communication and proper planning, both of which are important parts of the design review process. Early conversations and a clear understanding of project's restrictions and expectations save applicants time and money, which lead to better relationships between the community and the Committee. I believe my experience working with the public and enforcing preservation regulations in a tough but approachable manner would make me a valuable asset to the Design Review Committee.

Please let me know if you have any questions about my qualifications or past experience. Thank you for your time and consideration.

Jenna Lapachinski

Jenna Lapachinski

Historic Preservation Professional

Contact

Mobile: (413) 512-1683
Jenna.Lapachinski@gmail.com
155 Elm St. Apt 5
Montpelier, VT 05602

Education

University of Vermont
Burlington, VT
MS, Historic Preservation (2013)

University of Massachusetts-Lowell
Lowell, MA
BA, History (2011)

Skills

Architectural Historian
Grant Writing
Public Speaking
Community Outreach
Public Programming
Grant Management
Interpreting Secretary's Standards
Historic Tax Credits
Historic Building Assessments
Term and Perpetual Easements
Easement Monitoring
Walking Tours

Professional Experience

HISTORIC RESOURCE SPECIALIST / NH LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM
JAN 2015 – JUNE 2017 / CONCORD, NH

- Supported Executive Director and Board of Directors in review and evaluation of historic resource grant proposals
- Managed all active LCHIP-funded historic resource projects
- Assisted eligible applicants with proposal development and provided technical assistance to the public
- Served on committees with preservation partners and assisted with grant review, conference planning, and preservation services

PRESERVATION AND EDUCATION COORDINATOR / HISTORC MACON FOUNDATION
JAN 2014-NOV 2014 / MACON, GA

- Consulted on state and federal historic tax credit applications which generated nearly $2,000,000 in state and federal tax credits
- Planned and implemented all educational programming, including preservation month, summer camps, monthly lectures, and educational tours of the Sidney Lanier Cottage
- Wrote and implemented education grants, organized annual preservation awards, managed two volunteer committees

Presentations and Publications

Land and Community Heritage Investment Program Annual Grant Workshop, *Historic Resource Applicant Information Session,* May 2015, 2016, and 2017

New Hampshire Statewide Preservation Conference, *Understanding the Secretary of the Interior's Standards in Community Landmark Projects,* April 2015 and 2017

National Trust for Historic Preservation Conference, *Tax Credits-The Rest of the Story,* November 2014

Historic Macon's Preservation Month Lecture Series, *Old Home Essentials,* May 2014

Historic Homeowner's Handbook, Grant Writer and Contributing Author, http://www.historicmacon.org/historic-homeowners-handbook/

Public Programs

Box City Summer Camp, Macon, GA 2014
Programmed week long summer camp that introduced young campers to urban design and historic preservation through interactive activities

Preservation Month Workshop Series, Macon, GA 2014
Developed a workshop series focused on local preservation issues. Created content for *Old Home Essentials* and *Creating a Maintenance Plan*

Preservation Burlington Walking Tours, Burlington, VT 2013
Led educational walking tours of downtown and developed content for new tour that explored history and development of South Willard St.

CITY COUNCIL Agenda Item #17-265(e)
Date: September 13, 2017
Consent __X__ Discussion ____

SUBJECT: Set water and sewer rates for FY18

SUBMITTING DEPARTMENT: Finance Office/Public Works Office

RECOMMENDED ACTION: Adopt the FY18 Water and Sewer Rate Resolution (signatures required) as planned in the Water/Sewer Master Plan increasing FY18 fees by 3.5%. The annual fixed charges for water and sewer users will increase $16 to $204. Water usage rates will be $8 per 1000 gallons for the first 50,000 gallons per quarter, $8.65 for usage between 50,000 and 250,000 gallons and $13.52 per thousand for amounts over 250,000. Charges for turning water on/off at the curb will increase from $20 to $40 during business hours and from $75 to $120 after hours to cover actual employee costs. The on-demand water meter reading fee will increase from $50 to $75 for readings requested outside the normal billing cycle. The sewer rate will increase from $9.06 to $9.20 per 1000 gallons and flat rate accounts will increase from $725 to $752 annually.

RELATED COUNCIL GOAL/PRIOR ACTION:

A: Affordability
D: Economic Development
E: Housing
F: Quality of Life
G: Infrastructure
H: Environment

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Per City Charter Section 1208 and City Ordinance Section 3-325(b) the City Council shall establish water and sewer rates.

BACKGROUND INFORMATION: Since adoption of the Water/Sewer Master Plan in 2016, specific revenue targets and increases in rates were established. For FY18, the rate increase was established at 3.5%. This increase has been split between usage fees and fixed fees to aggregate to the targeted increase. The rates reflect the need to cover the fixed infrastructure costs of maintaining the water and sewer systems. For FY18 these rate changes will increase the average residential water bill by $21 per year and the average residential sewer bill by $21 per year.

SUPPORTING DOCUMENTS: Historical rates chart with proposed rates. Water Sewer Rate Resolution.

INTERESTED PARTIES: Council, ratepayers, city staff

CITY MANAGER'S APPROVAL:

CITY OF MONTPELIER
WATER SEWER RATES
HISTORY

Fiscal Year	WATER STEP 1 Metered Rate per 1,000 Gallons (First 50,000 per quarter)	STEP 1 % Increase (Decrease)	WATER STEP 2 Metered Rate per 1,000 Gallons (Between 50,000 and 250,00 gallons per quarter)	STEP 2 % Increase (Decrease)	WATER STEP 3 Metered Rate per 1,000 Gallons (Exceeding 250,000 per quarter)	STEP 3 % Increase (Decrease)	WATER FIXED COST ANNUAL	WATER FIXED COST % Increase (Decrease)	Annual Flat Rate SEWER (only 38 accounts)	SEWER (Metered Water) Rate per 1,000 Gallons	% Increase (Decrease)	SEWER FIXED COST ANNUAL	% Increase (Decrease)	Total Annual WATER & SEWER Fixed Costs	% Increase (Decrease)
Proposed Rates 2018	**$8.00**	**1.5%**	**$8.65**	**3.0%**	**$13.52**	**1.5%**	**$204.00**	**8.5%**	**$752.00**	**$9.20**	**1.5%**	**$204.00**	**8.5%**	**$408.00**	**8.5%**
2017	$7.88	2%	$8.40	2%	$13.32	0%	$188.00	10%	$725.00	$9.06	2%	$188.00	10%	$376.00	10%
2016	$7.73	0%	$8.21	0%	$13.32	0%	$170.00	8%	$725.00	$8.89	2%	$170.00	4%	$340.00	6%
2015	$7.73	0%	$8.21	0%	$13.32	0%	$158.00	5%	$725.00	$8.72	0%	$164.00	31%	$322.00	17%
2014	$7.73	0%	$8.21	0%	$13.32	0%	$150.00	4%	$690.00	$8.72	0%	$125.00	1%	$275.00	3%
2013	$7.73	3%	$8.21	3%	$13.32	3%	$144.00	3%	$690.00	$8.72	3%	$124.00	3%	$268.00	3%
2012	$7.51	0%	$7.97	0%	$12.93	0%	$140.00	40%	$630.00	$8.47	0%	$120.00	0%	$260.00	18%
2011	$7.51	0%	$7.97	0%	$12.93	0%	$100.00	0%	$630.00	$8.47	0%	$120.00	0%	$220.00	0%
2010	$7.51	3%	$7.97	3%	$12.93	3%	$100.00	22%	$630.00	$8.47	3%	$120.00	15%	$220.00	18%
2009	$7.29	5%	$7.74	5%	$12.55	5%	$82.00	5%	$600.00	$8.22	5%	$104.00	5%	$186.00	6%
2008	$6.94	5%	$7.37	5%	$11.95	5%	$78.00	0%	$572.46	$7.83	5%	$98.00	0%	$176.00	0%
2007	$6.61	8%	$7.02	8%	$11.38	8%	$78.00	0%	$572.46	$7.46	10%	$98.00	0%	$176.00	0%
2006	$6.12	26%	$6.50	26%	$10.54	26%	$78.00	11%	$505.30	$6.80	39%	$98.00	9%	$176.00	10%
2005	$4.85	0%	$5.15	0%	$8.35	0%	$70.00	0%	$400.00	$4.90	0%	$89.56	0%	$159.56	0%
2004	$4.85	0%	$5.15	0%	$8.35	0%	$70.00	0%	$400.00	$4.90	0%	$89.56	0%	$159.56	0%
2003	$4.85	0%	$5.15	-20%	$8.35	0%	$70.00	40%	$400.00	$4.90	16%	$89.56	79%	$159.56	60%
2002	$4.85	0%	$6.44	0%	$8.35	0%	$50.00	0%	$350.00	$4.22	0%	$50.00	0%	$100.00	0%
2001	$4.85	0%	$6.44	0%	$8.35	0%	$50.00	150%	$350.00	$4.22	15%	$50.00	42%	$100.00	81%
2000	$4.85	16%	$6.44	15%	$8.35	15%	$20.00	0%	$350.00	$3.67	21%	$35.20	0%	$55.20	0%
1999	$4.19	25%	$5.60	25%	$7.26	25%	$20.00	0%	$292.60	$3.03	4%	$35.20	0%	$55.20	0%
1998	$3.35	10%	$4.48	10%	$5.81	10%	$20.00	0%	$280.00	$2.90	4%	$35.20	0%	$55.20	0%
1997	$3.04	0%	$4.07	0%	$5.28	0%	$20.00	0%	$271.43	$2.80	5%	$35.20	0%	$55.20	0%
1996	$3.04	10%	$4.07	10%	$5.28	10%	$20.00	0%	$246.75	$2.67	5%	$35.20	0%	$55.20	0%
1995	$2.76	0%	$3.70	0%	$4.80	0%	$20.00	0%	$235.00	$2.54	0%	$35.20	0%	$55.20	0%

R E S O L U T I O N

Water and Sewer Rates established by the City Council of the City of Montpelier.

WATER USE RATES RESIDENTIAL:

Unless metered, each residential unit, including apartments, duplex, multi-family and similar type housing units which contain bathroom and/or kitchen facilities, shall be charged at the rate of $975.00 per unit, per year. No reduction in annual rates will occur due to the seasonal occupancy and/or extended discontinuance of service.

SEASONAL:

An annual seasonal flat rate of $214.00 will apply to the following properties: Recreation Department-Hubbard Park Shelter; Cemetery-Lincoln Avenue property.

FIRE PROTECTION SPRINKLER SYSTEMS:

Fire protection sprinkler systems for commercial, industrial, and governmental units shall be charged at the rate of $0.00 per year.

FIRE PROTECTION STANDBY CHARGE:

For fire protection for buildings that are located within the City water supply area, but are not connected to such water supply, or are connected to a private water supply in addition to the City water supply, a standby or capacity charge is set at $0.

HYDRANT USE:

For the use of the hydrant at the DPW garage on Dog River Road, a hydrant use application and applicable fee shall be submitted prior to drawing water. The fee schedule shall be per truck and as follows:

$100 up to 2,500 gallons, $125 up to 5,000 gallons and $150 up to 7,500 gallons.

METERED:

All Metered units shall be charged at the rate of $8.00 per 1,000 gallons for the first 50,000 gallons, at the rate of $8.65 per 1,000 gallons for usage between 50,000 and 250,000 gallons and at the rate of $13.52 per 1,000 gallons for usage over 250,000 gallons during a three-month billing period except for multi-unit elderly housing as defined in the Vermont State Statutes, Title 24, Section 4002 (11) for the fiscal year 2017.

In addition, a readiness-to-serve charge of $51.00 per meter per billing period shall be imposed on each residential, commercial, industrial, and governmental metered premise to partially offset the fixed costs of the water system.

ON/OFF FEES:

During regular working hours, a charge of $40.00 shall be made for turning off water service, and a charge of $40.00 shall be made for turning on water service at the City curb stop. During non-working hours, these fees will be $120.00 respectively.

ON DEMAND WATER METER READING FEE:

During regular working hours, a charge of $75.00 shall be made for individual meter readings requested outside the normal billing period.

SEWER USE RATES

RESIDENTIAL:

Unless metered, each residential unit, including apartments, duplex, multi-family and similar type housing units which contain bathroom and/or kitchen facilities, shall be charged at the rate of $188.00 per quarter for the fiscal year 2018. No reduction in annual rates will occur due to seasonal occupancy and/or extended discontinuance of service.

METERED:

Metered residential, commercial, industrial, and governmental units shall be charged at the rate of $9.20 per 1,000 gallons of water usage for the fiscal year 2018.

In addition, an administrative charge of $51.00 per meter per billing period shall be imposed on each residential, commercial, industrial, and governmental metered premise to fully offset fixed administrative costs of the sewage facilities.

Further, a credit may be granted toward the sewer bill of any business that diverts substantial amounts of metered water from the sanitary sewer system continually, such as a cooling tower or other similar structure. The Director of Public Works may grant a credit to any commercial or industrial user who installs a separate meter to measure the volume of water that is not discharged into the City's wastewater disposal system. The credit shall be equal to the sewer use charges for such volume of water.

NEW WATER CONNECTIONS

It is hereby resolved by the City Council of the City of Montpelier, acting as the Board of Water Commissioners, that all new service connections to the Montpelier water system will be made as outlined in Section 3-305 of the Montpelier City Ordinances.

SEWER CONNECTIONS

It is hereby resolved by the City Council of the City of Montpelier, acting as the Board of Sewer Commissioners, that an application/inspection fee of $500 shall be charged for sanitary sewer connections and $100 for storm water sewer connections. A new sewer service charge shall not pertain to properties already serviced by the system unless an indirect connection is proposed. An indirect connection is defined as any change in the structure currently or proposed to be served through an existing connection which will result in additional dwelling units, and for each unit to be served by a common new or existing service, or in the case of non-residential and tax exempt space, where such change will result in additional building square footage. All

connections for sanitary lines shall be performed by the applicant under City inspection and all costs thereof shall be borne by the applicant. The applicant is responsible for obtaining all construction and access permits as necessary to make the connection.

WATER AND SEWER RATES - DELINQUENCIES

A penalty of eight percent (8%) shall attach to any rate charge for water and sewer service or connection if not paid when due. In addition, interest at the rate of one percent (1.0%) per month, or any part thereof, shall be charged for the first three months - and at a rate of one and one-half percent (1.5%) thereafter - on any unpaid balance from the due date of any water or sewer charge, or connection charge, until date of payment. Collection of all delinquent rate charges and service connections, together with penalty and interest and costs, shall be as provided by law.

WATER AND SEWER RATES - REFUNDS

It is the ultimate responsibility of the water and sewer user to verify the accuracy of their account and billing information. Water and sewer rates charged and collected in error shall be refundable up to one (1) year from the date billed.

WATER & SEWER UTILITY BILL ADJUSTMENT

In the event that a customer (per account) receives a utility bill that is based on consumption greater than 2.5 times the average of the last four (4) consecutive readings, within the same billing cycle (example fall cycles or spring cycles to account for seasonal variation), due to a water leak or other problems associated with the customer's plumbing, then said customer (per account) will be eligible for a one-time adjustment to their utility bill based on the following:

- Customer has made appropriate repairs to plumbing. Evidence of repair shall be in the form of receipt from a plumber or subsequent water readings indicating that the problem has been corrected;

- In applying for adjustment, the customer shall swear that he or she had no knowledge of the plumbing problem prior to incurring the charges;

- As an adjustment, the customer shall pay a sum equal to 2.5 times the average of the last four (4) consumption readings within the same billing cycle;

EFFECTIVE DATES

Water and Sewer Rates for Metered use and all other rates were made effective July 1, 2017 with the exception of on/off fees and demand reading charges which are effective on the date of this resolution.

Adopted this ____day of September 13, 2017

SIGNED:

_____
John Hollar, Mayor

Council Members:

_____ _____

_____ _____

_____ _____

CITY SEAL:

_____
John Odum, City Clerk

CITY COUNCIL Agenda Item #17-266
Date: September 13, 2017
Consent ___ Discussion _X_ Time Sensitive ____
(outlined below)

SUBJECT: Sprinkler Ordinance (Chapter 4, Article II, Section 201 of the City's ordinances.

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Create a council committee of up to three members. The Committee will work with the Fire Chief, Building Inspector and City Manager to make recommendations to the full Council about possible amendments to current regulations pertaining to sprinklers.

RELATED COUNCIL GOAL/PRIOR ACTION: D: Housing – Address Barriers to Housing: Review Sprinkler Ordinance.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: State law requires that all commercial buildings, including apartments with 4 or more units, have sprinklers. The City's building code was amended by the City Council in 2003 to require sprinklers in all new buildings, including residences of 1, 2 or 3 units. The ordinance was subsequently amended to address residential additions and the appeal process. Any change will require the formal ordinance amendment process. The City's charter was amended to provide a 10% municipal property tax reduction for buildings with sprinklers.

BACKGROUND INFORMATION: The City's sprinkler ordinance has been in effect since 2003. Concern has been expressed that aspects of this requirement may inhibit development, particularly residential development. Specific issues for the proposed committee to explore should include: 1) whether to continue the residential requirement. 2) whether the appeal process is effective, consistent and contains clear criteria. 3) whether alternate forms of fire safety can be required in lieu of sprinklers.

SUPPORTING DOCUMENTS: Chapter 4 (Building Regulations) of the Code of Ordinances

INTERESTED PARTIES: Residential Developers, Fire Department

CITY MANAGER'S APPROVAL:

CHAPTER 4
BUILDING REGULATIONS

ARTICLE I. ENACTMENT AND PERMIT REQUIREMENTS

Sec. 4-101. PURPOSE AND NECESSITY

This ordinance regulates the design, construction, renovation, alteration, maintenance, demolition and moving of structures, buildings and building systems, and is found and determined by the City Council to be necessary for the protection of the health, safety and welfare of the people of Montpelier and the preservation of the built environment.

Sec. 4-102. PERMIT REQUIREMENTS

Within the City of Montpelier, no building, building addition or building system may be erected, installed, renovated, altered, wrecked or moved prior to the submission of a complete building permit application to the Building Department and the issuance of a building permit by the Building Inspector. It is unlawful for any person to connect with any water or sewer line without first obtaining a building permit for such plumbing work. Permits shall not be considered valid unless signed by the Building Inspector, Zoning Administrator and the Director of Public Works. No building permit shall be issued prior to the payment of the appropriate building permit application fee, the issuance of a zoning permit and the payment of development fees such as impact fees, parking replacement fees, or fees imposed by the Department of Public Works, if required. Once the permit is issued, it shall be posted at the construction site in a conspicuous location and shall not be removed until the work has been inspected and approved by the Building Inspector or the State of Vermont.

Sec. 4-103. NO BUILDING PERMIT FOR MINOR REPAIRS

Building permits are not required for routine maintenance and minor repairs, as determined by the Building Inspector. Minor plumbing repairs shall include the repair of leaks in pipes, drains and faucets, opening up of waste and supply pipes, traps or drains, or replacing broken fixtures or frozen pipes inside the walls of buildings. Minor electrical work shall include the repair, removal, disturbance or disconnection of any existing electrical equipment or the renewal or replacement of any existing branch lighting circuit switches, sockets or receptacles.

Sec. 4-104. APPLICATION REQUIREMENTS

Building permits shall not be issued prior to the submission of a complete application to the Building Department.

A. Requirements for Buildings and Building Additions

Applications for the construction of buildings or building additions shall include the following:

(1) completed application form signed by the property owner or authorized agent;
(2) application fee;
(3) construction documents appropriate for the project; and
(4) other information as required by the Building Inspector.

B. Requirements for Renovations to Existing Buildings and for the Renovation or Installation of Building Systems

Applications for the renovation of existing buildings or for the installation or renovation of building systems, including but not limited to electrical, plumbing, heating, ventilation, and air-conditioning, shall include the following:

(1) completed application form;
(2) application fee;
(3) written description of work; and
(4) other information as required by the Building Inspector.

Sec. 4-105. PERMIT FEES

Building permit application fees shall be based on the physical value of the work, as determined by the Building Inspector, and calculated at a rate approved by the City Council.

No fee shall be imposed for alterations to existing buildings or structures for energy efficiency and handicapped accessibility improvements, or for the installation of elevators or sprinklers.

Fees for any other services and/or inspections may be set at a rate approved by the City Council.

Sec. 4-106. EXPIRATION AND RENEWAL OF PERMITS

Building permits are valid for one year. Building permits may be renewed on or before their expiration date if building and construction work is still progressing. There shall be no charge for such renewals.

Application fees shall be refunded, in part, if the scope of the project is reduced or in full if the project is not developed.

Sec. 4-107. EXEMPTIONS FROM PERMITTING REQUIREMENTS

Buildings owned by the United States or by the State of Vermont are exempt from the requirements of this chapter.

Sec. 4-108. DEFINITIONS

The definition of terms used in this chapter shall be those contained in the applicable code books listed in Article 2 of this chapter.

Enacted April 17, 2002 [Chapter 4, Technical Codes, and Chapter 6, Housing, of the existing ordinances combined into one chapter designated Chapter 4, Building Regulations]. Date of Publication: 5/02/02. Effective Date: 5/8/02.

Amendment enacted April 11, 2007 [Sec. 4-104, A and B rewritten; Sec. 4-105 rewritten]. Date of Publication: 5/4/07. Effective Date: 5/10/07.

CHAPTER 4
BUILDING REGULATIONS

ARTICLE II. CODES

All existing buildings, building systems, new construction, renovations, and dangerous and hazardous substance use and storage, public and private, must comply with the following codes:

Sec. 4-201. BUILDING & FIRE CODE

WHEREAS, the City Council finds and determines that the risk of fire poses a threat to the inhabitants of the city of Montpelier and all classes of property located therein; and,

WHEREAS, the imposition of uniform fire suppression measures has been demonstrated nationally to minimize personal injury, death, economic loss and property damage as a result of fire; and,

WHEREAS, among property located within the city of Montpelier are various classes, each exhibiting different characteristics as to age, condition, location, use and risk of conflagration; and,

WHEREAS, the City Council desires to enact and enforce an ordinance imposing reasonable and uniform fire suppression standards, applicable to all classes of property within the city of Montpelier.

NOW, THEREFORE, in the exercise of its lawful police and regulatory authority, the City Council ordains and adopts the following MONTPELIER BUILDING & FIRE CODE, hereby replacing Chapter 4, Article 2, Section 201, of the Code of Ordinances in its entirety:

§201-1. CODE DEFINITIONS

Montpelier Building & Fire Code (2007)	Vermont Fire and Building Safety Code, IBC, IRC, NFPA 101, NFPA 1, NFPA 13, NFPA 13R, NFPA 13D as defined below.
Vermont Fire and Building Safety Code (2005)	Codes and standards as contained in the rules adopted to become effective on 10-22-2005 by the Commissioner of Public Safety under 20 V.S.A., Chapter 173, Subchapter 2, "Fire Safety Division"; Subchapter 3, "Fire Hazards, Boilers, and Pressure Vessels"; and Chapter 177, "Explosives and Fireworks", as amended in §201-4.
IBC	International Building Code, as published by the International Code Council, Inc. (2003 Edition) as amended by the Vermont Fire and Building Safety Code (2005)

NFPA101	NFPA 101, Life Safety Code (2003 Edition), as published by the National Fire Protection Association, as amended by the Vermont Fire and Building Safety Code (2005)
NFPA 13	NFPA 13, Installation of Sprinkler Systems (2002 Edition), as published by the National Fire Protection Association
NFPA 13D	NFPA 13D, Sprinkler Systems One- and Two- Family Dwellings and Manufactured Homes (2002 Edition), as published by the National Fire Protection Association
NFPA 13R	NFPA 13R, Sprinkler Systems Residential Occupancies Up To and Including Four Stories in Height (2002 Edition), as published by the National Fire Protection Association
IRC	International Residential Code (2003 Edition) as published by the International CoDe Council, Inc.
NFPA 1	Uniform Fire Code, NFPA 1 (2003 Edition) as published by the National Fire Protection Association as amended by the Vermont Fire and Building Safety Code (2005)

§201-2. CODE ADOPTION BY REFERENCE

The Vermont Fire and Building Safety Code (2005), IBC, NFPA 101, NFPA 1, NFPA 13, NFPA 13D and NFPA 13R and all their referenced documents are adopted by reference.

NFPA 101, the IRC, and all their referenced documents, are adopted by reference. These codes shall apply to one and two-family dwellings and associated structures and systems unless otherwise regulated by the Vermont Fire and Building Safety Code.

§201-2a. CONFLICTS BETWEEN CODES

Where there is a conflict or difference between an adopted code and its referenced code or standard, the adopted code shall apply. Where there is a conflict between the Life Safety Code (NFPA 101) and another code or standard, the Life Safety Code shall apply. Where there is a conflict between the Uniform Fire Code (NFPA 1) and the International Building Code (IBC) or the National Board Inspection Code, The Uniform Fire Code shall apply. Where one code or standard has a requirement and another code or standard does not have a requirement, the code or standard with the requirement shall apply. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

§201-3. COPY FOR PUBLIC INSPECTION

A copy of the referenced codes and standards shall be in the Office of the Building Inspector and be available for public use.

§201-4. AMENDMENTS

In addition to the provisions of the Vermont Building & Fire Code, all new construction, including additions and changes of use, shall be protected throughout by an approved, automatic sprinkler system installed in accordance with Section 9.7 Automatic Sprinklers and Other Extinguishing Equipment NFPA 101 unless meeting an exception below:

Exception No. 1: Manufactured mobile homes or detached structures such as wood sheds, residential garages or accessory type structures deemed insignificant by the City.

Exception No. 2: Automatic sprinkler systems installed in any one- or two-family dwelling may be installed in accordance with NFPA 13D.

Exception No. 3: Automatic sprinkler systems installed in residential occupancies up to and including four stories in height may be installed in accordance with NFPA 13R, except as provided in BOCA 503, BOCA 504, BOCA 506 and BOCA 906.

Exception No. 4: Residential additions which do not exceed 50% of the square footage of the previously existing building or, in any case, 1,000 square feet.

Exception No. 5: Commercial additions which do not exceed 50% of the square footage of the previously existing building. Notwithstanding this exception No. 5, commercial additions which contain kitchens, mixed uses, storage or use of flammable materials or which will house other activities which may, at the determination of the Fire Chief, present a discernible fire risk must be sprinklered. Commercial additions which do not exceed 50% of the square footage of the previously existing building must, however, file an alternate fire safety compliance plan approved by the Fire Chief.

Exception No. 6: Changes of use from commercial or multi-family residential to single-family residential.

§201-5. PERMITS

The grant of any permit relating to construction shall be conditioned upon compliance with the Montpelier Building & Fire Code. The grant of any permit relating to new construction, including additions, shall be conditioned upon approval of a design for the installation of an automatic sprinkler system in accordance with the Montpelier Building & Fire Code. For those buildings that are classified as a "public building" pursuant to 20 V.S.A., Chapter 173, such approval shall be obtained from the City of Montpelier pursuant to authority granted by the State of Vermont. For all buildings that are not classified as "public buildings" pursuant to 20 V.S.A., Chapter 173, including but not limited to single family residence and additions to single-family residences, such approval shall be obtained from the City.

§201-5a. VARIANCE

Upon written request of the applicant, the Building Inspector may grant a variance from provisions of this chapter solely on the grounds that compliance is not physically possible at the location for which a permit is being sought. The applicant may appeal the variance decision of the Building Inspector to the Housing and Building Code Board of Appeals as per Article 6.

§201-6. NONCOMPLIANCE

Any property not in compliance with the Montpelier Building & Fire Code shall be deemed to be unfit for use, occupancy and habitation. Such determination may be made by the City of Montpelier following notice to the property owner, inspection of the premises, and a hearing. A structure determined to be in noncompliance with the Montpelier Building & Fire Code may be subject to a finding by the City Council convened as a local board of health that such premises constitutes a public health hazard, and shall be dealt with as provided by law.

§201-7. PENALTIES

Any person failing to comply with the Montpelier Building & Fire Code shall be subject to (in addition to penalties and other remedies proscribed in the Charter of the City of Montpelier or otherwise permitted by law) injunctive relief, including orders to (i) vacate said property, (ii) install automatic sprinkler systems in compliance with the Montpelier Building & Fire Code, (iii) reimburse the City of Montpelier for all costs incurred in enforcing this ordinance and (iv) in the event the City in its discretion elects to enter premises and install such automatic sprinkler systems itself, reimburse the City of Montpelier for all costs incurred in such installation. Each day in which said premises shall be in noncompliance with the Montpelier Building & Fire Code shall be deemed a separate violation. The City shall have a lien upon said premises for all penalties and costs incurred hereunder.

Sec. 4-202. ELECTRICAL CODE

Applicable sections of the Vermont Fire & Building Code 2005, including NFPA 70 – National Electrical Code (as adopted under the Vermont Electrical Safety Rules), NFPA 73 – Residential Electrical Code (as adopted under the Vermont Electrical Safety Rules), are hereby adopted by reference and incorporated herein and shall be known as the Montpelier Electrical Code.

Sec. 4-203. PLUMBING CODE

Applicable sections of the Vermont Fire & Building Safety Code 2005, including the Plumbing Code (as adopted by the Plumbers' Examining Board), are hereby adopted by reference and incorporated herein and shall be known as the Montpelier Plumbing Code.

Sec. 4-204. PROPERTY MAINTENANCE CODE

This code establishes minimum requirements for the initial and continued occupancy and use of dwellings and premises and does not replace or modify requirements otherwise established by ordinance which may be additional or more stringent for the construction, repair, alteration, or use of structures equipment of facilities. The BOCA Basic Property Maintenance Code/1981, published by Building Officials and Code Administrators International, Inc., together with all subsequent amendments and revisions is adopted by reference and incorporated herein together with the following amendments:

(a) PM - 100.1 is amended to read “These Regulations shall be known as the Housing Code of the City of Montpelier hereinafter referred to as the property maintenance code of ‘this code’.”

(b) PM - 109.2 is amended to read "Any person who shall violate any provision of this chapter shall be deemed to have committed a civil offense and shall be subject to the penalties established in Chapter 1, Section 9(d).”

(c) PM - 303.31 is amended to read “No lead based paint shall be used in painting the interior or exterior of any dwelling unit or child care facility, including fences and outbuildings at these locations.”

(d) PM - 304.0 titled “Utilities" is added and reads "No owner shall cause any water, sewer, equipment or utility which is required by this ordinance to be removed, shut off or discontinued for any occupied dwelling unit let by him/her except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies.”

(e) All provisions relating to the inspection of existing properties shall be limited per section 302 of this chapter.

Sec. 4-205. ABANDONED OR VACANT BUILDINGS CODE

An abandoned or vacant building shall be defined as a building or portion of a building that is not maintained or is damaged to such an extent that it is no longer in a safe, secure, or occupiable condition. The owner of any abandoned or vacant building or his/her authorized agent shall:

A. Cause all services and utilities to be disconnected from, or discontinued to, said building;

B. Remove all personal property from the interior of said building and from its grounds;

C. Secure the vacant or abandoned building at all times; and

D. Maintain such buildings so that its foundation, floors, windows, walls, ceilings, roof, porches, and stairs shall be reasonably weather tight, waterproof, rodent proof, and in good repair.

Sec. 4-206. LEAD PAINT

In addition to the codes cited above that regulate the use of lead paint, all owners of rental target housing, as defined in Title 18 V.S.A., §1751(b)(24), and child care facilities, shall perform the “Essential Maintenance Practices” required by state law, Title 18 V.S.A., Part 2, Chapter 38, §1759.

Sec. 4-207. SWIMMING POOLS

A. Definitions

A "swimming pool" is defined as any constructed pool used for swimming or bathing, over 18 inches in depth, or with a surface area exceeding 250 square feet.

A "private swimming pool" shall include all constructed pools which are used, or intended to be used, as a swimming pool in connection with a single or multiple family residence and available only to the family of the householder and private guests.

B. Safety

(1) No private swimming pool shall be constructed or used unless electrical appliances connected therewith shall be properly grounded.

(2) No private swimming pool shall be constructed or used that has overhead electrical wires crossing the pool area.

(3) Every swimming pool shall be completely enclosed by a wall, fence, or other substantial structure not less than 4 feet in height measured on the outside of the enclosure. No openings other than doors and gates with any dimensions greater than 4 inches shall be permitted therein except that picket fences may be erected or maintained having horizontal spacing between pickets not more than 4 inches. All gates or doors opening through such enclosures shall be equipped with self-closing and self-latching devices designed to keep, and capable of keeping, such door or gates securely closed at all times when not in actual use; provided, however, that the door of any dwelling occupied by human beings are forming any part of the enclosure here and above required need not be so equipped. Any self-latching device accessible from the outside of the pool enclosure, shall be located at least 4 feet above the ground or otherwise equally inaccessible to small children.

(4) A natural barrier, hedge, pool cover or other protective device approved by the Building Inspector may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure gate and latch described herein.

Enacted April 17, 2002 [Chapter 4, Technical Codes, and Chapter 6, Housing, of the existing ordinances combined into one chapter designated Chapter 4, Building Regulations]. Date of Publication: 5/02/02. Effective Date: 5/8/02.

Amendment enacted October 22, 2003 [Sec. 201, BUILDING & FIRE CODE, rewritten]. Date of Publication: 11/06/03. Effective Date: 11/12/03.

Amendment enacted March 22, 2006 [Sec. 201-4. **AMENDMENTS,** rewritten and *Exceptions 4-6 added*; and §201-5a. **VARIANCE,** added]. Date of Publication: 3/27/06. Effective Date: 4/02/06.

Amendment enacted April 11, 2007 [Opening paragraph and Subsections 4-201-1, 4-201-2, 4-201-3, 4-201-4, 4-201-5, and Sec's. 4-202 and 4-203 rewritten; Subsection 201-2a, added]. Date of Publication: 5/4/07. Effective Date: 5/14/07.

CHAPTER 4
BUILDING REGULATIONS

ARTICLE III. INSPECTIONS, CERTIFICATES OF OCCUPANCY AND ENFORCEMENT

Sec. 4-301. RESPONSIBILITY

Responsibility for inspections is vested in the Building Inspector. The Building Inspector may delegate any powers to another individual, subject to the approval of the City Manager.

Sec. 4-302. INSPECTIONS

The Building Inspector shall inspect all construction and renovation activity requiring a permit under this chapter for compliance with applicable codes contained in this ordinance unless the responsibility for said inspections is assumed by the State of Vermont or a Federal Agency. Compliance with this ordinance shall be indicated by the issuance of a Certificate of Occupancy.

Existing buildings shall be inspected at:

(a) the request of the property owner;
(b) upon verbal or written complaint by a tenant of the building;
(c) upon receipt of notice from the State Department of Labor and Industry that code violations exist at the site; or
(d) except for owner occupied single family dwellings, when code violations are evident at the exterior of the building.

Sec. 4-303. CERTIFICATES OF OCCUPANCY

The Certificate of Occupancy provides a mechanism to verify that construction and renovations have been completed in compliance with this ordinance.

It shall be unlawful to use or occupy any new structure, building addition or an existing structure or dwelling unit vacated during renovations prior to the issuance of a Certificate of Occupancy by the Building Inspector stating that the structure conforms with all applicable codes contained in this ordinance.

A. Application Deadline

A request for a Certificate of Occupancy must be filed with the Building Inspector prior to the expiration of the Building Permit, or in connection with an inspection conducted under Section 302.

B. Required Form and Application Materials

A request for a Certificate of Occupancy shall be filed on a form provided by the City of Montpelier and shall contain the signature of the owner or agent certifying that all construction is in compliance with this ordinance.

C. Issuance

The Building Inspector shall perform any required inspections or consult with any interested City agencies and take action to approve or deny the application for a Certificate of Occupancy within 15 days following the receipt of a properly completed application. All action shall be in writing and shall state the reasons for denial if applicable.

Sec. 4-304. VIOLATIONS

Any person who shall violate any provision of this chapter shall be deemed to have committed a civil offence and shall be subject to the penalties established in Chapter 1, Section 9(d).

Sec. 4-305. NOTICE AND ORDERS

A. Form of Notice

Whenever the Building Inspector determines that there has been a violation of any provisions of this Chapter or any rule or regulation adopted pursuant thereto, he/she shall give notice of such alleged violation and orders for correction of violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:

(1) Be in writing;

(2) Include a statement of the conditions that constitute violations of this Chapter and what must be done to correct same;

(3) State the date of the inspection, the name of the inspector, and the address of the dwelling;

(4) Specify a time limit for the performance of any act it requires. Said time limit shall be a reasonable time, not to exceed 60 calendar days unless:

(a) The work is major exterior work including, but not limited to, work such as painting, gutters, foundations, or roof work, weather dependent, and, therefore, could not reasonably be completed within 60 calendar days based on the period of the year in which the inspection is done. In such cases, the time limit for the weather dependent work shall be 60 calendar days after a date when favorable weather conditions could be expected. All said time limits shall commence from the date of the inspection report; or

(b) The owner or agent intends to make substantial renovations which must be directly linked to the correction of the violation(s), and he/she applies for permits, submits required plans, and a schedule of proposed renovations as per Section 104 of this chapter.

(5) Notify the owner or agent, the occupant, and the complainant as the case may require, of the right to appeal;

(6) Be served within 10 working days upon the owner or his/her agent, or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant if a copy thereof is served upon him/her personally, or if a copy thereof is sent by certified mail to his/her last known address, or if he/she is served with such notice by any other method authorized or required under this Code or the laws of this state;

(7) A duplicate shall be sent to the occupant in cases where the owner or his/her agent are the appropriate parties to be served, and be sent to the owner or his/her agent in cases where the occupant is the appropriate party to be served. If the violation or violations concern a common area rather than an individual dwelling unit or rooming unit, the notice shall be sent to all occupants of the dwelling, or may also be posted in a conspicuous location in said dwelling if, in the judgment of the Building Inspector, such posting is necessary to provide adequate notice. If the violation is a major one, posting shall be mandatory, whether the violation concerns a common area or an individual dwelling unit or rooming unit. Any person removing such posted notice without authorization of the Building Inspector shall be fined $50.00. Notice to occupants by mail or posting shall be given within 10 working days after the date of inspection; and

(8) All orders shall be left for recording in the office of the City Clerk within 72 hours of its issuance. The City Clerk shall cause such orders to be recorded and indexed in the land records under the name(s) of the property owner(s).

B. Appeals

All actions of the Building Inspector may be appealed to the Housing Board of Appeals per Article 6 of this chapter. This includes determinations that no violation exists following receipt of a complaint from a tenant.

C. Failure to Complete Work

A failure to complete work within the time limits specified in the written notice of violation shall constitute a separate violation of this chapter.

Sec. 4-306. EXTENSIONS OF TIME

A. Time Limit

The time limit set for the correction of any violation not prohibited by Subsection (C) below may be extended by the Building Inspector for a reasonable time upon a showing that the person ordered to make the repair has made a good faith effort to comply with said order, and that the repair could not have been accomplished within the time originally set, or, in the case of owner-occupied, two-family dwellings, upon the showing of unusual hardship. Unusual hardship can only be applied to the owner-occupied portion of the building. Each such extension shall be recorded in the file for the affected property and such record shall include a description of good faith effort, inability to accomplish within the original time, and hardship relied upon in granting the extension. No single extension shall exceed 60 calendar days unless weather conditions would prohibit correction of the violation within 60 calendar days.

The Building Inspector or the Housing Board of Appeals may grant a time extension due to the owner's inability to gain access to the unit if the owner has requested, by a letter sent by certified mail, reasonable times when the work can be done.

B. Good Faith Effort

"Good Faith Effort" is defined as a substantial portion of the work completed or:

(1) The owner or agent has a signed and completed contract with a company that is capable of making the repair, and the contract was signed at a time that would have allowed the work to be completed in the time allowed by the Building Inspector had not weather or natural disaster prevented; or

(2) If the owner or agent or his/her staff is capable of making the repair, the owner or agent must present to the Building Inspector a paid invoice or delivery order for the materials needed to make the repair and the materials must have been ordered at a time that would have allowed the repair to be made in the time allowed by the Building Inspector, had weather conditions or natural disaster not prevented.

C. Hazardous Conditions

Time extensions shall not be granted by the Building Inspector in imminently hazardous conditions, such as, but not limited to, gas leaks, no utilities, inadequate heat as required by this ordinance, unsafe fire exit, etc.

D. Total Time

The total time for making repairs of violations not constituting a hazard to health and safety, including the initial time and extensions by the Building Inspector, shall not exceed six months.

E. Additional Extensions

Additional extensions of reasonable periods, not to exceed three months, may be granted by the Housing Board of Appeals in cases where a person ordered to correct a violation has not been able to do so within the time set by the Building Inspector, despite all diligent effort. A bond or an irrevocable letter of credit may be required to be posted with the Building Inspector if the Board determines one necessary to guarantee completion of the repairs. The bond or letter of credit amount shall be determined by the Board based upon the repairs required by the Building Inspector.

F. Time Limits for Extensions of Applications

Extensions must be sought within one working day after the expiration of the preceding time period, and decisions as to whether extensions will be granted must be made within two working days after the preceding time period. The Building Inspector shall keep written records of the reasons for granting time extensions.

Sec. 4-307. NOTICE OF COMPLIANCE

Once the required corrective action has been completed and the property has been brought into compliance with this ordinance, the Building Inspector shall issue a notice of compliance to the property owner. This notice shall be transmitted to the City Clerk for recording and to all persons who received copies of the original notice of violation.

Enacted April 17, 2002 [Chapter 4, Technical Codes, and Chapter 6, Housing, of the existing ordinances combined into one chapter designated Chapter 4, Building Regulations]. Date of Publication: 5/02/02. Effective Date: 5/08/02.

CHAPTER 4
BUILDING REGULATIONS

ARTICLE IV. ADMINISTRATION

Sec. 4-401. APPOINTMENT OF BUILDING INSPECTORS

The Building Inspector shall be appointed by the City Manager. The appointment shall continue during good behavior and satisfactory service of the inspector. The building inspector shall not be removed from office except for cause after full opportunity has been given him/her to be heard on specific charges. The Building Inspector need not be an employee of the City.

During the temporary absence or disability of the inspector, the city manager shall designate acting inspectors.

Sec. 4-402. QUALIFICATIONS OF INSPECTORS

To be eligible for appointment, the candidate shall have a considerable knowledge of methods, materials and techniques involved in building construction, repair and alterations; considerable knowledge of building and housing code and zoning ordinances; ability to interpret building plans for compliance with housing and building codes; ability to meet and discuss problems arising during inspections; ability to maintain harmonious relationships with the people; considerable knowledge of the possible defects and flaws in building construction, of the stages in construction whereby possible defects and violations may be detected, and of effective corrective measures. They shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building, construction, alterations, or removal and demolition.

Sec. 4-403. DUTIES AND POWERS OF INSPECTORS

The Building Inspector is hereby authorized and empowered to implement and enforce all requirements of this chapter.

Sec. 4-404. REPORTING

The Building Inspector shall make a detailed report to the City Manager each month, showing the number of permits granted and the number refused, the status of all enforcement actions, and such other information as may be of importance.

Sec. 4-405. RECORDKEEPING

The Building Inspector shall keep a detailed record of all permitting, certificate of occupancy and enforcement activity. Data bases shall be compiled which track these activities, as well as information regarding changes in the number and type of housing units, the amount of new commercial space created or lost, and the nature and status of each enforcement action.

Enacted April 17, 2002 [Chapter 4, Technical Codes, and Chapter 6, Housing, of the existing ordinances combined into one chapter designated Chapter 4, Building Regulations]. Date of Publication: 5/02/02. Effective Date: 5/08/02.

CHAPTER 4
BUILDING REGULATIONS

ARTICLE V. LICENSING

Sec. 4-501. LICENSE REQUIREMENTS

It shall be unlawful for any person to engage in or work at the business, trade or calling of a journeyman plumber, master plumber, or electrician within the city of Montpelier, unless he/she is duly licensed as such by the State of Vermont. The said requirement for a license shall not apply to the owner doing work on their own single-family residence, providing that all work conforms with applicable codes contained in this ordinance.

Sec. 4-502. PROOF OF LICENSE

Individuals performing plumbing or electrical work shall provide proof that he/she is licensed by the State of Vermont when requested by the Building Inspector.

Enacted April 17, 2002 [Chapter 4, Technical Codes, and Chapter 6, Housing, of the existing ordinances combined into one chapter designated Chapter 4, Building Regulations]. Date of Publication: 5/02/02. Effective Date: 5/08/02.

CHAPTER 4
BUILDING REGULATIONS

ARTICLE VI. MONTPELIER BOARD OF APPEALS

Sec. 4-601. THE RIGHT TO APPEAL

It is hereby ordained by the City Council of the City of Montpelier as follows: that any person aggrieved with the ruling or decision of the enforcing officer, in carrying out his/her duties under these Building Regulations, may appeal the decision or interpretation within 20 days after the day the notice was served by certified mail.

Sec. 4-602. ESTABLISHMENT OF BOARD

In order to protect existing structures in the city by enforcement of the codes contained in this chapter, there shall be and is hereby created a Housing and Building Code Board of Appeals, hereafter referred to as the Board consisting of three members plus one alternate who shall be appointed by the City Council.

Sec. 4-603. APPOINTMENTS TO BOARD

Said board shall consist of three residents and one alternate and electors of the City appointed by the City Council.

Each member shall have been a resident of the City for at least one year prior to appointment. Each member shall resign if their appointed status as a board member has changed. The City Council shall appoint for a term of one year an alternate member of such board in addition to the three members above provided for, who shall act with full power only when a member of the board refuses to vote because of a conflict of interest or when a member is absent. All appointments shall be for a period of two years. Each member shall serve until a successor has been appointed.

A member of the board shall not participate in any hearings or vote on any appeal in which that member has a direct or indirect financial interest, or is engaged as a contractor, or is engaged in the preparation of plans and specifications, or in which that member has any personal interest. The secretary of the board shall keep a record of each meeting so that the record shows clearly the basis for each decision made by the board.

Sec. 4-604. PROCEDURES

The provisions of the Vermont Fire Prevention & Building Code – 1999, together with all future amendments, shall be adhered to by the Board of Appeals.

Sec. 4-605. APPEALS TO THE BOARD

The board shall hear all appeals relative to the enforcement of this code, and by a concurring vote of the majority of its members, may reverse or affirm wholly or partly, or may modify, the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the code official. Said appeal shall be termed perfected by a written notice of appeal left with the Building Inspector personally or left at his office.

Enacted April 17, 2002 [Chapter 4, Technical Codes, and Chapter 6, Housing, of the existing ordinances combined into one chapter designated Chapter 4, Building Regulations]. Date of Publication: 5/02/02. Effective Date: 5/08/02.
Amendment enacted March 22, 2006 [Sec's. 6-602 and 6-603 rewritten]. Date of Publication: 3/27/06. Effective Date: 4/02/06.

CHAPTER 4
BUILDING REGULATIONS

ARTICLE VII. SEVERABILITY

Sec. 4-701. SEVERABILITY.

The provisions of this chapter are severable. If any part of this chapter is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Enacted April 11, 2007 [New Article VII. SEVERABILITY]. Date of Publication: 5/4/07.
Effective Date: 5/10/07.

CITY COUNCIL Agenda Item #17-267
Date: September 13, 2017
Consent ___ Discussion _X_

SUBJECT: Review and approve the Montpelier Historic District (Amended) and Montpelier Historic District (2016 Boundary Increase), for listing on the National Register of Historic Places.

SUBMITTING DEPARTMENT: Planning & Community Development

RECOMMENDED ACTION: The Director suggests a motion to recommend approval of the amended Montpelier Historic District (i.e. the report) and the increase in the boundary of the Historic District (i.e. the map) for listing on the National Register of Historic Places.

RELATED COUNCIL GOAL/PRIOR ACTION: Enhance Sense of Place, Develop a Healthy and Welcoming Community, Be as Energy Efficient as Possible

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: 36 CFR Ch.1 Part 60 lays out the requirements for the process of listing properties on the National Register of Historic Places.

BACKGROUND INFORMATION: The Montpelier Historic Preservation Commission (HPC) recently completed a long standing project to update the City's National Register Historic District. The update amends the existing historic district to include an additional thirty-six historic resources. The thirty-six resources included in the amended boundary include properties located in the Monsignor Crosby Avenue area (Downing Street, Monsignor Crosby Avenue, and Wilder Street), the Franklin Street Area (Franklin Street, Peck Place, and Cross Street), and the Hubbard Park Observation Tower. The project also re-evaluated the number, integrity, and level of documentation of the previously recorded historic properties throughout the entire Historic District and documented new construction.

The Montpelier Historic District, originally nominated and accepted to the National Register of Historic Places in 1978 and subsequently amended in 1989, is comprised of over 600 historic resources and encompasses much of the downtown and adjacent residential neighborhoods. Administered by the National Park Service in cooperation with the Vermont Division for Historic Preservation, the National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. Listing in the National Register offers recognition that your property is historically significant, but does not, in and of itself, protect a historic property. Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that no Federal monies or permits are involved.

The Historic Preservation Commission held a public meeting on Tuesday August 8th to solicit

public comments. All of the property owners within the National Register Historic District were mailed informational material and notified of the public meeting. Approximately 15 individuals attended the meeting and offered both positive and negative feedback. During the meeting, the Commission voted to recommend approval of the nomination of the amended Montpelier Historic District, including the 2016 Boundary Increase, to the National Register of Historic Places. The City's recommendations and the nomination will be presented to the Vermont Advisory Council on Historic Preservation in October and forwarded to the National Park Service in November for listing on the National Register of Historic Places.

Designated a Certified Local Government (CLG) in 2004 for its ongoing commitment to historic preservation at the local level, the CLG program provides an opportunity for the City of Montpelier to comment on the eligibility of resources nominated for listing the National Register of Historic Places within the City.

The Historic Preservation Commission recognizes that the National Register Historic District is often confused with the City's locally designated Design Control District. Although the boundaries overlap each other in some areas of the city, it is important to note that these two designations are distinctly different, have individual requirements, and benefits. The Commission is currently developing an annual work program to identify public outreach events and workshops to better educate the public and celebrate Montpelier's unique and well preserved built environment.

SUPPORTING DOCUMENTS: Certified Local Government National Register Nomination Final Review & Recommendation Reports (requiring signatures)

- Updated 'National Register of Historic Places Registration Form' for the Montpelier Historic District (Amended) http://www.montpelier-vt.org/DocumentCenter/View/4383**;**
- Nomination for the Montpelier Historic District (2016 Boundary Increase) http://www.montpelier-vt.org/DocumentCenter/View/4384;
- Updated map of the Montpelier National Register Historic District http://www.montpelier-vt.org/DocumentCenter/View/4460;
- Montpelier National Register Historic District – Presentation from Lyssa Papazian http://www.montpelier-vt.org/DocumentCenter/View/4461;
- Copy of letter mailed to all property owners within the Montpelier Historic District (approximately 400 properties);

INTERESTED PARTIES: Historic Preservation Commission, Design Review Committee, Planning Commission, historic property owners

CITY MANAGER'S APPROVAL:

City of Montpelier
PLANNING & COMMUNITY DEV.
802-223-9506 phone 39 Main Street, Montpelier, VT 05602 802-262-6080 fax www.montpelier-vt.org

July 27, 2017

Dear Historic Property Owner:

The Montpelier Historic Preservation Commission recently completed a long standing project to update the City's National Register Historic District and is seeking public comments. The update amends the historic district to include an additional thirty-six historic resources. The thirty-six resources included in the amended boundary include properties located in the Monsignor Crosby Avenue area (Downing Street, Monsignor Crosby Avenue, and Wilder Street), the Franklin Street Area (Franklin Street, Peck Place, and Cross Street), and the Hubbard Park Observation Tower. The project also re-evaluated the number, integrity, and level of documentation of the previously recorded historic properties within the district and documented new construction.

The Montpelier Historic District, originally nominated and accepted to the National Register of Historic Places in 1978 and subsequently amended in 1989, is comprised of over 600 historic resources and encompasses much of the downtown and adjacent residential neighborhoods. Administered by the National Park Service in cooperation with the Vermont Division for Historic Preservation, the National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. Listing in the National Register offers recognition that your property is historically significant, but does not, in and of itself, protect a historic property. Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that no Federal monies or permits are involved.

The Montpelier Historic Preservation Commission is hosting a public input meeting on the amended National Register historic district on **Tuesday August 8th at 6:30 PM** in City Council Chambers, City Hall, 39 Main Street. The Historic Preservation Commission will provide an overview of the historic district, nomination process, and answer questions. An electronic copy of the amended boundary, including an architectural description of historic properties within the district, can be found online at: http://www.montpelier-vt.org/426/Historic-Preservation-Commission.

The Montpelier Historic Preservation Commission will also be offering free guided walking tours of the historic district throughout the morning of Saturday, August 5th. Walking tours will be focused on the downtown area and will be offered between 9:00 am-noon. Interested participants should meet in front of the information booth on State Street.

Commission members will be available to discuss the historic district, the National Register program, and answer questions.

Should you have any questions or are interested in the activities of the Commission, I encourage you to contact Sarah McShane at 262-6270 or smcshane@montpelier-vt.org for more information.

Please consider joining us on a historic walking tour and the public input meeting. We look forward to meeting you.

Sincerely,

Eric Gilbertson, Chair

Frequently Asked Questions about the National Register of Historic Places

VERMONT
AGENCY OF COMMERCE & COMMUNITY DEVELOPMENT
DIVISION FOR HISTORIC PRESERVATION

1. What is the National Register of Historic Places?

Administered by the National Park Service, the National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. National Register properties have significance to the history of their community state, or the nation. Nominations for listing historic properties come from State Historic Preservation Officers, from Federal Preservation Officers for properties owned or controlled by the United States Government, and from Tribal Historic Preservation Officers for properties on Tribal lands. Private individuals and organizations, local governments, and American Indian tribes often initiate this process and prepare the necessary documentation. A professional review board in each state considers each property proposed for listing and makes a recommendation on its eligibility. The National Register program in Vermont is administered by the Vermont Division for Historic Preservation.

2. What are the results of listing?

In addition to honorific recognition, listing in the National Register has the following results for historic properties:

• Consideration in planning for Federal, Federally licensed, and Federally assisted projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties either listed in or determined eligible for listing in the National Register. The Advisory Council oversees and ensures the consideration of historic properties in the Federal Planning process.

• Eligibility for certain tax provisions: Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings. This credit can be combined with a straight-line depreciation period of 27.5 years for residential property and 31.5 years for nonresidential property for the depreciable basis of the rehabilitated building reduced by the amount of the tax credit claimed. Federal tax deductions are also available for charitable contributions for conservation purposes of partial interests in historically important land areas or structures.

• Qualification for Federal grants for historic preservation, when funds are available. Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that no Federal monies are involved.

3. How does the National Register of Historic Places protect my property?

Inclusion in the National Register of Historic Places is, first and foremost, an honorific designation that documents and celebrates the historic significance of your property. Listing provides a degree of protection from Federally assisted, licensed and/or permitted undertakings that might adversely affect a listed property or jeopardize the property's environment. Being listed does not, in and of itself, protect a historic property.

4. What are the restrictions, rules, and regulations for historic property owners?

From the Federal perspective (the National Register of Historic Places is part of the National Park Service), a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property. Before this occurs, however, you should contact the Vermont Division for Historic Preservation (VDHP). The VDHP is the state agency that oversees historic preservation efforts in Vermont. There may be state or local preservation laws that you should be aware of before undertaking a project involving a historic property.

5. Can I modify, remodel, or renovate my historic house?

Yes. From the Federal perspective (the National Register of Historic Places is part of the National Park Service), a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property. Before this occurs, however, you should contact the Vermont Division for Historic Preservation (VDHP). The VDHP is the state agency that oversees historic preservation efforts in Vermont. There may be state or local preservation laws that you should be aware of before undertaking a project involving a historic property.

6. Does National Register listing restrict the use of my property or place any legal restrictions on the property?

No. Listing in the National Register is not a regulatory action, and you are free to make alterations to your property with private funds. National Register listing only regulates the use of Federal funds that may affect the property and does not impose any legal requirements on the property owner.

7. How do I apply for grant money or tax credits?

The National Register of Historic Places itself does not have a grant program. However, Technical Preservation Services (a division of the National Park Service) has a Tax Incentive Program that may be of assistance to owners of historic properties. The website for the Tax Incentive Program is: http://www.nps.gov/tps/tax-incentives.htm. Additionally, Vermont has tax credit and grant programs for owners of historic properties. The website for state grants and financial incentives is: http://accd.vermont.gov/historic-preservation/funding/tax-credits.

8. Must I open my property to the public if it is listed in the National Register?

No. There are no public visitation or access requirements associated with National Register listing.

9. Does National Register listing mean that the State or Federal Government wants to buy my property?

No. Inclusion in the National Register of Historic Places is, first and foremost, an honorific designation that documents and celebrates the historic significance of your property. Listing provides a degree of protection from Federally assisted, licensed and/or permitted undertakings that might adversely affect a listed property or jeopardize the property's environment.

10. What is a National Register Historic District?

A historic district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district can range in size from a small complex of farm buildings to a large downtown commercial area.

11. If there is a National Register Historic District in a town, are there restrictions on what the town can do with its local tax money?

No. As is the case with a private owner of a listed property, the National Register has no control over actions taken with local tax revenue or private funds.

12. Will listing in the National Register affect local property taxes, zoning, or the ability of local government to control these matters?

No. The National Register has no bearing on any of these strictly local concerns.

***** For additional information including a full-size map of the Montpelier National Register Historic District, please visit http://www.montpelier-vt.org/426/Historic-Preservation-Commission *****

CERTIFIED LOCAL GOVERNMENT
NATIONAL REGISTER NOMINATION
FINAL REVIEW & RECOMMENDATION REPORT

Please scan and email the completed form to Devin Colman at devin.colman@vermont.gov.
Use a separate sheet for any additional comments.

Name of CLG
City of Montpelier, VT

Name of Property being Nominated
Montpelier Historic District (Amended)

Address
Multiple

Owner
Multiple

Nomination Requested by
Historic Preservation Commission

For completion by CLG Commission:

Was nomination distributed to CLG members? ☑ Yes ☐ No

Did CLG members make a Site Visit? ☑ Yes ☐ No

Date nomination received by CLG: Nov. 2016

Date reviewed by CLG: Aug. 8, 2017

Date comments sent to Division: _____

1. Did the CLG seek the Division's assistance in evaluating the eligibility of this property? ☐ Yes ☐ No

2. National Register Criteria Met:

☒ Criterion A: Event
☐ Criterion B: Person
☒ Criterion C: Design/Construction
☐ Criterion D: Information Potential

3. Criteria Considerations Apply:

☐ A: Religious Properties
☐ B: Moved Property
☐ C: Birthplaces or Graves
☐ D: Cemeteries
☐ E: Reconstructed Properties
☐ F: Commemorative Properties
☐ G: Less Than 50 Years Old

4. Level of Significance: ☐ Local ☒ State ☐ National

5. Retains Historic Integrity: ☒ Yes ☐ No

6. Additional Comments: _____

7. How was the public invited to participate in the National Register nomination process?

☑ Commission's agenda was published in newspaper 15 days prior to meeting.
☑ Copies of the proposed nomination were made available to the public. 2 copies

CLG recommendation: ☑ Approve ☐ Deny *(explain)* _____

CLG Commission Representative — *Date* 8/8/17

Local Government Official recommendation: ☐ Approve ☐ Deny *(explain)* _____

Chief Elected Official — *Date*

CERTIFIED LOCAL GOVERNMENT
NATIONAL REGISTER NOMINATION
FINAL REVIEW & RECOMMENDATION REPORT

Please scan and email the completed form to Devin Colman at devin.colman@vermont.gov.
Use a separate sheet for any additional comments.

Name of CLG
City of Montpelier, VT

Name of Property being Nominated
Montpelier Historic District (2016 Boundary Increase)

Address
multiple

Owner
multiple

Nomination Requested by
Historic Preservation Commission

For completion by CLG Commission:

Was nomination distributed to CLG members? ☑ Yes ☐ No

Did CLG members make a Site Visit? ☑ Yes ☐ No

Date nomination received by CLG: Nov. 2016

Date reviewed by CLG: Aug. 8, 2017

Date comments sent to Division: _____

1. Did the CLG seek the Division's assistance in evaluating the eligibility of this property? ☐ Yes ☐ No

2. National Register Criteria Met:
- ☑ Criterion A: Event
- ☐ Criterion B: Person
- ☑ Criterion C: Design/Construction
- ☐ Criterion D: Information Potential

3. Criteria Considerations Apply:
- ☐ A: Religious Properties
- ☐ B: Moved Property
- ☐ C: Birthplaces or Graves
- ☐ D: Cemeteries
- ☐ E: Reconstructed Properties
- ☐ F: Commemorative Properties
- ☐ G: Less Than 50 Years Old

4. Level of Significance: ☐ Local ☑ State ☐ National

5. Retains Historic Integrity: ☑ Yes ☐ No

6. Additional Comments: _____

7. How was the public invited to participate in the National Register nomination process?
- ☑ Commission's agenda was published in newspaper 15 days prior to meeting.
- ☑ Copies of the proposed nomination were made available to the public.

CLG recommendation: ☑ Approve ☐ Deny *(explain)* _____

CLG Commission Representative — *Date* 8/8/17

Local Government Official recommendation: ☐ Approve ☐ Deny *(explain)* _____

Chief Elected Official — *Date*

CITY COUNCIL Agenda Item #17-268
Date: September 8, 2017
Consent ___ Discussion _X__ Time Sensitive ____
(outlined below)

SUBJECT: Second Reading for Amendments to Chapter 8, Article II (Dog Ordinance)

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Vote to adopt proposed amendments

RELATED COUNCIL GOAL/PRIOR ACTION: F: Quality of Life. Address dog concerns in a balanced manner, consider revised ordinance.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Conduct two readings of proposed amendments. Vote whether to adopt proposed amendments with or without any changes.

BACKGROUND INFORMATION: In response to resident complaint following an incident where a dog killed a cat, the City Council asked that the dog ordinance committee (who had recommended amendments last year which were adopted) revisit the ordinance for further changes. At their August 23rd meeting, Council approved amendments. Since that meeting, two changes have been made (see attached document. Further changes in red).

SUPPORTING DOCUMENTS: Proposed amended ordinance

INTERESTED PARTIES: Dog owners, residents, City Council

CITY MANAGER'S APPROVAL:

MONTPELIER NOTICE
ORDINANCE AMENDMENT

To amend the Montpelier City Code of Ordinances, by the following revisions to Chapter 8, Animals and Fowl, Article II, Dogs:

ARTICLE II. DOG CONTROL ORDINANCE

Sec. 8-200. ORDINANCE INDEX.

- Definitions
- Licensing
- Running at Large
- Penalties
- Duties of Police Officers and Persons Having Control of Impounding
- Conditions of Release
- Dogs as a Nuisance
- At Risk Dogs
- Dangerous Dogs
- Animal Control Committee Review and Appeal Process for Dangerous Dogs
- Defecation
- Repeal of Conflicting Ordinances
- Separability of Provisions
- Effective Date

Sec. 8-201. DEFINITIONS.

1. "Owner" shall mean any person or persons, firm, association, or corporation owning, keeping or harboring a dog.

2. "Run at large" shall mean any dog that is off the premises of the owner and not:
   a. on a leash if on a City street, sidewalk or bike/recreation path;
   b. clearly under the verbal or non-verbal control and in sight of the owner who has a leash in their possession, when not on a City street, sidewalk or bike/recreation path;
   c. in a vehicle; or
   d. on the premises of another person with that person's permission, i.e., hunting with the owner

3. "Nuisance" shall mean any dog that:
   a. chronically disturbs the quiet, comfort and repose of others by barking, whining, calling, or howling for a continuous period of twenty (20) minutes or more. This regulation shall not apply to dogs in a kennel/boarding facility which has received a zoning permit under the City's Zoning Regulations.
   b. damages property of another person.
   c. The provisions of this section and section 8-203 pertaining to running at large and disturbing the quiet, comfort and repose of others shall not apply to working farm dogs if:
      1. The working farm dog is barking in order to herd or protect livestock or poultry or to protect crops; or
      2. The working farm dog is running at large in order to herd or protect livestock or poultry or to protect crops.

4. "At Risk" shall mean any dog, regardless of breed, breeding, type or appearance, which, when unprovoked:

a. On two separate occasions within 36- month period engages in any behavior that requires a defensive action by a human or domestic animal to prevent bodily injury.

b. Acts in a highly aggressive manner, when unprovoked, within a fenced yard or enclosure and appears to be able to jump over or escape.

c. Inflicts minor injuries on a person through direct contact.

d. Causes damage to personal property as a result of aggressive behavior

e. Aggressively chases or charges another domestic pet or person

f. Vocalization or barking, without more, shall not cause a dog to be deemed of a highly aggressive manner.

5. "Dangerous" shall mean any dog, regardless of breed, breeding, type or appearance, which, when unprovoked:

    a. Kills, seriously bites, or inflicts serious injury upon a domestic animal
    b. Inflicts injury on person which requires medical attention
    c. Inflicts severe injury on or kills a human being
        i) severe injury means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

6. "Animal Control Committee" shall mean a committee appointed by the city council for the purpose of determining a recommended course of action for dogs with multiple violations after sufficient police investigation in order to maintain public safety consistent with provisions of this ordinance. The committee shall be composed of 5 individuals: the Health Officer, the Police Chief or designee and 3 individuals which will include 2 dog advocates (veterinarian, veterinary behaviorist, certified animal behaviorist,) appointed by the City Council. In the event that qualified volunteers are not available, the City will contract with professionals to fill the dog advocate positions.

7. Offenses are specific to the individual dog involved in an incident, so that incidents may be considered cumulatively even if the "owner" is different at the time of different incidents. Additionally, any dog "owner" involved in multiple incidents may have those incidents considered cumulatively under this ordinance, even if each incident involves a different dog.

8. These definitions shall not apply if the dog was protecting or defending itself, was in reaction to pain or an injury, protecting its offspring, another domestic pet or animal or a person, or protecting its owner's property from attack or assault, or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog.

Sec. 8-202. LICENSING.

No dog shall be kept within the limits of the City of Montpelier, County of Washington, State of Vermont, unless such dog shall have been licensed by its owner in accordance with the statutes of the State of Vermont. Dog license fees shall be set at $5 above the amount set by the State of Vermont.

Sec. 8-203. RUNNING AT LARGE PROHIBITED.

It shall be unlawful for the owner of any dog to permit such dog to run at large.

Sec. 8-204. PENALTIES FOR RUNNING AT LARGE.

The penalties for violation of this section shall be as follows:

1st Offense in a 12 month period	Formal warning
2nd Offense	Completion of a restorative process with the Montpelier Community Justice Center (MCJC). Completion to be certified by the MCJC. Failure to participate in or complete the restorative process is a $200 fine.
3rd Offense	Completion of a restorative process with the MCJC and a $200 fine Completion to be certified by the MCJC. Failure to participate in or complete the restorative process is a $400 fine.
4th Offense	$400 fine for each subsequent violation and referral to Animal Control Committee

Sec. 8-205. DUTIES OF POLICE OFFICERS AND PERSONS HAVING CONTROL OF IMPOUNDING.

Any police officer, including special police officers or dog catchers within the city of Montpelier, shall have the authority to seize, impound or restrain any dog kept in violation of this ordinance and deliver such dog to the person or organization duly authorized or contracted to have control of impounding. If the owner of such dog is known or can be located with reasonable diligence, then the person who has control of impounding shall personally notify the owner within three days of the receipt of such dog. If the owner of such dog is not known or cannot be located with reasonable diligence, then the person who has control of impounding shall post, within forty-eight hours of the time such person shall have taken such dog into his possession, written notice at City Hall in Montpelier, and on the City's website giving a description and photo image of the dog, stating where it is impounded, and the conditions for release. If the owner, within seven days after receiving notice or within seven days after notice has been posted, does not claim such dog, then the person having control of impounding shall dispose of the dog by sale, adoption, or euthanasia.

The person having control of impounding shall keep a record of every dog disposed of by sale or otherwise. Such record shall include (a) a description including a photo image which identifies the dog with reasonable certainty; (b) the manner of disposing of the dog; and (c) if the dog was transferred to another person, the name and address of the transferee. In addition, the transferee must sign a statement giving his name, address, and the date of delivery or receipt of the dog.

Any police officer may order a dog impounded or kept within the owner's residence pending resolution of the Animal Control Committee process.

Sec. 8-206. CONDITIONS OF RELEASE.

Before such dog may be transferred to another person, (a) such dog shall be vaccinated with anti-rabies vaccine, unless there is proof of vaccination within the previous year; (b) such dog must be licensed in accordance with the statutes of the State of Vermont; and (c) the transferee shall pay to the City Treasurer of Montpelier the total of the following charges.

$150.00 transportation charge, plus

Vaccination charge, if required, plus
License fee, if required, plus
Daily rate set by impoundment area, when dog bit requires, according to State Statute, impoundment of said dog for not less than 10 days.

Sec. 8-207. DOGS AS A NUISANCE.

The owner of a dog shall not allow their dog to create a nuisance.

Sec. 8-208. PENALTIES FOR NUISANCE DOGS.

The penalties for violation of this section shall be as follows:

Penalties:

1st Offense in 12 month period Formal Warning

2nd Offense Completion of a restorative process with the Montpelier Community Justice Center. Completion to be certified by the MCJC. Failure to participate in or complete the restorative process is a fine of $200.

3rd Offense Completion of a restorative process with the MCJC and a $200 fine. Completion to be certified by the MCJC. Failure to participate in or complete the restorative process is a fine of $400.

4th and subsequent offense Referral to the Animal Control Committee for action.

Sec. 8-209. AT RISK DOGS.

The owner of a dog shall not allow their dog to behave in an 'at risk' manner.

Sec. 8-210. PENALTIES FOR AT RISK DOGS.

The penalties for violation of this section shall be as follows:

Penalties:

1st Offense Completion of a restorative process with the MCJC and a $50.00 fine. Completion to be certified by the MCJC. Failure to participate in or complete the restorative process is a fine of $400.

2nd and subsequent offense Referral to the Animal Control Committee for action.

Sec. 8-211. DANGEROUS DOGS.

The owner of a dog shall not allow their dog to behave in a dangerous manner. In order for the animal control committee to take action the victim must file a written complaint with the police department who shall investigate the incident. The written complaint must contain the time, date, place of the incident, and any other facts that may assist the investigation. Upon investigation, the police department may then refer the incident to the animal control committee. The animal control committee, within 7 days of receiving the complaint, shall set a time for a public hearing to determine whether the dog shall be deemed dangerous and to recommend corrective action. The committee will make all

reasonable efforts to contact the owner and the victims and provide them with a copy of the complaint and time/date of the hearing.

Sec. 8-212. PENALTIES FOR DANGEROUS DOGS.

If the dog is deemed dangerous by the Animal Control Committee, the committee shall, in writing, recommend an order to the city manager as the facts and circumstances of the case may require. The owner and victims will be immediately notified of the recommendation of the animal control committee and will have an opportunity to appeal pursuant to sec. 8-213.

Penalties:

1st & Subsequent Offenses:	Recommendation by the animal control committee not limited to muzzling, confining, or euthanizing the dog. Chaining the dog shall not be a remedy,

Sec. 8-213. ANIMAL CONTROL COMMITTEE REVIEW AND APPEAL PROCESS FOR DANGEROUS DOGS

Prior to making any recommendation, the Animal Control Committee will receive information from the dog owner such as testimony, witnesses or other evidence if the dog owner wishes to present information. The Committee will, likewise, receive information from the citing officer and any affected parties. Any recommendation made by the animal control committee can be appealed to the city manager by either the owner or other affected parties. In the event that the city manager affirms euthanasia as the correct remedy, the decision may be appealed to the city council in a hearing open to the public.

Any recommendation for euthanasia made by the animal control committee shall only be made after the committee has consulted with a certified animal or veterinary behaviorist and that individual has determined euthanasia is the ~~only~~ appropriate remedy.

The owner of the dog and victims of record must be notified immediately of all decisions made in the review and appeals process. If the owner or victims contests the decision, they may, within five days of receiving the notice of determination appeal the decision of the hearing entity to the Civil Division of the Superior Court, which shall consider the matter de novo. (VSA 20 sec 3550)

Sec. 8-214. DEFECATION.

The person in control of any dog which defecates in a public park, walkway, sidewalk, street, public way, playground, cemetery, school grounds, and state property shall remove such material immediately and dispose of it in a sanitary manner.

Sec. 8-215. PENALTIES FOR DEFECATION.

The penalties for violation of this section shall be as follows:

Penalties:

1st Offense:	$50 fine
2nd Offense:	$75 fine
3rd & Subsequent Offenses:	$100 fine

Sec. 8-216. REPEAL OF CONFLICTING ORDINANCES.

All existing ordinances of the City of Montpelier are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

Sec. 8-217. SEPARABILITY OF PROVISIONS.

It is the intention of the municipality that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is furthers the intention of the municipality that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Sec. 8-218. EFFECTIVE DATE.

This ordinance shall be effective 15 days after passage as per 702 (c) of the City Charter.

The Montpelier City Council approved the above Code of Ordinances amendment at the second public hearing/reading held as part of their meeting on August 10, 2016. The effective date is August 26 2016.

CITY COUNCIL Agenda Item #17-269
Date: September 5, 2017
Consent ___ Discussion _X_ Time Sensitive ____

SUBJECT: Tax Stabilization Application for Lineage Realty Group LLC (Caledonia Spirits). Second Public Hearing.

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Conduct 2nd Public Hearing. Approve Tax Stabilization application.

RELATED COUNCIL GOAL/PRIOR ACTION: D: Economic Development - Provide Support to potential commercial projects. Development Agreement approved on May 24, 2017.

EXPENDITURE REQUIRED: No expenditure required. Reduce applicant's municipal taxes by an estimated $28,000 per year for real property and $18,000 per year for business personal property for a period of 10 years.

SOURCE OF FUNDS: General fund property tax revenue.

LEGAL REQUIREMENTS: Conduct two hearings as per city policy. Approve application with findings. Direct City Manager to enter into tax stabilization contract with applicant.

BACKGROUND INFORMATION: City voters have authorized the city to enter into stabilization agreements for both real property and business personal property. The maximum legal award is 50% reduction for 10 years. The City Council adopted a policy for implementation such awards in 2003.

SUPPORTING DOCUMENTS: City Manager's memo with recommended action and findings. Development Agreement with the Applicant. 2003 tax stabilization policy.

INTERESTED PARTIES: Caledonia Spirits, Montpelier Development Corporation

CITY MANAGER'S APPROVAL:

CITY COUNCIL Agenda Item #17-270
Date: September 13, 2017
Consent ___ Discussion X

SUBJECT: Continuation of the review of the matrices of the Unified Development Regulations (also known as the zoning bylaws).

SUBMITTING DEPARTMENT: Planning & Community Development

RECOMMENDED ACTION: The council should be prepared to ask questions of the Director and take comment from the public. The Council may, if they choose, vote to make any changes to the bylaws they deem appropriate within limits of state law.

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 ninth meeting to discuss zoning by the Council and for them to take public comments. The Planning Director has completed his presentation of the draft and has provided a matrix of comments that have been received. The council has started and will now continue to review comments and make decisions.

SUPPORTING DOCUMENTS: The most up to date matrix can be found at: http://www.montpelier-vt.org/947/Public-Comment-Matrices

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

CITY MANAGER'S APPROVAL:

CITY COUNCIL Agenda Item #17-271
Date: September 13, 2017
Consent ___ Discussion _X_ Time Sensitive ____

SUBJECT: Monthly Goals Update – Housing (postponed from August 23rd meeting)

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Review report. Discussion as needed.

RELATED COUNCIL GOAL/PRIOR ACTION: Goals document

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: None

BACKGROUND INFORMATION: The Council adopted goals, policies and priorities on July 27, 2017. Each month the Council will focus on one goal and receive information on all goals and activities.

SUPPORTING DOCUMENTS: Summary of housing goal, progress report on all goals, update on activity calendar.

INTERESTED PARTIES: City Council, Staff

CITY MANAGER'S APPROVAL:

City of Montpelier vermont

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: Goal Update: Maintain Excellent Services
Date: August 23, 2017

This is the first of our monthly updates on the newly adopted goals. Specific action items will appear on agendas throughout the year but reviews of overall goal categories will also be included. The current schedule is as follows:

August: Housing
September: Economic Development
October: Quality of Life
November: Public Safety
December: Affordability
January: Infrastructure
February: Good Government
March:Environment
April: Adopt new goals

The topic for this month is E: Housing. An excerpt from the Overall Goals document is color coded to denote progress. The overall work calendar, also color coded, is included as well. I've also included the overall goals document with color coding.

Color Code – **Bold** = completed. Green = proceeding as planned Yellow = proceeding but slower than planned. Red = Started but not proceeding well. Purple = Not started yet.

Summary: Housing, in general, has been an area of positive activity for the city. 18 units in French Block will be under construction this fall. We have signed an option agreement for 30 units at One Taylor Street. 6 units are under construction on Barre Street. A 25 unit project has applied for permits on upper Main Street.

Specific activities listed in the goals document which have occurred or are recurring include: facilitating discussions between Sabins Pasture landowner and potential developers, drafting a housing plan for the Master Plan. Sprinkler ordinance review is scheduled for September 13th. Zoning ordinance discussions which have a large impact on housing development are continuing with the City Council.

Consideration of a rental fee/inspection program will be done during the budget process. Reviewing rehab programs for existing housing is currently planned for February.

Housing	**Facilitate Housing projects**	Continue support of One Taylor Street, French Block and other housing projects currently being discussed and/or planned.	Continue project assistance as needed; keep Council well-briefed moving forward.
		Support work with landowner on Sabins Pasture development plan	Help facilitate discussions with potential developers and land owners, neighbors, etc.
	Promote varieties of housing opportunities	Complete housing strategic plan	Included in the Master Plan
		Improve quality of rental housing	Discuss fee to expand inspection program, to ensure safer and healthier rental options.
		Address barriers to housing	Review sprinkler ordinance
			Review rehab programs for existing housing (this is a resource issue/CDBG?)
			Enact regulations and policies which support housing development

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www.montpelier-vt.org

City Council

Calendar of Goal Initiatives

MONTH	Ref. Letter	Proposed Policy Goal	Proposed Action-Deliverable to Council	Lead
2017				
July	D	Adopt Implement Zoning & Master Plan	Make decision on timing of Master Plan/Zoning (DONE)	Mike
	D	TIF Implementation	Council to act on hiring TIF consultant (DONE)	Sue
	D	Implement EDSP	Approve MOU with MDC (DONE)	Bill
Aug.	B	Clearer evaluation process	Council reviews new evaluation proposal	Bill
	B	Promote Leadership values & Philosophy	Leadership team meeting to review model and strategies	Bill
	C	Improve Public Safety	Council safety briefing	Tony
	D	Adopt & Implement Zoning	Council to work through proposed ordinance	Mike
	D	Master Plan	Planning Staff to begin drafting	Mike
	F	Parklet Program	Council acts on ordinance – **postponed to October**	Bill
	F	Accessibility	Council considers proposal for gender neutral bathrooms in City buildings	Sue
	F	Dog Ordinance	Council to act on proposed ordinance	Bob
	G	Determine Future of Rec. Center	CIP will be asked to approve RFP for feasibility study	CS
	G	Address Facility Needs	Council decision on contract for WRRF upgrade	Tom
		Update on Economic Development Goal		
Sept.	A	Start budget work: Set funding levels	Establish budget process/projections; this will be on-going (include report on staffing levels, new revenue, efficiencies, etc.)	Todd/Bill
	B	Meet organizational needs	Update council on asset management program	Tom
	B	Improve outreach	Leadership team to review presentations and communication	Bill/Sue
	D	Adopt & Implement Zoning	Council to work through proposed ordinance	Mike
	D	Master Plan	Planning Commission to review draft	Mike
	E	Address barriers to housing	Council to review Sprinkler ordinance	Bob
	F	Parking Plan/Team Bridges	Subcommittee recommends decide how to proceed	Kevin
Oct.	A	Keep tax rates and fees sustainable	Staff will update current 5-year budget plan	Todd
	A	New revenue sources	Staff will present local tax options/Council action?	Todd
	C	Address drug issues proactively	Leadership team to plan staff training and support efforts	Bill/Sue
	D	TIF	Update Council on TIF process	Sue

	D	Adopt & Implement Zoning	Council to work through proposed ordinance	Mike
	D	Master Plan	Planning Commission to hold hearings	Mike
	F	Wayfinding Signs	Mont. Alive reports plan to Council	Ashley
	F	Parklet Program	Council acts on ordinance – postponed to October	Bill
Nov.	A	Adopt Budget with resources available	Staff to begin budget work	Todd
	C	Improve public safety capacity	Make decision on regional Public Safety Authority	Tony
	C	Crosswalk safety	Update council on progress improving crosswalks	Tom
	C	Warming and cooling shelter	Present plan to Council, begin publicizing	CS
	C	Expand E911 compliance	Brief Council on action to increase compliance	Mike/Audra
	D	Adopt & Implement Zoning	Council to complete work on proposed ordinance	Mike
	D	Master Plan	Planning commission completes work,, sends to Council, Council warns hearings on master plan	Mike
	F	Accessible programs	Council briefed on accessibility of city buildings/programs	Tom/CS ADA Comm
	G	Fund/Implement CIP/Maintenance Plans	Review plans for sufficiency	Tom/Bill CIP comm
Dec.	A	Energy efficiency savings	Update Council on progress with city buildings	Tom
	A	Adopt Budget with resources available	Council budget work sessions	Bill/Todd
	B	Improve Citizen Outreach	Council will consider National Citizen Survey proposal	Sue
	D	Adopt & Implement Zoning	Council holds first zoning hearing	Mike
	D	Master Plan	Council holds first Master Plan hearing	Mike
	G	District heat	Update Council on potential new customers	Bill
	G	Consider facility maintenance needs	Update Council on maintenance progress/facilities director position	Bill/Sue
	G	Implement CIP	Council reviews and approves CIP (incl W/S/SW) and Equipment plans	Tom/Todd Bill
	G	Consider new projects	Council makes decisions about WRRF, Rec Center and possible bonds	
2018				
Jan.				
	A	Adopt Budget with resources available	Council public hearings, adopt budget for ballot	Bill/Todd
	D	Adopt & Implement Zoning	Council holds final hearing and adopts zoning by Jan 8	Mike
	D	Master Plan	Council holds final hearing and adopts Master Plan	Mike
	F	Official Map	Council to act on adoption of Official Map	Mike
Feb.	E	Barriers to housing	Council will consider rehab of existing housing ($)	Mike

	G	Establish process for project approval	Draft a City project development plan	Tom/Sue
March	H	Stormwater Masterplan/management	Working group reports progress to Council; outlines and action required. Update on CSO rules/controls.	Tom
	C	Maintain resiliency from Natural Disasters	Present Flood Mitigation Plan	Bill/Tom
	C	Update COOP and training	Conduct training, include Council	Bob
April	F	Dog Parks	Council to consider recommendation on dog parks	Geoff
	H	Track efficiency in city buildings	Brief Council, might have action item	Steve T.
	H	City Vehicle efficiency study	Presented to Council (electric vehicles?)	Tony
May	G	Establish process for project approval	Present to Council for discussion/action	Bill/Tom
	H	Select next Greening America project	Present project to Council	MEAC?
June	B	Meet City/staff organizational goals	Present updated personnel plan	Sue
	D	Increase capacity to support growth	Create policy on infrastructure needs for development	Bill/Mike MDC
	D	Increase development support	Formalize internal revolving loan fund	Bill/Todd
	H	Complete roof drain study	Implementation plan presented to Council	Tom
July	E	Sabins Pasture housing project	Solid progress by July 2018; brief Council	Mike
	G	Plan for future funding needs	Agenda item: Infrastucture needs/adequate funding	Tom/Todd
On-Going	B	Strengthen good government	Provide timely info to Council, improve staff skills	Bill
			Provide summary of event costs, consider fees	Todd
			Incorporate restorative justice into ordinances/policies	Yvonne
	F	Develop welcoming community	Consider multi-use trails	Geoff
	D	Implement EDSP	Work cooperatively with MDC	Bill
	D	Facilitate Economic Development	Support existing businesses	Bill/Sue Mike
	D	Facilitate Economic Development	Provide support and assistance to potential commercial projects	Bill/Sue Mike/MDC
	C	Continue Paramedic Plan	Hire staff incrementally	Bob
	C	Update COOP	Continue joint training with neighboring communities	Bob
	B	Improve outreach	Improve website, social media use, communications plans for projects, etc.	Sue
	B	Meet organizational needs	Continue wellness program	Todd/Tanya

	F	Maintain vibrant neighborhoods	Enforce nuisance and junk ordinances	Chris L.
	G	Complete Current Projects	One Taylor, Taylor St, Bike Path, Downtown repaving, Northfield St.	Bill/Tom
	G	Complete Paving Projects	Bring Streets to 70 PCI average	Tom
	H	Environment: Assure clean waterways	Implement CSO rules, identify needs and projects	Tom

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
A	**Affordability**	**Adopt budget within resources available**	Set funding levels and priorities	Early discussion about budget	Budget projections presentation	Finance	Workshop	Sept. 27, 2017	Establish budget process Budget projections presented
			Review Personnel Costs	Negotiate fair but contained collective bargaining agreements	Continue negotiations	City Manager, Finance		Oct. 2017	Update Council on Police negotiations
				Update staff/salary study	Report on current staffing, ideas to bring number below 100	City Manager, Finance		Sept. 27, 2017 Part of budget discussion	Suggestions to Council on Potential of cutting staff below 100
			Continue to seek efficiencies and savings	Secure grants; improve energy efficiency in city facilities.	Progress Reports to Council	All Depts.		On-going, starting in Dec. 2017	Updates to Council outlining Specific progress improving Efficiency in city buildings
		Keep tax rates and user fees sustainable	Establish long term sustainability target	Develop a 3-5 year budget plan	Agenda item for Council	City Manager Finance Council	time	Oct. 2017	Staff will update existing 5-year plan for Council discussion, with additional needed information.
		Seek new revenue sources	Decide whether to pursue local sales tax	Compile data on sales tax and a recommended plan for decision making; include outside input (chamber of commerce)	Report on data, potential process	City Manager		Oct. 11, 2017	Present local sales tax info And options to Council; Discuss tax options/action.

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
B	**Good Governance**	**Strengthen high performing organization**	Promote Leadership Values and Philosophy	Continue Staff leadership team model, encourage training, Council provides regular feedback to staff through City Manager.		City Manager, Council	None	Begin immediately, on-going	Document and report on staff training participation; Council is comfortable providing staff feedback.
		Maintain excellent public communications	Improve outreach	Improve website, Facebook and other social media; develop specific communications strategy for major projects, and plan for city depts. to communicate with public/Council. Obtain updated survey data	Work with all departments and Council. Conduct updated National Citizen Survey	Asst. City Manager, Interested Council Members Asst. City Manager	No financial obligation, but increased staff time. Already underway. $10,000, Contingent on FY 18 budget.	This has already begun: Web page improvements increased social media; but must be expanded. Oct. 25, 2017	Keep Council updated on changes, track Facebook and other social media interactions. Survey report to the Council. Discussion of next actions.
		Meet organizational needs	Update Personnel Plan	Meet to focus on personnel issues/concerns/ideas	Work with Pers. Plan committee	City Manager, HR	TBD	June 2018	Present Council with updated plan that suggests changes to ensure efficient, effective city government.
			Establishing a clearer, more directive evaluation process for city manager and Council	Create a formal process for both manager and council evaluation	Committee to draft proposed plan for Council approval	City Manager and 2 Council Members	None	Aug. 23, 2017	Evaluation process reported to Council; action taken
			Emphasize Employee Wellness	Continue wellness program	On-Going	Finance		On-going	Provide briefing for Council as desired.
			Implement asset management program	Provide status update and demonstration of the program to Council	Implementation of plan	DPW		Dec. 2017	Demonstration for Council

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
C	**Public Safety**	**Address Drug Issues proactively**	Continue all efforts to educate the public and curb drug abuse in our community, including expanding Project Safe Catch; Integrate support programs throughout city government	Re-emphasize and publicize Safe Catch (using last year's # as a base); Convene a public forum to discuss problems/alternatives Provide staff training in recognition of drug abuse and referral to treatment programs.	Provides stats ie overdoses; expand programs for families of addicts. Increase needle drop-boxes.	MPD, Community Services, State's Attorney, others	TBD	Planning gets underway in Nov. 2017; drug forum held in the Spring.	Public forum is held; Council is regularly updated on drug-related stats.
		Maintain Emergency Preparedness	Prepare in advance for Events, Marches, Street Closures and Protests	Provide summary of costs and resources needed at public events. Discuss whether costs can be assessed to participants.	Consider fee for Corp. Cup; list these costs as budget line item; include in event cost list.	Finance,MPD MFD,DPW	TBD	Currently collecting event costs, and reporting to Council. Decision is part of budgeting work.	Council to decide if a fee or other charges are appropriate. Staff will recommend.
			Maintain resiliency from Natural disasters	Complete Flood Mitigation Plan	Receive and review plan from consultant	DPW Council	None, recommended action might require costs (dam control?)	Flood plan is underway; expected as early as Aug.	Council will be briefed on plan, staff will recommend any action; Council discussion and action
		Improve Public Safety Capacity	Make decision on participation in Regional Public Safety Authority	Negotiations continue with additional communities for dispatch	Council will be briefed on final recommendation; decision on Ceding authority	Council reps MPD, MFD,City Manager,City reps	Unclear, that will be part of CVPSA report	November 2017	Council has asked for specific information, including cost impacts, of plan.

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
C (CONT.)	**Public Safety**		Update Continuity of Operations Plan (COOP) and conduct training on Plan.	Continue joint training with neighboring communities	Conduct Preparedness drill with Council	MPD, MFD, EMS	None		Safety plan and active drill for Council; staff
			Continue Paramedic program	Hire qualified paramedic staff as opportunities occur	Explore funding opportunities for training	Fire	Trans Funds	On-going	Update Council during budget discussions.
		Use Restorative Justice practices	Continue ordinance review and changes	Incorporate restorative justice language into ordinances and policies as opportunities arise.	Review all ordinance proposals	CJC,Manager, Council	N/A	On-going	Complete review, make language changes
		Maintain Safe facilities	Improve crosswalk safety	Provide information on options and implement selected plan, enforce crosswalk parking	Staff will make proposal for Council discussion and action	DPW Council's MTIC MPD	Unclear, that will be part of budget work and the proposal.	Nov. 2017	Work is already started, but Council will be updated
			Identify cooling and warming centers for extreme temperature conditions Expand E-911 compliance	Identify public locations where people can seek relief E911 sub-committee will research resources needed; brief full Council	Work with public/private groups to develop plan and publicize Develop a plan for expanding E911 compliance	Community Service, MPD, With partners Planning, Small Council group	No cost anticipated; services exist No cost anticipated; work already underway	Nov 2017 Subcommittee has been appointed. Report due by Nov. 1, 2017	Present plan to Council, actively publicize centers Brief Council on suggested action to increase E911 compliance

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
D	**Economic Development**	**Enact responsible growth policies**	Adopt and implement zoning	Conduct hearings, make final changes and adopt	Council and Public Hearings	Planning Council		On-going	Council approval of zoning report
			Implement EDSP	Work with MDC Approve MOU with MDC Provide funding as per EDSP	MOU presented, being reviewed	MDC, City Manager, Council	$100,000 /yr for 5 years		Update Council Part of Council's budget work
			Master Plan	**Decision on deadline** Planning Commission to begin work Consider Net Zero finalist concepts	**Need decision on deadline**	Planning Council		July 26, 2017	Council sets process
			Develop internal toolkit and policies to increase capacity to support development	Create policy on infrastructure needs for development for council consideration Formalize internal revolving loan fund Recommendation on TIF implementation	Create policy Presentation on July 26	City Manager Planning MDC City Manager	$20,000 initially, another $30,000 if move forward, plus application and consultant fees	June 2018 July 26, 2017 proceed with consultant	For budget discussion Council kept updated on TIF plans, action might eventually be required
		Facilitate Economic Development opportunities	Support Existing businesses	NECI River St and Berlin St. area Community promotion Use DID	On-going	MDC Mont. Alive City Manager	Montpelier Alive	On-going	Council will be updated on a timely basis of progress/issues
			Provide support, coordination, review, contract assistance, communication to potential commercial projects	Mowatt Capitol Plaza Caledonia Spirits Actively recruiting new projects	On-Going	City Manager, MDC	Cost included in various Taylor Street pieces	Hoping to close Mowatt by end of August, working with Cap Plaza, Cal Spirits deals near completion. Will update Council	Keep Council up to date on progress.

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
E	**Housing**	**Facilitate Housing projects**	Continue support of One Taylor Street, French Block and other housing projects currently being discussed and/or planned.	Continue project assistance as needed; keep Council well-briefed moving forward.		City Manager, DPW, Planning, Partners including DEW, Downstreet	We are investing staff time, contracts break out costs. Vary on projects.	Pieces of the various projects might require Council approval; staff will provide information and keep Council informed.	Progress on project Update Council
			Support work with landowner on Sabins Pasture development plan	Help facilitate discussions with potential developers and land owners, neighbors, etc.	Meet with landowner, set up meetings with interested developers	City Manager MDC DPW	N/A	This is already underway. City Manager will keep the Council informed going forward. Hoping for solid progress by July 2018	Progress on project Update Council
		Promote varieties of housing opportunities	Complete housing strategic plan	Included in the Master Plan	Write Plan	Planning Housing Task Force	N/A	On-going	Complete and Council approval of plan
			Improve quality of rental housing	Discuss fee to expand inspection program, to ensure safer and healthier rental options.		Planning Housing Task Force	Expense would be determined, possibly ½-time inspector, funded with appropriate fee	Part of budget work that is scheduled to begin on Sept. 27, 2017	Decision by Council on whether to add and inspector, or improve process in another way.
			Address barriers to housing	Review sprinkler ordinance	Staff will review ordinance, make recommendation to Council	Fire; Planning	Cost impacts, if any, will be included in staff recommendation	September 2017	Council will consider and act on any staff recommendation.
				Review rehab programs for existing housing (this is a resource issue/CDBG?)		Planning Housing Task Force	Costs TBD	February 2018	Recommendation will be presented to the Council for action.
				Enact regulations and policies which support housing development	This is a key piece of zoning discussions	Council Planning		On-going	Council approval of zoning changes.

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
F	Quality of Life	**Improve downtown infrastructure**	One Taylor St	Right of Way obtained Final design of path and building Architectural and construction documents executed Option agreement signed/housing	Include action on Mowatt property, architectural design completion, etc.	City Manager Planning DPW		On-Going	City Manager will keep the Council updated on progress of this important project.
			Taylor St reconstruction and water quality improvements	Complete Project	This work is progressing	DPW	TBD	On-Going	Update Council
			Downtown Paving Project	Complete Project	On-Going	DPW		On-Going	Update Council
		Improve Parking	Complete Parking Plan	Plan to be integrated into Master Plan Look at city staff parking benefit Understand parking needs as related to development Feasibility analysis on rail initiative	Council members are meeting on this issue, and will look at parking issues in details.	City Manager Planning Council members	Bond Or Revised Capital Plan	Oct. 11, 2017 Run ads in paper two months prior	Council subcommittee reports progress/decisions? To full Council. Council will decide how to proceed.
		Provide Financial and Logistic Support for downtown	Continue DID	Review and approve DID budget		Council Mont. Alive		Due on Sept. 13, 2017	This will be part of budget discussion.
			Fund Montpelier Alive	Review in budget	Part of budget work, which begins in Sept.	Council, Mont. Alive		Budget work begins Sept. 27, 2017	Decision by Council on funding Mont. Alive
		Enhance Sense of Place	Complete Art Master Plan	Complete and approve design Identify funding sources		Planning Montpelier Alive			Report to Council
			Wayfinding Sign Plan	Complete and approve design Identify funding sources	Mont. Alive is working on this; will update council	Mont. Alive; DPW	N/A	Oct. 2017	Report to Council on status.
			Institutionalize Parklet program	Adopt parklet ordinance	Council Action	City Manager	N/A	Aug. 23, 2017 – moved to October	Ordinance approved
		Develop a Healthy and Welcoming Community	Continue with pedestrian and bicycling initiatives	Implement Montpelier in Motion Plan, Complete Streets Plan Consider multi-use trail options	This work is on-going; Council will be kept up to speed.	Parks MTIC/REC	N/A	This is in process; Council will be briefed as this progresses.	Council will be briefed, action sought as needed, and appropriate plans implemented

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
F (CONT.)	**Quality of Life**		Accessible programs	Ensure Community Services programs are available to all ages, incomes and abilities	Staff will review scholarship/income issues, etc., to identify barriers.	Community Services	Review costs	Nov. 2017	Provide an update to Council of any barriers identified; action recommended.
				Complete ADA Transition Plan	Staff and ADA committee working toward compliance.	DPW City Manager ADA Committee	Funds earmarked for compliance	On-going	Regular updates on progress presented to Council.
				Consider gender neutral bathrooms in city buildings	Staff will research best practices; current status of buildings	Facilities Council	TBD	August 23, 2017	Report findings and recommendations to Council for approval
			Promote open space	Adopt Open Space Master Plan	Council needs to be briefed on plan	Conservation Commission	Costs, if any, will be included in plan		Council will be asked to discuss and act on plan.
				Adopt Official Map	Council needs briefing	Planning/ Planning Commission	N/A	2018	Act on Official Map
				Incremental improvement of Blanchard Park	Staff to prepare plan	Parks MPD	Costs will be part of plan	On-going	Report plan to Council; approval
				Create management plan for Stonewall Meadows Park	Staff to prepare plan	Parks	Part of plan	On-going	Report plan to Council; approval
			Address dog concerns in a balanced manner	Consider revised ordinance	For Council agenda	City Manager Parks	N/A	August 23, 2017	Ordinance Action
				Consider creation of dog parks	Prepare plan, seek public input	Rec Parks	Cost will be included in plan	April 2018	Make a recommendation to Council

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
G	**Infrastructure**	**Complete Current Major Projects**	One Taylor St Taylor St. Reconstruction Shared Use Path (Winooski East Extension) Downtown repaving Northfield Street	On-Going	Construction 2018 2017-18 2018 2017 2017-18				City Manager will keep the Council updated on progress and changes to any projects in a timely manner.
		Fund/Implement CIP Maintenance	Complete projects Reference CIP plan with dates Full funding in budget	Review plan for sufficiency of funding for future needs	Bring streets to 70 PCI Update Council	CIP DPW	Funded CIP (update PCI index)	2019	Agenda item for Council
			Implement adopted water/sewer plan Implement equipment plan	Review plans for sufficiency of funding for future needs	Staff will review needs/funding/options	DPW CIP Council	TBD	Part of budget work to begin in Sept. 2017 On-going	Budget
		Consider new projects/initiatives	Establish process for project approval Determine future of Rec Center/ Community Center possibilities	Draft a project development plan Feasibility Study; Identify partners, gauge community support	 CIP to consider RFP proposal	City Manager Community Services Planning	 $40,000 CIP request	May 2018 July 2017 for RFP; longer timeline for study and eventual report to Council	Present to council for discussion/approval. Issue RFP for study, keep Council informed
		Address Facility needs in a coordinated manner	Consider facility maintenance and operational needs	Maintain buildings	Update on facilities manager position	City Manager DPW	$25,000 (manager's cost)	Maintenance is on-going Update Council in Dec. 2017	Update Council on maintenance, Council discussion of facilities manager position.
		Ensure that District Heat Montpelier is financially sound	**Pursue new customers**	Unitarian Church Capitol Plaza TD Bank	Grant funding MEAC	MEAC Council	N/A	This is already underway; Update council in Dec. 2017	Keep Council informed

2017-2018 City Council Goals

Reference Letter	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Lead Agency	Future Resources Needed	Anticipated Council Review/Update	Deliverables
H	**Environment**	**Move toward Net Zero**	Continue progress with Municipal efforts	Track and report energy use Use revolving loan fund	MEAC report to Council; RFP issued to assess municipal building efficiency	Finance MEAC	Assessment will clarify what funds might be needed	Spring 2018	Council update; might have action item to expand efficiency work
		Provide Effective Storm Water management	Implement Stormwater Master Plan Continue focus on storm water management	Create a working group to implement Stormwater Master Plan and consider policy for private property Complete low cost/high impact recommendations Consider long term funding (utility?)	Review permit requirements in 2018	Council, DPW Conserv. Commission, CJC (support) CIP	Grants?	March 2018	Report progress to Council. Outline any action required.
		Assure Clean rivers and waterways	Implement CSO rules	Identify needs, projects. Develop cost estimates. Complete roof drain study	Prepare for long-range control plan Recommend implementation plan	DPW DPW	Costs being developed Grant	March 2018 June 2018	Report to Council Study completed, implementation plan presented to Council for discussion.
		Be as Energy Efficient as possible	Implement efficiency practices	Consider fuel switching, track vehicle miles and usage, review possible acquisition of hybrid and electric vehicles for city, review city vehicle idling	Consider charger installation increase (part of parking plan?) Document miles, review issues, idling data	Finance Police	TBD	April 2018	Update Council with data and information collected on transportation efficiency opportunities.
		Provide Clean Drinking water	Limit risk related to water source	Charter Change – continue with negotiation process	Discuss options going forward	DPW City Manager	Unclear	On-Going	Council action will be required
		Implement Greening America's Capitals	Evaluate concepts and selection for advancement	Taylor St reconstruction	Select next project; identify funding	Planning	TBD	May 2018	Present proposed 'next project' to Council.

CITY COUNCIL Agenda Item #17-272
Date: September 8, 2017
Consent ___ Discussion _X__ Time Sensitive ____
(outlined below)

SUBJECT: Proposed definition of Alternative Transportation

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Adopt definition proposed by Councilor Olson: "Alternative transportation refers to commuting in any way other than driving alone. Examples include biking, walking, carpooling, and taking public transportation."

RELATED COUNCIL GOAL/PRIOR ACTION: H: Environment

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Council Policy of adopting a definition will determine future alternative transportation spending.

BACKGROUND INFORMATION: At their 8/23 meeting, Council questioned the source of funding for the City to purchase additional electric vehicle charging stations. Specifically, whether said purchase could be considered alternative transportation. Adopting a definition will help guide future alternative transportation spending.

SUPPORTING DOCUMENTS: N/A

INTERESTED PARTIES: City Council, Montpelier Transportation Infrastructure Committee

CITY MANAGER'S APPROVAL:

CITY COUNCIL Agenda Item #17-273
Date: September 13, 2017
Consent __ Discussion X Time Sensitive ____
(outlined below)

SUBJECT: City Manager and City Council Evaluation Process, Council Policies

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Approve process and policies as outlined.

RELATED COUNCIL GOAL/PRIOR ACTION: B: Good Governance – Create a formal process for both manager and council evaluation

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: None except that City Manager's contract requires an annual evaluation.

BACKGROUND INFORMATION: Evaluation of both the Manager and Council was discussed during the Council retreats. A general concept was agreed upon. Council Members Watson and Turcotte and City Manager Fraser were tasked with refining the process and documents.

At the 8/23 meeting, Council suggested some alterations to their operating policies (approved July 12 as a result of the retreat), proposed process and forms. Revisions to all of the above have been prepared as per the 8/23 discussion. Council Member Turcotte and the City Manager discussed how best to incorporate a 360 review. The 7/12 policies were revised in form but not substance with the exception of the change directed by the council.

The City Manager suggests an addition to the Council's evaluation of itself – adherence to the Ethics policy.

SUPPORTING DOCUMENTS: Memo from City Manager, updated evaluation form and questions, goals/deliverables scoring form and revised council policies.

INTERESTED PARTIES: Council, Manager

CITY MANAGER'S APPROVAL:

City of Montpelier vermont

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: City Manager and City Council Evaluation Processes
Date: September 8, 2017

This process has been revised to reflect the Council discussion on August 23, 2017.

General Process and time frame:

March – May: Goals set (July 27 this year).

Monthly: Regular goals updates on agenda for council review. Focus on one goal category each month, with a summary of all goals and an update of the working calendar also provided.

September: Mid-year check in with full Council and Manager with written documentation.

January: Evaluation forms distributed to council, self evaluation to manager. Forms returned to City Manager's Executive Assistant. Results, with individual attribution, will be compiled by shared with Council members and Manager. These forms may be distributed through a Google Docs survey format.

February: Council and Manager meet to discuss results and any necessary follow up. This should be a dedicated, stand alone meeting, not added to a regular business meeting, After this discussion, Manager may submit reply document if he/she chooses and Council may meet without manager if they choose. Parties will conduct and complete any necessary contract discussions.

Documents:

Evaluation form is attached. Results will be tracked for 5 years by both the Council and Manager and available to Council Members. Goals & Deliverables form attached. Each major goal area will be scored 1-5 as a whole. A check list of each specific deliverable (from the document) is included and noted as either met, not met, or other (allowing for change in direction during the year, unforeseen circumstances).

In 2017-18, the Manager must do a specific 360 review as required for their professional credential. The Manager will share that review with the Council.

Council Self Review:

The Council will evaluate itself (using the same 1-5 scoring system) on the following areas that the Council has adopted:

- Compliance with Ethics Policy
- Adherence to Group Norms
- Adherence to Policy Development Process
- Adherence to Communication Guidelines
- Effectiveness of Council Meetings
- Adherence to roles and responsibilities
- The Council's effectiveness in accomplishing Goals
- Adherence to Council commitment to meet individually with Manager

This evaluation will be completed in concert with the Manager's review, forms distributed at the same time, etc.

City Manager Evaluation Form

Each member of the City Council should complete this evaluation form, sign it in the space below, and return it to the City Manager's office. Evaluations will be summarized and included on the agenda for discussion.

Instructions

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the city manager's performance.

5 = Excellent (almost always exceeds the performance standard)
4 = Above average (generally exceeds the performance standard)
3 = Average (generally meets the performance standard)
2 = Below average (usually does not meet the performance standard)
1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Your Name

_____

INDIVIDUAL CHARACTERISTICS

	1	2	3	4	5
Diligent and thorough in the discharge of duties, "self-starter"	◯	◯	◯	◯	◯
Exercises good judgment	◯	◯	◯	◯	◯
Displays enthusiasm, cooperation, and willingness to adapt	◯	◯	◯	◯	◯
Exhibits mental and physical stamina appropriate for the position	◯	◯	◯	◯	◯
Exhibits composure, appearance and attitude appropriate for executive position	◯	◯	◯	◯	◯
Maintains high ethical standards for both the Manager and the organization	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

PROFESSIONAL SKILLS AND STATUS

	1	2	3	4	5
Maintains knowledge of current developments affecting the practice of local government management	◯	◯	◯	◯	◯
Demonstrates a capacity for innovation and creativity	◯	◯	◯	◯	◯
Anticipates and analyzes problems to develop effective approaches for solving them	◯	◯	◯	◯	◯
Willing to try new ideas proposed by governing body members and/or staff	◯	◯	◯	◯	◯
Sets a professional example by handling affairs of the public office in a fair and impartial manner	◯	◯	◯	◯	◯
Accurately assesses and advises council on potential risks, outcomes and consequences of policy decisions.	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

	1	2	3	4	5
Carries out directives of the body as a whole as opposed to those of any one member or minority group	◯	◯	◯	◯	◯
Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions	◯	◯	◯	◯	◯
Disseminates complete and accurate information equally to all members in a timely manner	◯	◯	◯	◯	◯
Assists by facilitating decision-making without usurping authority	◯	◯	◯	◯	◯
Responds well to requests, advice, and constructive criticism	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

POLICY EXECUTION

	1	2	3	4	5
Implements governing body actions in accordance with the intent of council	◯	◯	◯	◯	◯
Supports the actions of the governing body after a decision has been reached, both inside and outside the organization	◯	◯	◯	◯	◯
Understands, supports, and enforces local government's laws, policies, and ordinances	◯	◯	◯	◯	◯
Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness	◯	◯	◯	◯	◯
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

REPORTING

	1	2	3	4	5
Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide	◯	◯	◯	◯	◯
Responds in a timely manner to requests from the governing body for special reports	◯	◯	◯	◯	◯
Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature	◯	◯	◯	◯	◯
Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience	◯	◯	◯	◯	◯
Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

CITIZEN RELATIONS

	1	2	3	4	5
Responsive to requests from citizens	◯	◯	◯	◯	◯
Demonstrates a dedication to service to the community and its citizens	◯	◯	◯	◯	◯
Maintains a nonpartisan approach in dealing with the news media	◯	◯	◯	◯	◯
Meets with and listens to members of the community to discuss their concerns and strives to understand their interests	◯	◯	◯	◯	◯
Gives an appropriate effort to maintain citizen satisfaction with city services	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

STAFFING

	1	2	3	4	5
Recruits and retains competent personnel for staff positions	◯	◯	◯	◯	◯
Applies an appropriate level of supervision to improve any areas of substandard performance	◯	◯	◯	◯	◯
Stays accurately informed and appropriately concerned about employee relations	◯	◯	◯	◯	◯
Professionally manages compensation and benefits plan	◯	◯	◯	◯	◯
Promotes training and development opportunities for employees at all levels of the organization	◯	◯	◯	◯	◯

Comments on this section

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SUPERVISION

	1	2	3	4	5
Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff	◯	◯	◯	◯	◯
Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level	◯	◯	◯	◯	◯
Develops and maintains an informal relationship with the staff and work force in general, yet maintains the professional dignity of the city manager's office	◯	◯	◯	◯	◯
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback	◯	◯	◯	◯	◯
Encourages teamwork, innovation, and effective problem-solving among the staff members	◯	◯	◯	◯	◯

Comments on this section

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FISCAL MANAGEMENT

	1	2	3	4	5
Prepares a balanced budget to provide services at a level directed by council	◯	◯	◯	◯	◯
Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively	◯	◯	◯	◯	◯
Prepares a budget and budgetary recommendations in an intelligent and accessible format	◯	◯	◯	◯	◯
Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability	◯	◯	◯	◯	◯
Appropriately monitors and manages fiscal activities of the organization	◯	◯	◯	◯	◯
Prepares a budget that reflects the priorities and directives of the Council	◯	◯	◯	◯	◯

Comments on this section

_____

_____

_____

COMMUNITY

	1	2	3	4	5
Shares responsibility for addressing the difficult issues facing the city	◯	◯	◯	◯	◯
Avoids unnecessary controversy	◯	◯	◯	◯	◯
Cooperates with neighboring communities and the county	◯	◯	◯	◯	◯
Helps the council address future needs and develop adequate plans to address long term trends	◯	◯	◯	◯	◯
Cooperates with other regional, state and federal government agencies	◯	◯	◯	◯	◯

Comments on this section

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Recognizing that the day-to-day management the City is significant portion of the City Manager's job, how does the performance of the City Government meet your expectations during this rating period? Please identify particular areas of praise or concern.

What are the manager's strengths, expressed in terms of the accomplishments achieved during the rating period?

In what ways could the manager improve, expressed in terms of observations during the rating period?

What did this survey not take into account good or bad? Any other comments?

Please list what you think are the top five issues for the city over the coming fiscal year?

City Council Self Evaluation Form

Each member of the City Council should complete this evaluation form, sign it in the space below, and return it to the Council President. Evaluations will be summarized for discussion in conjunction with the City Manager's review.

Instructions

This evaluation form contains six categories of evaluation criteria. Each category represents a policy or norm that the Council has formally adopted. For each category, use the following scale to indicate your rating of the city council's performance. The ratings are for the group as a whole, not individual members.

5 = Excellent (almost always exceeds the performance standard)
4 = Above average (generally exceeds the performance standard)
3 = Average (generally meets the performance standard)
2 = Below average (usually does not meet the performance standard)
1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Your Name

_____

COUNCIL CHARACTERISTICS

	1	2	3	4	5
Adherence to Ethics Policy	◯	◯	◯	◯	◯
Compliance with Group Norms	◯	◯	◯	◯	◯
Adherence to Policy Development Process	◯	◯	◯	◯	◯
Adherence to Communication Guidelines	◯	◯	◯	◯	◯
Effectiveness of Council Meetings	◯	◯	◯	◯	◯
Adherence to Roles and Responsibilities	◯	◯	◯	◯	◯
Effectiveness in Accomplishing Goals	◯	◯	◯	◯	◯
Individual Meetings with City Manager	◯	◯	◯	◯	◯

Additional Comments

_____

_____

_____

2017-2018 City Council Goals

Ranking 1-5	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(A) Affordability	**Adopt budget within resources available**	Set funding levels and priorities	Early discussion about budget	Budget projections presentation	Establish budget process Budget projections presented	Yes _____ No_____ Other:
			Review Personnel Costs	Negotiate fair but contained collective bargaining agreements	Continue negotiations	Update Council on Police negotiations	Yes _____ No_____ Other:
				Update staff/salary study	Report on current staffing, ideas to bring number below 100	Suggestions to Council on Potential of cutting staff below 100	Yes _____ No_____ Other:
			Continue to seek efficiencies and savings	Secure grants; improve energy efficiency in city facilities.	Progress Reports to Council	Updates to Council outlining Specific progress improving Efficiency in city buildings	Yes _____ No_____ Other:
		Keep tax rates and user fees sustainable	Establish long term sustainability target	Develop a 3-5 year budget plan	Agenda item for Council	Staff will update existing 5-year plan for Council discussion, with additional needed information.	Yes _____ No_____ Other:
		Seek new revenue sources	Decide whether to pursue local sales tax	Compile data on sales tax and a recommended plan for decision making; include outside input (chamber of commerce)	Report on data, potential process	Present local sales tax info And options to Council; Discuss tax options/action.	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(B) Good Governance	**Strengthen high performing organization**	Promote Leadership Values and Philosophy	Continue Staff leadership team model, encourage training, Council provides regular feedback to staff through City Manager.		Document and report on staff training participation; Council is comfortable providing staff feedback.	Yes _____ No_____ Other:
		Maintain excellent public communications	Improve outreach	Improve website, Facebook and other social media; develop specific communications strategy for major projects, and plan for city depts. to communicate with public/Council.	Work with all departments and Council.	Keep Council updated on changes, track Facebook and other social media interactions.	Yes _____ No_____ Other:
				Obtain updated survey data	Conduct updated National Citizen Survey	Survey report to the Council. Discussion of next actions.	Yes _____ No_____ Other:
		Meet organizational needs	Update Personnel Plan	Meet to focus on personnel issues/concerns/ideas	Work with Pers. Plan committee	Present Council with updated plan that suggests changes to ensure efficient, effective city government.	Yes _____ No_____ Other:
			Establishing a clearer, more directive evaluation process for city manager and Council	Create a formal process for both manager and council evaluation	Committee to draft proposed plan for Council approval	Evaluation process reported to Council; action taken	Yes _____ No_____ Other:
			Emphasize Employee Wellness	Continue wellness program	On-Going	Provide briefing for Council as desired.	Yes _____ No_____ Other:
			Implement asset management program	Provide status update and demonstration of the program to Council	Implementation of plan	Demonstration for Council	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(C) Public Safety	**Address Drug Issues proactively**	Continue all efforts to educate the public and curb drug abuse in our community, including expanding Project Safe Catch; Integrate support programs throughout city government	Re-emphasize and publicize Safe Catch (using last year's # as a base); Convene a public forum to discuss problems/alternatives Provide staff training in recognition of drug abuse and referral to treatment programs.	Provides stats ie overdoses; expand programs for families of addicts. Increase needle drop-boxes.	Public forum is held; Council is regularly updated on drug-related stats.	Yes _____ No_____ Other:
		Maintain Emergency Preparedness	Prepare in advance for Events, Marches, Street Closures and Protests	Provide summary of costs and resources needed at public events. Discuss whether costs can be assessed to participants.	Consider fee for Corp. Cup; list these costs as budget line item; include in event cost list.	Council to decide if a fee or other charges are appropriate. Staff will recommend.	Yes _____ No_____ Other:
			Maintain resiliency from Natural disasters	Complete Flood Mitigation Plan	Receive and review plan from consultant	Council will be briefed on plan, staff will recommend any action; Council discussion and action	Yes _____ No_____ Other:
		Improve Public Safety Capacity	Make decision on participation in Regional Public Safety Authority	Negotiations continue with additional communities for dispatch	Council will be briefed on final recommendation; decision on Ceding authority	Council has asked for specific information, including cost impacts, of plan.	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(C cont.) Public Safety		Update Continuity of Operations Plan (COOP) and conduct training on Plan.	Continue joint training with neighboring communities	Conduct Preparedness drill with Council	Safety plan and active drill for Council; staff	Yes _____ No_____ Other:
			Continue Paramedic program	Hire qualified paramedic staff as opportunities occur	Explore funding opportunities for training	Update Council during budget discussions.	Yes _____ No_____ Other:
		Use Restorative Justice practices	Continue ordinance review and changes	Incorporate restorative justice language into ordinances and policies as opportunities arise.	Review all ordinance proposals	Complete review, make language changes	Yes _____ No_____ Other:
		Maintain Safe facilities	Improve crosswalk safety	Provide information on options and implement selected plan, enforce crosswalk parking	Staff will make proposal for Council discussion and action	Work is already started, but Council will be updated	Yes _____ No_____ Other:
			Identify cooling and warming centers for extreme temperature conditions Expand E-911 compliance	Identify public locations where people can seek relief	Work with public/private groups to develop plan and publicize	Present plan to Council, actively publicize centers	Yes _____ No_____ Other:
				E911 sub-committee will research resources needed; brief full Council	Develop a plan for expanding E911 compliance	Brief Council on suggested action to increase E911 compliance	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(D) Economic Development	**Enact responsible growth policies**	Adopt and implement zoning	Conduct hearings, make final changes and adopt	Council and Public Hearings	Council approval of zoning report	Yes _____ No_____ Other:
			Implement EDSP	Work with MDC Approve MOU with MDC Provide funding as per EDSP	MOU presented, being reviewed	Update Council Part of Council's budget work	Yes _____ No_____ Other: Yes _____ No_____ Other:
			Master Plan	Decision on deadline Planning Commission to begin work Consider Net Zero finalist concepts	Need decision on deadline	Council sets process	Yes _____ No_____ Other:
			Develop internal toolkit and policies to increase capacity to support development	Create policy on infrastructure needs for development for council consideration Formalize internal revolving loan fund Recommendation on TIF implementation	 Create policy Presentation on July 26	For budget discussion Council kept updated on TIF plans, action might eventually be required	Yes _____ No_____ Other: Yes _____ No_____ Other: Yes _____ No_____ Other:
		Facilitate Economic Development opportunities	Support Existing businesses	NECI River St and Berlin St. area Community promotion Use DID	On-going	Council will be updated on a timely basis of progress/issues	Yes _____ No_____ Other:
			Provide support, coordination, review, contract assistance, communication to potential commercial projects	Mowatt Capitol Plaza Caledonia Spirits Actively recruiting new projects	On-Going	Keep Council up to date on progress.	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(E) Housing	**Facilitate Housing projects**	Continue support of One Taylor Street, French Block and other housing projects currently being discussed and/or planned.	Continue project assistance as needed; keep Council well-briefed moving forward.		Progress on project Update Council	Yes _____ No_____ Other:
			Support work with landowner on Sabin's Pasture development plan	Help facilitate discussions with potential developers and land owners, neighbors, etc.	Meet with landowner, set up meetings with interested developers	Progress on project Update Council	Yes _____ No_____ Other:
		Promote varieties of housing opportunities	Complete housing strategic plan	Included in the Master Plan	Write Plan	Complete and Council approval of plan	Yes _____ No_____ Other:
			Improve quality of rental housing	Discuss fee to expand inspection program, to ensure safer and healthier rental options.		Decision by Council on whether to add and inspector, or improve process in another way.	Yes _____ No_____ Other:
			Address barriers to housing	Review sprinkler ordinance	Staff will review ordinance, make recommendation to Council	Council will consider and act on any staff recommendation.	Yes _____ No_____ Other:
				Review rehab programs for existing housing (this is a resource issue/CDBG?)		Recommendation will be presented to the Council for action.	Yes _____ No_____ Other:
				Enact regulations and policies which support housing development	This is a key piece of zoning discussions	Council approval of zoning changes.	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(F) Quality of Life	**Improve downtown infrastructure**	One Taylor St	Right of Way obtained Final design of path and building Architectural and construction documents executed Option agreement signed/housing	Include action on Mowatt property, architectural design completion, etc.	City Manager will keep the Council updated on progress of this important project.	Yes _____ No_____ Other:
			Taylor St reconstruction and water quality improvements	Complete Project	This work is progressing	Update Council	Yes _____ No_____ Other:
			Downtown Paving Project	Complete Project	On-Going	Update Council	Yes _____ No_____ Other:
		Improve Parking	Complete Parking Plan	Plan to be integrated into Master Plan Look at city staff parking benefit Understand parking needs as related to development Feasibility analysis on rail initiative	Council members are meeting on this issue, and will look at parking issues in details.	Council subcommittee reports progress/decisions? To full Council. Council will decide how to proceed.	Yes _____ No_____ Other: Yes _____ No_____ Other:
		Provide Financial and Logistic Support for downtown	Continue DID	Review and approve DID budget		This will be part of budget discussion.	Yes _____ No_____ Other:
			Fund Montpelier Alive	Review in budget	Part of budget work, which begins in Sept.	Decision by Council on funding Mont. Alive	Yes _____ No_____ Other:
		Enhance Sense of Place	Complete Art Master Plan	Complete and approve design Identify funding sources		Report to Council	Yes _____ No_____ Other:
			Wayfinding Sign Plan	Complete and approve design Identify funding sources	Mont. Alive is working on this; will update council	Report to Council on status.	Yes _____ No_____ Other:
			Institutionalize Parklet program	Adopt parklet ordinance	Council Action	Ordinance approved	Yes _____ No_____ Other:
		Develop a Healthy and Welcoming Community	Continue with pedestrian and bicycling initiatives	Implement Montpelier in Motion Plan, Complete Streets Plan Consider multi-use trail options	This work is on-going; Council will be kept up to speed.	Council will be briefed, action sought as needed, and appropriate plans implemented	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(F cont.) Quality of Life	**Develop a Healthy and Welcoming Community (cont.)**	Accessible programs	Ensure Community Services programs are available to all ages, incomes and abilities	Staff will review scholarship/income issues, etc., to identify barriers.	Provide an update to Council of any barriers identified; action recommended.	Yes _____ No_____ Other:
				Complete ADA Transition Plan	Staff and ADA committee working toward compliance.	Regular updates on progress presented to Council.	Yes _____ No_____ Other:
				Consider gender neutral bathrooms in city buildings	Staff will research best practices; current status of buildings	Report findings and recommendations to Council for approval	Yes _____ No_____ Other:
			Promote open space	Adopt Open Space Master Plan	Council needs to be briefed on plan	Council will be asked to discuss and act on plan.	Yes _____ No_____ Other:
				Adopt Official Map	Council needs briefing	Act on Official Map	Yes _____ No_____ Other:
				Incremental improvement of Blanchard Park	Staff to prepare plan	Report plan to Council; approval	Yes _____ No_____ Other:
				Create management plan for Stonewall Meadows Park	Staff to prepare plan	Report plan to Council; approval	Yes _____ No_____ Other:
			Address dog concerns in a balanced manner	Consider revised ordinance	For Council agenda	Ordinance Action	Yes _____ No_____ Other:
				Consider creation of dog parks	Prepare plan, seek public input	Make a recommendation to Council	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(G) Infrastructure	**Complete Current Major Projects**	One Taylor St Taylor St. Reconstruction Shared Use Path (Winooski East Extension) Downtown repaving Northfield Street	On-Going	Construction 2018 2017-18 2018 2017 2017-18	City Manager will keep the Council updated on progress and changes to any projects in a timely manner.	Yes _____ No_____ Other:
		Fund/Implement CIP Maintenance	Complete projects Reference CIP plan with dates Full funding in budget	Review plan for sufficiency of funding for future needs	Bring streets to 70 PCI Update Council	Agenda item for Council	Yes _____ No_____ Other:
			Implement adopted water/sewer plan Implement equipment plan	Review plans for sufficiency of funding for future needs	Staff will review needs/funding/options	Budget	Yes _____ No_____ Other: Yes _____ No_____ Other:
		Consider new projects/initiatives	Establish process for project approval Determine future of Rec Center/ Community Center possibilities	Draft a project development plan Feasibility Study; Identify partners, gauge community support	 CIP to consider RFP proposal	Present to council for discussion/approval. Issue RFP for study, keep Council informed	Yes _____ No_____ Other: Yes _____ No_____ Other:
		Address Facility needs in a coordinated manner	Consider facility maintenance and operational needs	Maintain buildings	Update on facilities manager position	Update Council on maintenance, Council discussion of facilities manager position.	Yes _____ No_____ Other:
		Ensure that District Heat Montpelier is financially sound	**Pursue new customers**	Unitarian Church Capitol Plaza TD Bank	Grant funding MEAC	Keep Council informed	Yes _____ No_____ Other:

2017-2018 City Council Goals

Ranking	Policy Goal	Key Strategies	FY18 Focus	FY18 Actions	Future Actions	Deliverables	Completed?
	(H) Environment	**Move toward Net Zero**	Continue progress with Municipal efforts	Track and report energy use Use revolving loan fund	MEAC report to Council; RFP issued to assess municipal building efficiency	Council update; might have action item to expand efficiency work	Yes _____ No_____ Other:
		Provide Effective Storm Water management	Implement Stormwater Master Plan Continue focus on storm water management	Create a working group to implement Stormwater Master Plan and consider policy for private property Complete low cost/high impact recommendations Consider long term funding (utility?)	Review permit requirements in 2018	Report progress to Council. Outline any action required.	Yes _____ No_____ Other: Yes _____ No_____ Other:
		Assure Clean rivers and waterways	Implement CSO rules	Identify needs, projects. Develop cost estimates. Complete roof drain study	Prepare for long-range control plan Recommend implementation plan	Report to Council Study completed, implementation plan presented to Council for discussion.	Yes _____ No_____ Other: Yes _____ No_____ Other:
		Be as Energy Efficient as possible	Implement efficiency practices	Consider fuel switching, track vehicle miles and usage, review possible acquisition of hybrid and electric vehicles for city, review city vehicle idling	Consider charger installation increase (part of parking plan?) Document miles, review issues, idling data	Update Council with data and information collected on transportation efficiency opportunities.	Yes _____ No_____ Other:
		Provide Clean Drinking water	Limit risk related to water source	Charter Change – continue with negotiation process	Discuss options going forward	Council action will be required	Yes _____ No_____ Other:
		Implement Greening America's Capitals	Evaluate concepts and selection for advancement	Taylor St reconstruction	Select next project; identify funding	Present proposed 'next project' to Council.	Yes _____ No_____ Other:

City of Montpelier vermont

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

Council Policies and Standards – adopted July 12, 2017, revised – September 13, 2017

Group Norms

- Be fully present
- Save communications outside this room for breaks
- Speak our truth, in a respectful manner, using our finest and kindest words
- When we express dissent, we communicate why
- Listen for understanding, and if we wonder, ask
- Respect others and allow them to talk without interruption
- Focus on the issues, don't personalize discussions
- Come prepared
- When a Council member feels someone isn't following the group norms, use this language: "we have all agreed to group norms"
- Support innovative thinking
- Assume best intentions
- We will monitor our group discussions and strive to stick to substantive issues
- Don't pigeon-hole one another and don't assume that previous perspectives represent current opinions
- It's okay to express uncertainty
- Advocate for and defend the legitimacy of city government
- Acknowledge that government processes can be messy and be flexible and open to the imperfection of our processes
- Avoid making personal attacks on other council members and city staff at meetings and with media. Focus on ideas, not people

Policy Development Process

1. Policy issues are identified by staff, City Manager, Mayor, Council Members, public, etc.
2. Issues are filtered within framework of goal-setting process and City Manager, working with the leadership team, decides which are important enough to bring to Council (however, City Manager lists all in weekly notes).

3. Council, honoring staff expertise, decides which warrant research, with a willingness to say "no."
4. With non-budgeted requests from the public, we will have a consistent communication approach about how the budgeting process/cycle works.
5. City Manager supervises research/analysis, brings results to the Council
6. Council makes policy decision
7. City Manager implements policy
8. There is continual two-way information flow about implementation, evaluation and assessment and review.
9. Goal setting and review (process begins all over again).

Communication Guidelines

Communications approaches should seek to build positive relations between City Council Members and City Staff.

Communications between City Council and Staff

- Council Members let the City Manager know whenever they speak with any staff.
- Council Members may ask for info from staff and convey public opinions to staff, but not in a way that conveys pressure or implies a directive: councilors will not use their position of authority to influence outcomes.
- Council Members may contact city staff for needed services (as any citizen would).
- Council Members may find it helpful to contact City Manager for advice, before contacting staff.
- If individual city staff members reach-out to Council Members with a problem, the best approach is to convene a small meeting with the City Manager, the Council Member and the employee (three way conversation).
- Manager will include the rest of the Council in communications raised by any Council Member about substantive policy issues.
- Check who is being cc'ed before sending sensitive emails
- Good practice: "please don't reply all" but encourage responses to City Manager in emails.
- Emails regarding city business are publicly accessible: don't put anything in writing that you don't want to see in the newspaper the next day.
- When staff sends a recommendation, the City Manager's signature should indicate clearly whether he/she endorses it or not. Other staff dissent should be noted.
- Council Members and City Manager should always feel comfortable contacting one another, at any time: however, Council Members and city staff will not expect one another to respond to emails after hours or on weekend, unless there is an emergency.
- Reply to one another's emails when there are requests for actions, even if the response is that no action can be taken in the short run. Mark "urgent" if it is. Mark "no need to respond" if it is informational. Mark as "no need to read/respond except during working hours" if appropriate.
    - Direct emails from a Councilor to the City Manager should get a response, even if cc'ed on a forward to staff.
    - Requests for time above City Manager's capacity can be discussed with the Mayor.

Relationships between City Council and City Staff

- Include staff at council meetings as decisions are being made: invite their expertise, not just at budget time.
- Schedule field visits by Council Members to observe work of staff – either individually or as a group, ask department for the best timing, or ask City Manager.
- Staff will make an effort not to "surprise" the City Council, while helping to build the capacity of the Council to deal with emergency needs and other unanticipated developments.
- City Manager will play a leadership role in facilitating two-way communication between staff and Council by acting as a liaison.
- Consider which issues are better served by a workshop setting – without elevated seating, as that can make collaboration with staff harder.
- Invite memos from staff about their perspectives and concerns – ensure that staff feels comfortable and welcome to provide information and expertise – formally let them know that this is welcomed and helpful, especially in written form ahead of meetings.
- If a Council Member wishes to attend a meeting of the Mayor and the City Manager, call and check regarding the time.
- Council Members will meet individually with the City Manager at least twice per year

Council Internal Communication

- Individual Council Members may speak with up to two other councilors about a given issue or to educate themselves about an issue.
- We encourage out-of-meeting communications with one another within the requirements of the open meeting law.
- Council Members will lead with an intention of personal support, even when we disagree about issues.

Front Porch Forum, Social Media

- When Council Members encounter a harsh issue on FPF, they will respond with a personal email, rather than publicly online
- If Council Members spot a major factual error on FPF, they will point out the problem to the appropriate staff or City Manager rather than responding
- Councilors may use FPF (or FB or Twitter, etc) to seek public opinions about specific issues
- City Manager and Mayor are the default point of contact when speaking for city government as a whole, versus individual City Council Members speaking for themselves

Effective Meetings

City Manager's Role

- Track upcoming issues/agenda items
- Debrief each meeting with staff: look ahead at upcoming two to three meetings and how to prepare
- Track other incoming consent items
- Discuss upcoming two meetings with Mayor at weekly meetings
- Draft agenda and order of items and discuss with Mayor
- Agenda and supporting materials sent to Council on Friday night

- Write cover memo to highlight key issues
- Challenge: short turn around on late-breaking issues. In these cases, City Manager tries to frame these on cover sheet
- Council needs preparation time
- Protect City Council's time by not allowing people to present unless they are prepared and have made a specific request in a timely fashion. Presenters need to be prepared with full information and there should have been time staff to do their research about the item
- Let folks know ahead of time if it is highly unlikely that Council will be able to act so they can choose not to present, if appropriate
- Provide pre-meeting material, including:
    - Weekly memo giving heads-up about coming issues
    - City Manager's report
    - Thoughtful memos clarifying difficult issues

Mayor's Role

- Run effective meetings that don't waste peoples' time, and respect the public
- Act as time manager, while being respectful

Council Members' Role

- Ask clarifying/factual questions of staff ahead of the meeting

Meeting Guidelines

- Require folks to fill out a cover form when requesting time on the agenda with complete info by Wed or Thursday.
    - Cover form should identify an ask
    - For complicated issues, supplement cover form with memo from Bill.
- Don't make last minute changes to the agenda if staff are coming but have not arrived.
- Staff can direct public to read-ahead materials, including making hard copies of packet available in city clerk's office.
- Consider having a set time per speaker, eg: "no more than 10 minutes"
- Save easier things for the end, but do consent agenda early
- Front-load more challenging items and most time-sensitive issues.
- Councilors can move to place individual items in the consent agenda.
- Questions about items on the consent agenda should be asked by individual councilors ahead of the meeting.
- Until zoning is over: defer all possible issues.
- Staff should bring memos about current commitments to goal sessions.
- Staff should add key words to the top of cover sheets as a quick guide to Councilors being asked to digest a lot of information.
- Staff should be time sensitive: assume that councilors have read material, and not go over it all in detail.

Consistent Decision-Making

- Don't revisit decisions previously make: Long serving members can thoughtfully inform newer members of the history of particular issues
- If a meeting is missed, watch it on TV

Number	Staff/ Public Comment Received	Staff Recommendation/Comment	City Council Decision
1	All. Need global search and replace to switch "Historic Design Review District" for "Design Control District".	Noted by some readers that some HDRC references have not been replaced with DCD. **Staff Supports making changes.**	Council agrees to have global search and replace to switch "Historic Design Review District" for "Design Control District"
2			
3	**Part 1**		
4	1002. Public comment that the purpose statement in 1002 should be more detailed.	The purpose can be as long or short as you like. Nothing in the purpose is technically regulatory. The current zoning is one sentence and says the purpose of the zoning is to implement the goals and policies of 24 vsa chapter 117. We added some additional thoughts that it is also intended to implement the master plan and identifies some goals. **Staff recommends keeping the purpose as it is.**	Council agrees- No change
5	1009. Public comment that the Disclaimer of Liability is not necessary and not found in other bylaws.	While the fact that it is not necessary may or may not be true (I'll let lawyers argue that point), what I can say is that we have found disclaimers in other zoning regulations in the state that were not written by Ms. Saxton including the City of Burlington (section 1.1.11), the state's model floodhazard regulations (section III C), and - yes – even in our current zoning but only with respect to flood hazards (section 309.K). Using Flood Hazards as an example, the reason for the disclaimer is that we are requiring people to build above the base flood elevation but that does not mean we are saying you will not be damaged in a flood. We are minimizing risk not guaranteeing that someone will not flood. If you build to 100 year elevations and we get a 500 year event, then you will flood and when that happens you can't sue us for damages. That's what the liability disclaimer says. If that statement is not needed because of other statutory reasons then it is a common error in zoning throughout the state (including as noted above in the state's model flood hazard regulations). Some communities have extended that to the entire zoning bylaws by inserting it into the general provisions. I haven't spent more time looking for additional examples but the first two places that I looked I found disclaimers. **Staff recommends keeping the disclaimer as it is.**	Council votes to strike 1009 Disclaimer of liability in its entirety.
6	1101.A(2) Typo "unfished space" to "unfinished space"	Agreed. **Staff Supports the change.**	Council agrees -under 1101.A(2) replace "unfished space" to "unfinished space"
7	1101.A Montpelier Alive has provided some input that they would like a clearer comment that Parklets will be exempt from zoning because they will be regulated separately.	**Staff agrees and will work to develop language**.	Staff will develop and report back to Council
8	1101.A(8)(a) a public comment that the 20 cubic yard figure is too low.	This provision discusses how much material can be added or removed without needing a permit. If you need to add more then you would need a permit and we get involved with ensuring proper erosion control and other quesitons. A big single axle dump truck is generally about ten cubic yards so this would allow two big dump loads of fill without a zoning permit. We need some cutoff and the consultant and staff felt this was a common sense amount. **Staff recommends not making changes.**	Council votes to change 1101.A(8)(a) from 20 cubic yards to "30 cubic yards per year".

Consent approval items; Staff will provide more comment; Need COuncil decision

9	1102.B(2) requiring permits for farm structures. Comment that state law exempts farm structures and that only a notification is required. Is the requirement to submit an application ok?	It is surprising how many farm projects do not qualify for farm exemptions. The best thing from a records standpoint is to receive an application describing the project and the ZA making a determination. I personally built a two story gambrel barn for my horses, sheep and goats and needed local permits because I did not qualify as a farm in the eyes of Ag. of Ag. We also need to determine if the setback requirements are met. **Staff recommends keeping the language as it is.**	Council agrees- No change
10	1203.D and .E and .F It was noted that each of these use the word MAY which is poor practice in writing regulations.	I think .D is uneccessary but harmless- Normal repair and maintenance are exempt under 1101.B(1). On .E "may" should be changed to "must"- If the applicant meets the requirements the ZA doesn't have the option to approve. On .F the "may" is ok because it is clarifying that a waiver can be applied for to be closer than the non-conforming line if waiver requirements are met. One thing I would add is "section 3002.J" to the end... (see sections 3002.J and 4602). **Staff recommends making changes to .E and .F as described above.**	Council agrees- make changes to 1203.E to change "may" to "shall" and in 1203.F to add "section 3002.J" to the end "(see sections 3002.J and 4602)"
11	1206.A Public comment that 6 months is too short	While 6 months sounds short, the requirement here is only to stabilize and secure. I think those can occur in 6 months. The provisions in .B allow for extensions in extenuating circumstances. **Staff recommends not making changes.**	Council agrees- No change
12			
13			

Consent approval items; Staff will provide more comment; Need COuncil decision

14	**Part 2**		
15	Part 2. Public comment that under each figure in Part 2 or as a part of each figure that there should be a clearer note that all of these dimensional requirements are discussed further in section 3003 for accessory structures and 3002 for dimensional requirements.	Agreed. If it is confusing and not clear to many people (and it sounds like it is) then we should adjust the format to make it clear that these dimensional requirements apply to principal structures and that additional information is provided in 3002 and 3003 (for accessory). **Staff will bring suggested changes at a future meeting.**	Staff will develop and report back to Council
16	Part 2. Comment that city should focus development in the downtown.	The City cannot restrict development to occur only in the downtown. This draft has made a number of changes to increase the opportunities for development in the downtown but we cannot restrict development to only the downtown. **Staff does not recommend making any changes based on this suggestion.**	Council agrees- No change
17	Part 2. Consistency on some standards. Some height in feet and others in stories; some FAR has numbers and some say "Max".	Agreed. The PC discussed and approved changes to always be in feet for height but must not have caught all. Also, all FAR should say Max. **Staff recommends making those changes.**	Council agrees: Regarding height- stories needs to change from "2 stories" to "24 feet min" in Figures 2-01, 2-02, and 2-03; "Max" needs to be added to FAR requirements on Figure 2-06, 2-07 and 2-08.
18	Part 2. Councilor comment. In any district with a two story minimum. Will this impact smaller infill accessory buildings such as a carrage houses?	The intent to maximize dense mixed use development to facilitate vibrancy. Single use and single story buildings spread out uses and make communities less walkable which is why the two story minimum is imposed. Per 3002.H(2), only principal buildings must meet the minimum height requirements. The Council can consider removing the minimum height from some districts (riverfront or mixed use) but staff would recommend keeping the requirement in the Urban Center districts. Optionally you can keep it in all districts that it currently is in and allow waivers to make a one story building in certain instances. You have some options but **staff recommends keeping the language as presented**.	Council agrees- No change
19	2101.B(1) confusion over neighborhood name of "capitol complex"	Agreed that this name has created confusion. It was intended, nor was it being used to represent the legally defined "Capitol Complex" in a regulatory sense but as it does lead to confusion I recommend changing the name of the neighborhood to "Civic" which is what the area is called in the current zoning district. **Staff recommends changing neighborhood name to "civic".**	Council agrees to change name of "capitol complex" neighborhood in section 2101.B(1) and on the zoning map to "civic"
20	2101.E Confusing to know when architectual standards apply	Received this comment in many venues so we do need to clarify. Suggestions have ranged from providing an "informational note" to adding some other language. My suggestion to start would be to add "for major site plan applications" in place of "when required". In that way there is at least a clear indication up front in the district requirements that these apply only in a limited number of applciations. If approved by council this would be replicated in sections 2102 to 2109. **Staff recommedns making change as described above.**	Council agrees to add "for major site plan applications (see section 3201)" in place of "when required" for all architectural standards in sections 2101 to 2109.

21	2101.E General comment that there was a concern that these architectural standards would not get us to where we want to go as a city (from a design perspective). The standards require change in roof form and wall plane etc.	This was part of a longer set of comments and staff disagrees with the concerns about changes in wall plane - we want to have a visually dynamic streetscape. It improves character and most of our historic buildings have these characteristics. Staff does agree with the concern that these rules will not get us where we want to go. Staff comments during the PC process were that form based codes or design guides (like our historic design control district) are a better approach. The PC heard a lot of comment about protecting character and because we don't have the time to do a big design review overhaul they felt this was a good step in the right direction. **At this time I will continue to recommend we keep the architectural standards in the various districts which they have been proposed.**	Council agrees- No change
22	2101.E Standards are confusing for general public to understand. Suggestion that diagrams be added to show what the requirements are.	Agreed. The city had not allocated money to diagrams because they can be more expensive feature and if rules are not adopted or changed then more money is needed to amend the drawings. If the council chooses to keep the architectural requirments then we will commission drawings to be added before adoption, if possible, or be incorporated into the next revision of the zoning. **Staff recommends adding diagrams as soon as practical following approval.**	Council agrees- No change
23	Figure 2-01 Typo- Note reference in Water is incorrect	Agreed. Note should read "2" not "1". **Staff recommends making change.**	Council agrees that note reference in Figure 2-01 for water is incorrect and should read "2" not "1"
24	Figure 2-01 and 2-02 couple comments that the water setback in UC-1 and UC-2 should not allow construction over the waterways as allowed in the notes.	This special exception (the note) was added because a developer commented during the planning commission process that he felt these should be allowed because they already exist on Elm Street and that these could be unique features for future downtown projects. Staff had some concern over the approval process because the land over water is not owed by abutters they are public waters owned by the state. The developer felt they had ways to meet that requirement so the PC allowed them. Staff would continue to have that concern about our ability to approve such an item. **Staff would recommend eliminating the second sentence in note 2**.	Council agrees- eliminate second sentence in note 2 in figures 2-01 and 2-02.
25	2102 Comment that the density on Main street is not appropriate.	Staff looked at dimensional requirements in this area and found these requirements were very consistent with what we find on the ground. If there is a specific dimension that does not look correct then we can take another look but we did check on this specifically during the Planning Commission hearing process. **Staff does not recommend making any changes to dimensional requirements.**	Council agrees to tentative change for front setback on Figure 2-02 from 5 feet minimum to 10 feet minimum with a new note added that "where existing buildings on abutting properties are closer to the street than 10 feet, new buildings can match building lines of adjacent buildings." COuncil will revisit to vote any changes.
26	Figure 2-02. This is the dimensional table for Urban Center 2. 5th and 6th stories are not appropriate in this area.	Staff agrees. This was voted to be removed by the planning commission but was not edited out. **Staff recommends removal of allowance for 5th and 6th stories.**	Council agrees. Strike "5th and 6th story setback: 16 foot minimum."

Consent approval items; Staff will provide more comment; Need COuncil decision

27	2103 In the riverfront district there were two comments regarding the Crossroads neighborhood. Should the city consider changes to the purpose because it is described as "auto service" functions and questions were raised about the two story minumum requirement here (figure 2-03).	This neighborhood has been a uniques case. It really is different from all other areas in town and is a tight area of auto service uses. We did not intend this to be to the exclusion of other uses but considering the need for auto service stations for the thousands of people who drive through town every day, we should not allow uses that would not be compatible with the existing uses in this area. Concerning the dimensional requirements like the two story minimum, I have considered before and will throw it out here whether this neighborhood should be it's own zoning district with its own standards. The problem is the design and architectural standards, dimensional requirements, and uses are all set by Barre Street, River Street, and Berlin Street (the other parts of Riverfront district). Staff suggests making Crossroads neighborhood its own zoning district so staff can devleop a quick set of rules. That would fix the purpose, character, and dimension inconsistencies. **Staff recommends making Crossroads into its own zoning district and adjusting the purpose and neighborhood character to be consistent with this area.**	Council voted to change 2103.B(2) in the second and third sentences- In the second sentence change "should continue to be a" to "has historically served as a"; In the third sentence strike "however" and replace "maintain the neighborhood's service function while also improving" with the word "improve".
28	2105.A The purpose of the Western Gateway should discuss more uses than office, government, and civic.	Agreed. Even in the neighborhood description it talks about compatible light industrial and mixed use development. Staff recommends adding language to the end of 2105.A(1) "...as well as the development of a mix of new uses to support a vibrant campus and village setting at National Life and an attractive gateway with uses that support the downtown." I put that together as a palce to start and Council can add or change what is suggested. **Staff supports amending the purpose.**	Council agrees to add language to the end of 2105.A(1) "...as well as the development of a mix of new uses to support a vibrant campus and village setting at National Life and an attractive gateway with uses that support the downtown."
29	2106 to 2111 Concerns about 90% rule - i.e. that the maximum densities of residential districts is too high.	I believe we have provided sufficient information for why we chose to adjust density and lot size figures. Its both a matter of fairness and improves processing of applications if rules, in the very least, match the development on the ground. To deny an application for a new 0.9 acre building lot because it will be out of character (too small) when the abutters are all 0.3 acre lots just flies in the face of fairness. **Staff recommends keeping the district densities as they are unless a neighborhood or district has been misclassified.**	Council agreed that the 90% works generally and will address specific neighborhoods where a different set of numbers should be used. No change.

30	2106.B(2) Comment that the court street neighborhood description states that proposed development should protect the residential scale and character of the neighborhood. The large parking lot adjacent to court street is a prime area for commercial development. There are very few residences on the block. Language could be a significant barrier to such development.	The large parking lot off court street is part of the downtown business neighborhood so any redevelopment of that area will need to meet the requirements of the UC-1 district (not these in Mixed Use Residential). The Court street neighborhood is a mix of both commercial and residential (6 offices and 7 residential) so it is a good candidate for this MUR district. The office buildings are mostly converted former residential units so the character of the street is one that tends to be of residential character. The description does not limit the uses allowed in the street (that is defined on table 2-14). This could be used to affect the chracter of buildings being developed though. **Staff recommends keeping these rules as they have been presented.**	Council votes to specifically reference "the pit" in the description to make sure that provisions in 3304.A don't interfere with redevelopment of the pit area. Suggests adding to the end of the description "Court Street is a rare street whose neighborhood is different on the north (MUR) than the south (UC-1). Properties on each side of the street are expected to be developed consistent with the respective character of that neighborhood and therefore have difficulty meeting requirements regarding character of the neighborhood. As such, Urban Center projects on Court Street will be exempt from the requirement of 3304.A that potential impacts of both neighborhoods will be considered."
31	2107.B(1) change name of neighborhood from "college hill southwest" to "Hubbard Street"	I had notes that we would change the name but not too what. I've suggested Hubbard Street. **Staff recommends making the change.**	Council voted to change name of college hill southwest neighborhood in 2107.B(1) name to "Blanchard Park". Make change on Map as well.
32	2109. Public comment that Planning Commission did not reflect the input of the Parks Commission or Master Plan in zoning proposal regarding Sabins Pasture. The property owner responded with his proposal. These suggestions include dividing the pasture into mutliple distircts including ones to decrease the top to rural and others to increase the bottom to riverfront. Others have suggested keeping the same zoning boundaries as today (breaking into three districts).	Staff has provided input already about rationale behind Sabins zoning. The city cannot create a park through zoning. It would be unconstitutional to do so. If the City would like to make a park, the planning commission is prepared to create an official map to give us the power to do that. If it is not going to be a park then the planning commission created rules that would allow development at a density that creates great neighborhoods and still leaves room for clustering that would protect some open space (although it would not be publicly accessible open space). Res-6 is the same as College Hill. **Staff recommends keeping Res-6.**	Council voted to keep Sabins as presented but to amend 3404.J(1) to increase requirements to 40% minimum open space. (See #126 for approved change).
33	2109.B(5) Sabins pasture neighborhood description should be a more aspirational statement regarding open space. Mention PUD and clustering.	That is something that could be easily accommodated although if the pasture is divided into multiple districts then each area would be its own neighborhood. There could be a Lower Sabins Pasture and an Upper Sabins Pasture neighborhood (one being in the riverfront district and the other being in the res 17,000 for example). The description here may be appropriate for the lower pasture area. Staff will develop neighborhood descriptions based on final decisions and if the council decides to keep Sabins in one district then I will amend the description to meet those requests if that is the Councils wish. **Staff recommends waiting to change until final decisions are made.**	2109.B(5) should replace the first sentence with the following "Sabin's pasture is an undeveloped property that presents an opportunity to develop a new neighborhood for Montpelier. This area has complex natural features including floodplains, wetlands steep slopes and an old quarry. These opportunities and constraints invite a proposal that would cluster development in higher densities along existing roadways while protecting open space in more challenging areas." The following sentence should be added to the end as well "Open space should be protected in accordance with the Natural Resources Inventory Map and any Official Map, if so adopted."
34	Figure 2-10 comment that footprint requirement in Residential 9000 is too big at 4,000 square feet.	These footprint limits were really meant to put an upper limit on how big a building could be. For smaller parcels, clearly these buildings could never be built at this size but places like Crestview have been identified as somewhere where largehomes could be built to meet the needs of executive housing. They may build a 3,000 square foot home or larger. This would simply cap those at a certain size (4,000 squre feet in this case). Council can change it but I would keep it as presented. **Staff recommends keeping the requirements as presented.**	Staff will review footprint information for each district and report back to Council

35	2111. Public comment that density of Towne Hill (Res 17) is too high.	Staff has explained the reasoning before. Staff actually recommended res 15 as that would be a more appropriate density based on the neighborhood but Planning Commission settled on Res 17. **Staff recommends keeping Res 17 (PC recommendation) or increasing density to Res 15 (staff recommendation).**	
36	2111.D Councilor comment page 2-25 typo. 2111.D -refers to Residential 9000 when it should read "17,000"	Staff agrees. **Staff recommends fixing typo.**	Typo- automatic approval
37	2112. Rural minimum lot size is two acres and minimum lot size is 1 unit per 2 acres. Councilor comment that this appears low and will not protect rural character. Public comment is that rural density too low and should be higher.	This was debated by the planning commission adn we can see both sides. The current zoning is one acre (and one unit per acre) so moving to two acres was felt to be a step in the right direction. Two acres is the minimum to fit septic and well with protection distances between them. Staff thinks two acres is a good balance. It should not be less but could be a small bit more. I would not go much larger than 3 acres though as subdivisions start to become very consumptive. **Staff recommends keeping rural density as presented at two acres.** .	
38	Zoning Map- Zoning District change recommended. Recommendation to change CCV, Turtle Island (2 parcels), and the City rec fields to change from Residential 9000 to Mixed Use Residential.	Staff recommends approving this change. It was proposed and removed during the planning commission process but these 4 non-conforming uses are distictly different than their surrounding uses and it limits logical reuse of these properties. **Staff recommends changing the zoning for the parcels identified to be mixed use residential.**	
39	Zoning Map- Cliff Street neighborhood design review.	Does the Council desire any changes to this boundary?	
40	Figure 2-14 recommendation to add greenhouses as conditional uses to all districts in which it is not permitted.	These greenhouses are the commercial kind (not backyard greenhouses) but these could be in any district depending on the nature of the business. It makes sense that they would be Conditional Uses and let the DRB decide if the specific applciation will have an implact on traffic or neighbors. **Staff recommends adding greenhouses as a CU in all districts where it is currently not allowed.**	
41	Figure 2-14 Add bus stop as a conditional use in the Rural district.	Agreed. **Staff Supports the change.**	
42	Figure 2-14 Concern from terrace street resident (Res 9) that new zoning would allow 6 new markets to be built on Terrace and Bailey	The count is technically correct based on the written specific use in 3117 and the number of neighborhoods in that area. The reality is that these are the maximum possible number and each new market is a conditional use and can be denied. Because these are targetted to markets (selling staple foods) and not retail we don't expect to have more than two exist. We would be happy to get one but we cannot allow any if we don't at least make them a CU in the table. **Staff recommends keeping the rules as presented.**	
43	Figure 2-14 Page 2-29 typo "Zoning district" misspelled	Agreed. **Staff Supports the change.**	Typo- automatic approval

44	Figure 2-14. Public comment that the uses allowed in RES 17 district on Figure 2-14 may not be appropriate for the district.	The permitted uses in this district include single and two family uses, religious facility, nature or recreational park, grade school, cemetery, family child care home (registered), bus stop, certain utilities, and ag and forestry. Nearly all of these are uses that receive some statutory protections or would not significantly impact the character of the neighborhood. Religious, grade schools, utilities, ag and forestry all have statutory protections. Registered child care homes are limited in size and are encouraged in the City Mater Plan as important for a number of goals. The conditional uses are allowed only after public hearing and must meet requirements that they will not affect the character of the neighborhood. As noted by public comment, the Planning Commission did allow the possibility of a major group home, senior housing, B&B, inn, academic institution, library, museum, and licensed child care facility, as well as a stable, greenhouse, or rural enterprise. Council certainly can disallow these if they choose. Major group homes are ones that are larger than the regular group homes which are exempt by statute. These group homes are for mentally and/or physically handicapped not drug rehab or half way houses for inmate reintegration. Academic institutions have some statutory protections as well making it impossible to deny them anyways. Adding or removing allowed uses is a policy decision. We created Res 17 to match the uses in Res 9. It may be appropriate to have things be different. Under current zoning (LDR) child care homes (P), group homes (C), B&B (C), academic (P), museum (C), cemetery (P), religious (P), and many more uses are allowed.	
45	Continued from previous	[Continued comments from previous] Overall, fewer uses are recommended to be allowed in this draft than current zoning but Council is free to add or remove as they feel necessary. **Staff is ok with uses as they are but is also ok if you want to make some changes.**	
46	Figure 2-14 page 2-32 surface parking. Request to add surface parking a conditional use in Res 1.5.	Staff agrees but also suggests adding in Mixed Use Residential as conditional use as well. **Staff recommends changing surface parking to conditional use in MUR and Res 1.5.**	
47	2201.H(1)(c) Typo - appears to be missing the end of the sentence.	Absolutely correct… should go on to say "…be required for clarification, along with the manufacturer's catalog data and illustrations, if applicable. "	
48	2201.C Page 3-34. ZA Comment- This section states that "not structure may be erected, reconstructed, substantially altered, restored moved, or demolished…" without review by the DRC. Section 4301(A) states land developemtn within the Design Control OVerlay District must be refered to the DRC. Also current regulations require fences and above ground storage tanks to go to DRC.	Good catch. This is because we cut and pasted current zoning requirements. I recommend adding "including fences and above ground storage tanks" after the word "structures" in section 2201.C (even though I would have considered them to be structures. In 4301.A I would revise to read "...all applications requiring review under section 2201.C and within the Design Control District District to the Design Review Committee...". **Staff recommends making the changes as described above.**	

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49	2201.G Demolition- The ZA noted that this provision should moved to Section 3004 where .B would be removed and these provisions added in a new section after .D	Agreed. As written today, any historic structure in the city, regardless of whether it is in design review or not, cannot be demolished without meeting these requirements. Having those rules in design review would mean they no longer apply outside of the area. **Staff recommends moving 2201.G to 3004 and placed after .D**	
50	2201.G Demolition- Comment that the standards seem overly proscriptive and (3) appears to allow the DRB to establish the requirements … "chall consider at least the following.."	These are the rules that are in effect today. We recognized that many requirements need to be adjusted but the decision of the Planning Commisson was to let the Historic Preservation Commission develop an alternative set of regulations and proposed them rather than take time to amend the current regulations. **Staff recommends keeping the rules as they are until the HPC can propose new rules to replace them.**	
51	2201.H.2.f page 2-39 ZA comment. This provision states that "internally lit pastice signs are not permitted in design review" while 3012.C.9 is more restrictive. These should be consistent.	I think the stricter would apply in this case based on how they are worded but to be consistent I recommend changing 2201.H.2.f to read "internally illuminated signs are not permitted…" **Staff recommend making the change as stated above.**	
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55	**Part 3**		
56	Fix page numbering	numbers did not reset at the start of the section	Typo- automatic approval
57	3001.B Zoning Administrator pointed out that the use table on Figure 2-14 describes residential uses as "structures" so she was unclear if 5 single family dwellings on a single parcel are approved as single family dwellings or a mutlifamily.	I think a new section in between .B and .C would work that states that residential uses are classified by the number of units per parcel for the purpose of Figure 2-14. Therefore if someone had 20 acres in rural (two acres per unit) would be entilted to 10 units but could not put more than 4 without subdividing or creating a PUD because multifmaily is not allowed in rural. **Staff recommends making clarification described above and will prepare specific language if approved.**	
58	3002.C(2)(b) refers to wetlands mapped on the Vermont Significant Wetlands Inventory and should refer to wetlands on "identified on the Montpelier Natural Resources Inventory Map".	Agreed. When we administer these regulations we have specific data layers on our GIS that we will be looking at and these will be the Natural Resource Inventory map. **Staff recommends correcting that reference error.**	
59	3002.D(2) add a new (a) stating maximum residential density may be limited by the amount of steep slopes on the parcel. See section 3007 for additional details and for districts in which those requirements may apply."	Agreed. That would be a good clarifying addition. **Staff recommends making that change.**	
60	3002.F (1) zoning administrator noted that approval of a ROW generally requires DRB approval; (2)(a) wording is confusing (heard from multiple sources); (3)(b) comment that 15 feet is too narrow.	Agreed on all three counts. (1) recommend adding ", approved by the Development Review Board, that is…" after the word right-of-way; (2) reword to say"… shall be maintained on at least one street in each district where the lot has frontage."; (3) In subsection 3b the minimum is 15 feet rather than the 20 feet in part a. Staff did not recommend allowing any new lots that do not have frontage and therefore wanted to strike 3b altogether but some members of the PC were insistent on allowing new lots without frontage. If kept I recommend being consistent and changing to 20 feet. **Staff recommends changes as described above.**	
61	Figure 3-01 has an illustration for LOT FRONTAGE which references section 3203. That reference is incorrect	Reference should be 3002.F(3)	Typo- automatic approval
62	3002.H - Public comment that height regulations will promote the development of flat roof buildings in the city.	The Planning Commission reviewed a few alternatives on how to measure height. In the end, the Staff noted that there have been no comments or complaints about how the current zoning regulates height (until the hearing process) and there have been no problems of people developing flat roofs so perhaps keep the rules the same. The Planning Commission voted to use the same rules as are in effect today. **Staff recommendation is to leave the definition of height as it is. If council wants a change then please provide direction as to how.**	
63	3002.H(3) why is a and b listed separately.	They each are qualified statements so it is probably clearer being written separately than to try to combine them. **Staff recommends keeping it as written.**	

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64	Figure 3-06 waivers. Recommendation that side and rear waivers not be allowed; and height waiver not be allowed. New zoning rules have reduced the minimum standards such that these should no longer be needed.	I tend to agree somewhat but wonder what happens in specific cases where it is needed. I think a better approach may be to tighten the rules in figure 4-02 to make those waivers more difficult to issue rather than not allow them at all. **Staff recommends keeping these as they are and revisit this issue in section 4 when figure 4-02 is reviewed.**	
65	Figure 3-06 waivers. Note that height waiver is still in stories when that was eliminated in rest of bylaws.	If this remains it must be converted to feet. **Staff recommends a not to exceed of 5 feet rather than a full story.**	
66	Figure 3-06 Footprint waiver. It has been noted that in some cases a larger footprint for a building may not be a bad thing and that in certain conditions larger buildings can be better. One option proposed for exceeding footprint requirements would be to allow waivers up to certain percentage of the base (say 300% bigger) if they meet Conditional Use requirements. We would need to add those here if we wanted that option.	I think this is a viable option. Footprint requirements were added because of the Sibley project (large lot allowed property owner to build large building in neighborhood of smaller homes). It's a policy question. I think we want to limit the footprints and allow waivers if it is exceeded. How much latitude the Council gives the DRB should be added to the waiver provision. Both a project on Elm Street and Sabins pasture could want to cluster development into single large structures away from neighbors. Council could give unlimiteed latitude and let the DRB make the decision based on the specific conditions of the applciation. **Staff recommends, at a minimum, increasing the maximum waiver to 300% provided the applicant can demonstrate compliance with conditional use requirements.**	Council partly agreed with recommendation. They decided to revise footprint requirements for each neighborhood to lower them and then allow any application that exceeds the max footprint to apply for a waiver and demonstrate compliance with Character of the Neighborhood requirements. Therefore strike "footprint" and "10% more than district standard" from 3-06 Waiver limitation". Character of the neighborhood is already a requirement of 4-02.
67	Figure 3-07 (regarding accessory structures) max of two garages carports and barns- should this apply to rural; Same limit on sheds or similar small accessory; also only discusses allowing them in rear and side yards.	I think the first one is written correctly with the qualifier that "unless meeting all the dimensional standards for principal buildings in the district." The intention of these rules is to allow accessory buildings closer to the property lines than principal buildings. You can always have more accessory buildings but only two (or three) can be in the setback area of the principal building. I think this is clear in the statement 3003.C(1). That phrase should be added to the "sheds" line as well. It may not be clear because it does not expressly state it but accessory structures would be allowed in the "front yard" but not "in the front setback area". Accessory structures still need to meet the setbacks for principal buildings. **Staff recommends adding the "unless meeting..." language from above to the sheds section and keeping the rest the same.**	
68	3004.B Demolition note that earlier comment proposed adding demolition from 2201.G and deleting .B	agreed.	Note of earlier change of moved infor being inserted here

69	3005.B Applicability of riparian areas. Why no preservation of riparian in UC1, UC2, and riverfront. Shouldn't we preserve existing vegetation.	The Planning Commission felt that requiring vegetative buffers on the channelized portions of the Winooski and North Branch would make a lot of non-confoming development and require additional reviews to projects that probably should be allowed. Think of the NECI building as an example. If they looked at redeveloping their site, what would we require? If they tore down the building by the river should they be prohibited from building with 10 feet of the river and have a 10 foot vegetated buffer? The PC said no- The urban core can be developed. **Staff supports the Planning Commission in exempting these districts. Currently no riparian requirements exist in the city zoning and now it will be introduced fist to the less developed parts of the City.**	
70	3005 typo Natural Resources ***Inventory*** Map	agreed.	Typo- automatic approval
71	3005.D reference is to 3005.E and 3005.F but should be 3005.E(3) and 3005.F(3).	Technically the general references are ok and are actually prefereable in this case. Development can be uses or structures so 3005.F(1) would allow a change of use (development) of an existing building in the riparian area. If we only refered to .F(3) we would miss this in (1). **Staff recommends keeping as written.**	
72	3006.D Add "to the greatest extent feasible" before "land development must be designed to:" and change (2) to read "… within wetland buffers and vernal pool buffers including…"	This conservation commission comment was to clarify a graammatical concern - is it "wetlands" and "vernal pool buffers" or is it "wetland and vernal pool" buffers. This clarifies. **Staff supports adding language in both places**.	
73	3007.C steep slopes - recommendation to add to the list of 'normal property maintenance or management activities' the removal of invasive species.	Agreed. **Staff recommends adding "removal of invasive species and" after "such as"**	
74	3007.E change "conditional use" in title and"conditional use approval from" in the text to "Hearing requirement" and "a required hearing by" respectively. Also Figure 3-08 will need to reflect the change from CU to just refering to a hearing.	Agreed that the conditional use requirements (traffic?, impact on community facilities? Character of the neighborhood?) don't really apply in the review of these plans. What is desired is a hearing so the public and neighbors are noticed of significant clearing of steep slopes. **Staff recommends making the changes outlined above.**	
75	3007.F typo should read figure 3-09	agreed	Typo- automatic approval
76	Figures 3-08, 3-09, and 3-10 should be more consistent with each other. 08 and 09 are listed shallow to steep but 10 is steep to shallow; the professional plan requirement is a percentage for steep slopes plan and square feet for erosion cotrol plan; EC requirements change at a different rate than SS requirements	Agreed. I think a number of these could be made more consistent so it is easier to read and to know when extra engineering is needed. Adjust 3-10 to read steep to shallow; 3-09 should be twice the square footages in 3-08; requirements in 3-10 should match 3-09 (keeping the >10% requirement at 10,000). **Staff recommends making the changes described above.**	
77	3007.H(15) suggestion to strike	Agreed. This requirement to add to bad design. **Staff recommends striking (15).**	
78	3008 Erosion control- question about applicability. Who does this apply to and who needs a professional plan.	Everyone must meet the requirements but only those that are more than 3-10 need a plan. Those projects that receive a state permit are exempt locally. **Staff recommends keeping requirements as they are.**	

79	3008.C are "professional plans" necessary for larger projects?	These are developments with larger clearing of land on steeper slopes that require plans. Commission believes this was a good requirement. Staff will check with DPW to determine what they would like to see.	
80	3008.D(1) incomplete sentence. Needs word "development" after proposed.	Agreed.	Typo- automatic approval
81	3009 Stormwater- DPW and ZA recommend adding in the language from section 723 in the current zoning to section 3009 until new language can be developed.	Agreed. **Staff recommends adding the language from the current zoning.**	
82	3009 when will new language be ready. After Master Plan is complete?	It's timing is separate from the master plan update. The new language needs a few pieces- final state rules (so we can match our requirements to theirs), a new imprevious cover data layer from UVM (we have agreed to pay for a new high accuracy data layer), and then some time to make rules to implement. We think this could be this winter depending on how we prioritize work plans (official map, design review, stormwater, master plan deadline in 6 months or one year, etc).	Informational question
83	3010 has a number of references to DRB. Which projects need DRB approval?	Good catch. This is because we had originally had these requirements imbedded within site plan (and prior to adminsitrative site plans) so many requirements mention the DRB. The DRB references in 3010.B(2), (3), and (9) are ok- approvals are administrative unless you want a special consideration. (4) can be fixed striking (a) which requires higher requirements and replace "on low volume streets" with "based upon the site and street conditions". That way this becomes a waiver as well (meet the rules in 3-11 unless you go to DRB). (5) add "at the time of subdivision..." to the start of the esecond sentence. Subdivisions always go through the DRB and are the most likely time to require commection between lots. (7) combine the two sentences by striking "the development review board may require the applicant to provide" and add the word including. (8) change "the development review board may require the applicant" to "the applicant may need". **Staff supports making the above changes.**	
84	3010.B last sentence before the numbered list is confusing.	Agreed. It should read that the public works specifications will take precedence over the standards of this section and that the standards of this section take precedence over the B-71 standards. **Staff supports making that change to the language.**	
85	3011.F question whether loading should be limited to times when on busy (rush hours)	I think the loading area is off street it should not matter when the trucks arrive. If they are on street we have other mechanisms to force them to adjust their scheudle. I would not suggest getting into scheduling deliveries. **Staff recommends leaving language as presented.**	
86	3011.I(1)(a) what about other durablepaving materials (permeable).	Good catch. **Staff recommends rewording the end of (a) to read "asphalt, concrete, or other durable materials."**	

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87	3012.C(12) confusing. According to figure 3-16 the biggest sign is 40 square feet but now its 150 square feet (?)	The provision is not necessary because of the regulations later in the section. The 150 square feet comes from the billboard law. **Staff recommends strikeing 3012.C(12).**	
88	3012.C(9) Internally illuminated are prohibited here and them allowed later. Makes for confusion.	Agreed. It should read "Unless otherwise allowed herein…" The intention was to make sure those were not allowed at all but them some allowance were made later on. **Staff recommedns making the addition discussed above.**	
89	3012.C(11) recommend striking as difficult to enforce.	Agreed. **Staff recommends striking.**	
90	3012.D(11) suggestion to strike or amend the exemption of signs on the inside of the glass to target specific neon open signs, etc.	This was a large and well documented comment. As this would be a significant change in policy I would like to recommend that more outreach is taken on this issue. What does the business community think? Montpelier Alive? Does a percentage of the public have similar concerns? In general I would not recommend regulating these but perhaps Mont Alive could develop good downtown practices for businesses to adhere to rather than a new zoning regulation.	
91	3012.D exempt signs. Are political signs exempt and if so should they be added to the list?	While I heard a number of comments about poilitical signs I'm pretty sure we cannot regulate them. I will follow up with our attorneys. If so we should add political signs to the list on 3012.D.	
92	3012.G question of enforcement of these rules. What is the procedure for enforment?	All signs need permits so these rules will be enforced through the administrative process. Signs constructed would be a violation and be subject to enforcement as any violation would be. Enforcement is discussed in Chapter 470.	Informational question
93	3012.G(5)g confusing requirement.	Agreed. Not entirely sure what the requirement is here for this one. Recommend striking. **Staff recommedns striking 3012.G(5)g.**	
94	3012.G(10) and figure 3-15 talk about both portable and temporary signs. Unclear what the difference would be. Sandwich boards are exempt which would presumably be a portable sign so that should be struck from figure 3-15. Other temporary signs would presumably need a permit.	Agreed to strike potable signs from Figure 3-15. Yes temporary signs need permits. **Staff supports striking the portable signs from figure 3-15.**	
95	3012.I(1)(b) reference error	Correct. Was referencing a provision that was later deleted. Strike "…of Paragraph Error Reference source not found."	Typo- automatic approval
96	3012.M what about adding Capital Stationers sign on the side of the building to the list of landmark signs.	I personally do not like these exemptions but they have been maintained by the Planning Commission. The listed signs would be simply pre-existing non-conforming signs which would be allowed to exist indefinately until abandoned. By giving them a special status and are not non-conforming so they can be changed and will never go away. Barre City had one of these on Summer Street for Bond Auto which they replaced with a new giant Bond Auto sign while I was there (over my objection) and will now presumably be a giant O'Riley Auto Parts signs. Hardly seems fair and equitable for competing auto parts stores. **Staff does not recommend adding any additional signs to the landmark list.**	

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97	3102.B(1) does this include parking spaces or public rights of way?	This should be clearer about whether this is discussing public or private. Construction dumpsters of public property must get approval from the public works director. This should apply only to private property. **Staff recommends adding the language "on private property" after "A construction dumpster" and to add 3102.C Construction dumpsters on public property including streets and public parking areas must receive approval fromt he Director of Public Works.**	
98	3104.A(3) suggestion to increase limit on accessory apartments to 1,200 square feet and 45%	In 3002.C(4)(b) we already extended the right to property owners to make duplexes anywhere there are Single family dwellings provided they were on a conforming lot and have sewer and water. The recommendation to go to 45% is alomost a duplex anyways (remember 50% is half the home) and 1,200 square feet would be larger than many older homes. I think the rules as constructed are good. Only non-conforming structures will be limited to 900 square feet and 30%. **Staff does not recommend making changes.**	
99	3104.A(4) in A and A(4) it talks about owner occupied. How would this ever be enforced?	I would support eliminating the owner occupied requirement for that reason. Staff recommends striking owner occupied from the .A requirement and strike (4) as it would then be unnecessary.	
100	3107.D Question of why we would call something group home major.	There are a number of requirements in order to be considered a group home (which is a protected class of housing under Vermont law). The question comes up of what happens if someone wants to do something that is a group home but doesn't meet the requirements. For example I worked in Richford where a proposal came in for a home for people with Alzheimer's. It was an old house with 8 beds and licences from the state. It met state law for a group home except that it was within 1,000 of another home for something else. So now what do you do? But for the other home they would not even need to get a zoning permit at all but now they have no way to apply for a permit. We put this provision in to cover those types of applications- maybe it has 10 beds, maybe it is near another group home, etc. In those cases- group homes major are classified as conditional uses on figure 2-14 use table so neighbors would be notified and a hearing held. **Staff recommendation is not to change the proposal.**	
101	3108.A(1) noted that a lot with three or more does not have any days as a qualifier. Three tents for one day makes you a campground?	Good point. It doesn't come up a lot. As written yes one day would make you a campground but this is looking to catch the problem cases (e.g. people having multiple RVs with guests). Council is welcome to make changes but I think it is a use that will not receive much use. **Staff receommends not changing the proposal.**	

102	3110 B&Bs - Do these regulations address Air B&Bs?	Yes and no. There are not spcific regulation of air B&Bs but they would technically still need to meet the requirements of B&B if it is in an occupied home. We should look at developing rules for short term rentals if Council thinks it makes sense. For the most part they are not really B&Bs. Most of the time someone is renting out their entire house or apartment unit for a day or a week. Those will be difficult to catch and regulate but we can discuss. **At this time, staff does not recommend making a change to the zoning.**	
103	3122. Has this been reviewed by experts?	No we have not sent it to someone for review but the consultant reviewed the 248 standards. Wireless telecommunication facilities continue to be partly (mostly) exempt from local zoning. The legislature just extended the section 248 exemption until 2020 although the municpality CAN, if they choose give a local alternative pathway. The assumption of this language was that we would need something on the books if the state pre-emption was lifted. In theory developers can choose which path to go if we allow them a path. I think these rules are way too much but considering developers will simply choose section 248, I'm not worried. As staff we chose our battles for what to go after to redraft and we felt this one could stay and get a review on the next zoning update. Its exempt for the next three years (effectively). We can address it between now and then. **Staff recommends keeping language as presented.**	
104	3201 major site plan approval - it appears major site plans would require professionally prepared landscape plans and lighting plans. Mention was made at meeting to flag for change	Yes. Major site plans would be required to meet those standards. It's a policy question for the City if they want to require professional plans or not. Staff does not have an opinion except that it is easier to approve professional plans because it clearly shows locations and items. If someone can present a plan that shows they meet the standards then it probably doesn't matter if it was proessionally prepared.	
105	3203.F(3) should include a reference to figure 3-20.	Agreed. **Staff recommends adding "figure 3-20 and" after "accordance with".**	
106	3206.E Energy code comment whether this is needed considering it looks redundant to 3207.C(6)	Agreed. It looks redundant to 3207 and should be removed. **Staff recommedns removing 3206.E**	
107	3206.G unclear why this is here.	Agreed. **If council wishes to keep this staff recommends moving to 3202 and add as .C**	
108	3207.C introcutory statement needs grammer edits.	Agreed. Staff recommends rewording to say "Applications required to meet this section shall meet the following:"	
109	3207.C(4)(a) building materials "high quality building materials" is squishy	Good point. We don't need o ustify our regulations in them so we do not need the end of the sentence. It is that part of the sentence that adds problems. **Staff recommedns strike everything from "… that conveys a sense of durability…" to the end.**	
110	3207.C(7) residnetial bulk storage Why require this?	Agreed. **Staff recommends striking.**	

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111	3303.B concerns using levels of service and what these mean	Staff received a comment from Tom MacArdle that he wanted to provide some edits to this section. He is not a fan of LOS and thinks we can come up with something better. Staff will develop an alternative with Tom and bring to Council.	
112	3304.A Character of the neighborhood. This requires projects to meet the potential impacts on both neighborhoods if a project is adjacent to two neighborhoods. The pit off Court street is an area of concern.	Agreed this provision could result in impacts to a project on the boarder of two areas. Council has two choises, to elimiate the consideration of the abutting neighborhood or to insert langage to soften the impact (abutting neighborhoods will be given consideration but not to the extent that it prohibits otherwise allowed development in the base neighborhood."	
113	3304.C Staff comment that "development should be compaitble" should be replaced with, with not have an undue advers affect upon"	That phrase is a legal term of art that is used in land use law and has a tried and tested prociess for making decisions. **Staff recommends making that change in language.**	
114	Chapter 340 general comment on density bonuses being too generous in PUDs. Perhaps reduce to just 25% to 50%.	That will be a policy question. I think they would need to be examined on a case by case. I think the reality is that they will not be used or if they did could be denied by the board if not of good deisgn or if it impacts abutters.	
115	3401.B Can we create visual descriptions of the amount of infill development that could occur under infill development?	Infill PUD is only allowed on lots less than 2 acres in the higher density neighborhoods. So a 25% or 50% increase in a small number is usually not too much on a small lot. The reality is that most development does not maximize development because they still need to meet other requirements (parking, setbacks on the perimeter) and also any requirements for maximum development. It is why I have said I will be surprised if in 10 years any applications for any PUDs happen except for campus PUD on VCFA. "Worst case scenario" ... A 2 acre lot in res 1500 can have 29 units an acre or 58units total at maximum build out! Now they get an addition 50% bonus for building with the infill requirements (87 units). Assuming they meet all other requirements for parking etc. this would be about 45 units an acre and before everyone thinks this is insane, we are not yet as dense as the Lane Shops. Keeping that in mind- THESE WOULD BE CONDITIONAL USES IN THAT DISTRICT. Anything more than 4 requires conditional use and if the development would result in a project that impacts the character of the area then it could be denied. Nothing in these PUD sections are adminsitrative approvals. It would be impossible to map out all the possibilities but, it gives the DRB the ability to approve a higher density project if they use good design. MOst applciations if they come will be someone trying to add one unit to a small lot and looking for an avenue to get that approved. While some other PUDs may need a more careful review of the density bonus- this one is fine. **Staff does not recommend changing the proposal.**	
116	3401.B Recommendation to remove Res 6 and Res 9 from applicability.	In light of some of the comments above about limitations of use above, anything more than 4 units is a CU in res 6 and not allowed at all in res-9. **Staff would recommend keeping these provisions as a possibility in these districts.**	

Consent approval items; Staff will provide more comment; Need COuncil decision

117	3401.C(5) Suggest clarifying this to be a pre-PV HERS score	Beyond my skill to make a recommedned change. Staff will reach out to the energy committee and efficiency vt for a suggestion.	
118	3401.D(3) recommendation to strike this provision as this is a list of what applicant may do (and this statement is negative).	Agreed. S**taff recommends striking (3).**	
119	3401.F(2)should we be clearer about how we measure 1/4 mile walk (publicly accessible paths and sidewalks?)	I think we can develop a sub (a) that addresses how we will make that calculation. Staff will develop this and get back to council.	
120	3402.B Add cottage cluster to rural as well.	Agreed. **Staff recommends adding rural to the list of allowed districts for cottage cluster.**	
121	3403.B(9) Community buildings in other section have more descriptions. We should be consistent.	Agreed. We should match to 3402.J but not include (1). Also change "cottages" to "manufactured homes". **Staff recommends making those changes.**	
122	3404.B(2) typo change units to lots.	This was a staff comment. As written any large apartment building will be forced to go through these requirements even if they are not subdividing.	Typo- automatic approval
123	3404.B(2) how is 10 years tracked.	This is a tough one. In some ways it will be difficult to traack but in the same way if it is not there then an applicant can simply subdivide 39 lots this year and 39 more lots next year. It becomes too easy to avoid the rules. This at least makes it more difficult (and opponents will alway remember these rules and tell us if we forget.). **Staff recommends keeping it despite its limitations.**	
124	3404.C(5) Suggest clarifying this to be a pre-PV HERS score	Beyond my skill to make a recommedned change. Staff will reach out to the energy committee and efficiency vt for a suggestion.	
125	3404.J New neighborhood open space. Section refers to requirement to create open space but previous comments were that the city cannot create a park through zoning. How do these relate.	The difference is that parks have public access. We can require Murray Hill to have a swimming pool for its guests and residents but we cannot require them to let everyone in town swim in their pool. Similarly we can require a subdivision to set aside open space for the enjoyment of people living in the PUD but we cannot require it to be open to the public.	Informational question
126	3404.J(1) increase 5% to much higher number; clustering should be required	The purpose fotr the minimum is to address projects on properties that lack any natural resource features and are not on the official map. In the least, all projects should conserve at least 5% for open space. That number could grow to as high as 40% on parcels that have a lot of lands needing protection. The Planning Commission drafted these rules to protect those properties that had lands in ened of protetion and left other properties alone. The new neighborhood has a requirement in .B requiring the pUD which in effect requires clustering. **Staff does not recommend making additional changes in these areas.**	Council voted to increase the minimum requirement for open space to 40% in 3404.J(1). Staff will develop recommendation and review with City Attorney and report back to Council.
127	3404.J(2) comment that it could be clearer that the developer can conserve more than 40% if they choose but DRB can only require up to 40%.	Agreed but I think that could go without saying. To add that language can complicate how the rest is written and may confuse things. **Staff does not recommend making changes to this provision.**	

128	3404.J(4) Concern that developer could cover entire open space with solar panels	This is entirely a policy question. These areas have been set aside primarily for environmental reasons though which may make that more difficult. I think it depends on what the open space was for. If it is on the official map and the city does not want to assume the acquisition then I don't see why use for solar would not be inappropriate. If it is set aside for wetlands then it would be a problem to have solar. It's worth the discussion.	
129	3405 title conservation subdivision- what is it	These are classic PUDs that some people do to conserve open space. Rather than subdivide 20 acres into ten 2 acre lots they cluster the development into 10 one acre lots and leave 10 acres as protected open space.	Informational question
130	3405.I "with with" repeat	agreed. Typo	Typo- automatic approval
131	3406.A term major light industrial is not defined.	Agreed. "Major light industrial" should be replaced with "manufacturing". **Staff recommends making change.**	
132	3406.k The allowable size and height of main entrance signs seem extremely large. Maybe make smaller and allow DRB to make larger	Agreed. Ground mounted signs are currently proposed with a maximum of 32 square feet (12 feet high) so that would be a better default. **Staff recommedns chaging those numbers for entrance sign to 32 square feet and 12 feet high with a new statement at the end that the Development Review Board may approve waivers to the standards not to exceed 100% in size and 50% in height provided the additional size will not negatively affect the character of the neighborhood. "**	
133	3503.C add new (3) Buildings and building envelopes on recorded plat shall be representative only and placed only to demonstrate a suitable area for development. Approval of a plat with a house site or building envelope shall not be infered as a permit to build such structure nor shall it be a limitation to future development outside of the envelope or house site unless included as a condition of approval."	This is designed to make sure plats approved in the past with these characteristics do not reaquire someone to go back and amend their plat before building their house 10 feet to the left or right of the identifed hous on the plat. **Staff approves this recommendation.**	
134	3504.A concern that any project - no matter how small - will need a traffic study.	No. Only subdivisions resulting in 75 trips per day will need th professional study. 75 trip would be a big project considering the Sibley project (16 new residential units) was NOT going to trigger a traffic study. **Staff does not recommend changing this provision.**	
135	3504.B concerns using levels of service and what these mean	Staff received a comment from Tom MacArdle that he wanted to provide some edits to this section. He is not a fan of LOS and thinks we can come up with something better. Staff will develop an alternative with Tom and bring to Council.	
136	3505.B(8) add new "All new lots shall contain sufficient buildable area to meet minimum density requirements of section 3002.C."	Agreed. **Staff recommends making that addition.**	
137	3506.A(1)g suggest adding a comma after "wide"	Sounds good.	Typo- automatic approval
138	3506.A(5) need to add "may" after DRB	Agreed	Typo- automatic approval
139	3506.I(1)b should we be clearer about how we measure 1/4 mile walk (publicly accessible paths and sidewalks?)	I think we can develop a sub (c) that addresses how we will make that calculation. Staff will develop this and get back to council.	

Consent approval items; Staff will provide more comment; Need COuncil decision

140	3506.B(2) discusses pedestrian and multiuse but not explicitly "bike paths". We should have on road bike lanes when streets are part of a subdivision.	Agreed. Neither of these (1) or (2) explicitly discusses bikes. It could be tricky to rewrite because not all roads need bike lanes. Low volume streets can safely by sharrowed and the narrower street also reduces impervious cover. I think we should add a (3) though that expressly mentions bikes. Staff will develop some language for council to consider.	
141	3507.A simlar to comment under 3304 where projects on the boarder of two neighborhoods must be consistent with both neighborhoods.	Whatever the decision is for 3304 should be replicated here for consistency sake. **Staff recommends being consistent with 3304.**	
142	3508.B(4) extraneous "	agreed.	Typo- automatic approval
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Consent approval items; Staff will provide more comment; Need COuncil decision

145	**PART 4**		
146	4201.D Should the Zoning Adminsitrator provide other codes as well.?	The ones listed in .D are the ones the Adminsitrative Officer is required to provide by law. We are always able to provide others at a cost. **Staff does not recommend changing the provisions as written.**	
147	4201.H Should we provide a definition of "promptly"?	This was discussed by the planning commission and other communities set days. The issue comes when unusual situations arise and we trip a required date that is set by the bylaws but not set under state law and an application becomes deemed approved. As this is not a problem in Montpelier we suggested leaving this as a general statement knowing we typically issue permits on the day a completed applciation is received for permitted uses. **Staff does not recommend making any changes.**	
148	4207.D requires applicants to go to Superior Court to get deemed approval from an adminsitrative officers failure to act. Why not simply say it is deemed approved?	First the deemed approval is set in statute and simply says applications were deemed approved. No one knew how "deemed approved" would actually happen. We need a paper trail and someone to determine that the deemed approval was warrented. Maybe someone dropped off their zoning application at the Fire Department and now simply declares that I submitted to the city an application and did not get a reply in 30 days so its approved. Maybe the administrative officer told them they needed more information and they failed to provide it. Maybe the adminsitrative officer sent it to the state for comment (which automatically stays the 30 day clock) but a member of the public may simply decide on their own that the permit is deemed approved. The Courts stepped in to provide the remedy which is an appeal to Superior Court and a judge will determine if it is warrented. While this may seem onerous to the applicant there is more to it than simply the issuance of a permit. The second key point to keep in mind is the neighbors. Image if Doug Zorzi put in an application to develop 500 units in Sabins Pasture and in the confusion of doing things it took 35 days to issue the permit. Without a court hearing the permit would be issued and the abutters all have no opportunity to comment on the application their rights would have been lost due to the failure of the adminsitrative functions of the city. It would not be fair to those neighbors to lose their rights for our error. The Court makes sure those rights are observed. **Staff does not recommend making any changes to the draft.**	
149	4207.G(3) typo should be "explains" not "explain"	Agreed	Typo- automatic approval

150	4302.B Conservation commisison has a 21 day requirement to act but Design Review (also an advisory board) does not have such a requirment. Should there be a requirement for DRC?	There CAN be a requirement set but there has not been an issue with this committee in the past (and there isn't a requirement under current zoning). The Conservation is new and the PC was concerned that the board meets once a month and a mistimed application could cause a 5 week day to a project. While the PC wanted to extend the priveledge of commenting on applications to the CC they wanted to make sure they would hold special meetings as need to ensure no additional delays are added to applciations. **Staff does not recommend making any changes.**	
151	4501.A(2) states "at least one more" when state law requires "at least two more"	Agreed. **Staff recommends changing "one" to two".**	
152	4505.H wording not clear	Agreed. The best way to make this clear is to break into a list of (1) send a copy to applicant and others...; (2) file a copy with AO…and (3) record in land records. **Staff recommends breaking into a list.**	
153	4505.L odd statement in this location. Should be removed	Agreed. Statement out of place here and should be removed. Permits run with the land. A decision is necessary to issue a permit. **Staff recommends deleting 4505.L.**	
154	Figure 4-02 had three sets of comments. First the requirements in the table are blank (no check boxes indicating which are required. Second, should character of the area or district be "character of the area or neighborhood"; and third, these do not appear to match state law and they should match state law.	On the first, agreed. In fact this has been an item on the PC fix list a few times and each time it gets worse (going from what was unclear markings to no markings at all). Table must once and for all be updated with "X" in the appropriate boxes. Second I think "district" should be replaced with "neighborhood" but, except for waivers, these rules are set by state law and should match (see third point). Third, I agree that this must match state law and while it simply rewords state law to be clearer, I think I would prefer the exact wording from statute. While tables and graphics can be used to simplify and clarify laws and regulations, sometimes they are unecessary and make things more confusing. **Staff recommendation would be to remove the table; insert per state law the requirements into 4603.D (1) and (2) the requirements for general varaiances and renewable variances, and insert waiver requirements into 4602.C.**	
155	4701.B delete " at end of line	agreed	Typo- automatic approval
156	4701.F typo/reword	agreed. Would be clearer to say "The City shall observe any limitations on enforcement proceedings set forth in the Act (24 VSA 4454)." **Staff recommends making the change as stated above.**	

Consent approval items; Staff will provide more comment; Need COuncil decision

157	4701.G confusion.	Lots of confusion on this one including for me. Technically this can be deleted as it is a part of the limitations that are talked about in .F above it. If anyone cares… what the state law said was that if a permit is issued but not recorded in the land records that the city cannot enforce a zoning volation on that property. So we issue a permit to build a garage 10 feet from the property line and you build it 5 feet from the line- we would be unable to enforce a violation if the permit is not issued. It is a terrible law that is rife with unintended consequences but the law is what it is. **Staff recommendation is to strike .G as it is already included above in .F.**	
158	4701 or 4702 add restorative justice option	After some consideration I think this one will need to wait for a time when we can do more homework on it. While we refer people to community justice for neighbor disputes, that is different than enforcement of violations. Under state law the Administrator is required to 'literally enforce the bylaws'. The restorative process would not be legal or appropriate in determining whether violations exist. We spend no time today enforcing in court and collecting fines so I'm not sure how retorative justice would apply. I would suggest that before we institute ticketing (these bylaws will enable that but not institute it) we should look at restorative. Both of those decisions can wait until later. **Staff suggests not changing anything at this time.**	
159	4702.C and 4307.B Taken together it looks like if someone is ntoified of a violation and doesn't fix it for 4 days then day 1 is first offence, day 2 is second offence, etc. and then we transfer to Env Court after 4 days. Correct?	Its not quite that cut and dry. 4704 talks about the required notice of violation. That notice requires a statement giving property owers seven days to cure the violation before we can enforce. That notice of violation, though, can be appealed within 15 days of being sent (and usually is) so we generally do not enforce for the first 15 days (to see of they appeal the NoV). If they do not contest it or lose on appeal then we can begin enforcing. We have two avenues at that point- go directly to superior court or (if we institute it) issue tickets. The "day offense" is regarding tickets. Yes, after a number of tickets those would also be transfered to superior court as well.	Informational question
160	4704.A section says "the Adminsitrative Officer may issue a notice of violation…" statement should be revised to read that " the Administrative Officer shall issue a notice of violation…" Enforcement is not discretionary.	Agreed. **Staff recommends that "may" should be replaced with "shall"**	
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Consent approval items; Staff will provide more comment; Need COuncil decision

164	**PART 5**		
165	5001.D Ordinance uses "will" and "must" to refer to manditory actions. The appropriate convention is "shall".	Staff agrees. Technically, though, it is not improper to use "will" and "must" but the convention is to use shall. The consultant prefered "will" and the commission was ok with that approach. A global search and replace would require a careful proofread but could be done. If Council wants it changed we can do it.	
166	His/Her should be replaced with "his or her"	I found 6 locations where that occurred - 1206.B, 4201.H, 4203.B, 4503.B, 4601.A (in the information bullet) and 4604.A (information bullet). **Staff agrees they should be replaced.**	
167	And/or is not a word; it should be replaced with one or the other depending on context.	I was surprised how often this appeared (84 times) in the bylaws but many were ok. The and/or can be eliminated in some cases by rewording sentences to say "shall include at least one of the following." In many cases where and/or is used, what is being expressed is that you must do one but that would not prohibit you from doing more. So, for example there is a requirment to "either mitigate and/or minimize noise". I think you can simply say "or" but developers may question whether they must do one or the other (not both) to meet the requirement. I don't think it is wrong to say and/or but we could adjust them to say or. I did not review all 84 to see if some were incorrectly applied. **Staff recommends changing and/or to "or" and proofreading each to ensure it is appropriate.**	
168	5101 generally. Should we be including definitions of things defined in state law? Should we simply delete them or reference the state statute?	In many cases we do not need to use state law and we can use alternative definitions. I think if we are using a state law we can simply reference state law. For example 5101.H(3) restates state law 10 VSA 6602(4). The advantage of restating is the AO and public do not need to research state law to find the definition. The disadvantage is that the state sometimes changes statelaw and if you rewriting it in the bylaws then you could have a conflict. Its a policy decision. In the past I usually placed the reference (where it came from) and then copied it into the ordinance so that it would be easy to find when we needed it. Truely a policy decision. We can do it either way.	
169	5101.B(6) bedrooms- requiring bedrooms to have a closet. Can we remove closet requirement?	Bedrooms appear in only 3 places - accessory dwelling units must be a "studio or one-bedroom apartment"; B&Bs cannot have "more than 5 guest bedrooms"; and extended stay hotel rooms must have "separate bedroom/sleeping space". I don't think the closet is critical in any of these. I question, based on where and how the term is used whether the definition is needed at all. I think a one-bedroom apartment speaks for iteself (you don't need to define bedroom to understand what that means; 5 guest bedrooms could easily be 5 guest rooms and mean the same thing, and bedroom/sleeping space is understood without definition. **Staff recommends striking definition of bedroom.**	

170	5101.D(16) definition of 3&4 dwellings includes mention of separate entrances while multifmaily does not. Add for consistency?	I actually would remove the requirement from the previous. Leaving it unsaid means the developer can meet with separate doors or single vestibule or by some other measn or combination. **Staff recommends striking "and with each unit having a separate entrance from the outside or through a common vestibule" from 5101.D(15)**	
171	5101.D(14) to (16) each of these does not contemplate multiple buildings on one parcel. Should that be addressed here or somewhere else?	The concern here is that someone with 20 acres in rural are entitled to 10 residnetial units. As written if they put 10 single family homes (without subdividing) one foot away from each other they would all be permitted uses and could proceed development pretty easily and without . If those same 10 units shared a wall they would be a multifmaily structure and not be allowed because multi family stuctures are not allowed in rural. Is that OK? The ZA and Director have different views on what should be ok but we know we need to be clear which it should be. Director feels the definition should be changed to read "parcel" rather than "structure" so that a single parcel with 5 single family homes would be considered a mutlifamily use on the use table -depending on the district that could mean it will not be allowed or be pushed into conditional use. The ZA believes this is an unusual way of doing this and that continuing to build single fmaily homes should be permitted.	
172	5101.L(7) Locally produced. Vermont Farm to Plate uses a different definition which is Vermont plus 30 miles. Should we change to match others.	The original draft was really small (maybe Washington County) and then it was expanded to Vermont plus 30 miles but then backed down to Vermont. **Staff would support adding the "plus 30 miles" back in.**	
173	5101.S(16) do we need to clarify that basements and attics are not counted in stories?	I actually think the correct thing to do is to strike the second setence. If we want to discuss "how to measure height" then we should add that language to section 3002.H (where that topic is discussed). That line is inappropriate as a part of a definition of story. **Staff recommends striking the second sentence.**	
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Consent approval items; Staff will provide more comment; Need COuncil decision

179	**ADDENDUM ITEMS**		
180	From Castelano email:		
181	1) Main Street still zoned too densely in new zoning	Relates to #25 above. #25 focused on the dimensional requirements between the new and old zoning (setbacks, coverage, height). My responses were based on how those were characterized (that new development would change the character of the area). In those cases there aren't much difference between new and old. But looking at minimum lot size specifically and residential densities to a lesser extent (see those neighborhood descriptions we prepared you can see on 2-2 Main Street) I need to revise my recommendation. There is enough difference that may warrent a better approach. I misunderstood the nature of the comments so I wasn't looking at the lot size and residential density requirements specifically. In the original draft zoning there was only Urban Center (not a 1 and 2). We found that some areas (Main Street and Barre Street neighborhoods) were different enough from the rest of downtown so a separate district was created. Looking at the DISTRICT the densities and lot sizes were developed. Barre Street though impacted the overall numbers (see 2-1 fpr Barre Street West); if you look at the tables oyu will notice the lot sizes and densities are smaller than Main Street. I remember that the PC had considered making two different districts (maybe UC-2 for Main and a UC-3 for Barre St) but chose to keep them the same. Looking at the lot size and density numbers today I would recommend making a separate distirct as had been discussed previously by the planning commission.	
		The biggest differenc you can see on the table is that minimum lot size is recommended to be 3,000 square feet where most lots in the Main St area are bigger that 8,700 (90%). Also as proposed there is not a residential density established. It shouldn't matter because it would be as many units as one can fit in a building in the neighborhood but under current zoning its limited to 1 per 1,500 sq ft and on the ground the 90% conformance is 1 per 3,200 sq feet. That is a policy discussion for you to decide. I would create a new district with those requirements and the specifics of the revised setbacks from the earlier decision. We will still need to resolve front setbacks as I have pulled surveys to find the recommended standards work for the western side of the street but not the eastern side of the street so we will need to discuss options to resolve that matter. **Staff recommedns creating a separate district for Main Street and make the minimum lot size 10k (which will match current zoning) and to set the other dimensional amd use requirements as appropriate.**	

182	2) There needs to be setbacks for any potential development on the North Branch	Refers to #24 above. This is a policy question. The original recommendation from the PC was the 10 foot setback in UC-1 and UC-2. Public comment from property owners and developers in these districts were that they felt they were losing valuable real estate and that these conservation principles were best for areas outside of the urban core. The PC looked at existing development and found that little development along the Winooski were built right on the river (a few historic buildings like Sarducci's). Along the North Brach there were more so they removed the requirement for the North Branch but kept it on the Winooski. Another point is that there currently are no water setbacks in zoning today. PC felt that even if this is not fully there, this zoning was a significant step in the right direction. So you have the history of 10 foot proposed with exception on North Branch. At this point it is a policy decision. Staff would support 0 feet or reinstating 10 foot.	
183	3) There should be infill housing on the VCFA campus	This was one of the primary reasons for creating both the mixed use zoning district and the campus PUD. Both of these requirements achieve the goal of infill housing on the VCFA campus. **Staff does not recommend any changes to the zoning because zoning already accomplished the goal.**	
184	4) There are a number of new approved housing developments such as French Block, TD Bank building, etc. Won't this alleiviate some of the concerns about more housing in the city?	Policy question- It depends on the goal. If the goal is to create 25 housing units then yes this would achieve that goal. Estimates of the housing shortage range from a hundred units (150 in the EDSP), to 240 (housing strategy), to goals of 500 or even 1,000 that have been discussed at times. These units are a good first step but rental vacancies are less than 1% (extremely tight) and for sale housing is almost getting as bad. I would side with the reports that we should be encouraging many more. I support the 240 proposed by the Housing Task Force for the next 8 years. Spread out around town (in a City with 4,000+ housing unit) would be a very modest 5% increase in units over 8 years. Ultimately- it is a policy decision that we set the programs and regulations to meet.	
185	5) One of the incentives for allowing more housing is to potentially lower taxes. However, I believe that there are studies that indicate that no town can decrease taxes if they build more than 20% affordable housing.	Policy question- We have tried to be clear that more housing is NOT going to decrease your taxes. We hope the additional development will help to stabilize taxes as most of our services will not need to be expanded to accommodate new growth. This is especially true with our utilities but it would take an incredible amount of development to actually change the Grand List in any measurable way. On his second point, I am not aware of any studies with the conclusions provided but would always be willing to review them for relevancy to Montpelier.	

186	6) Offstreet parking requirements should not be waived, especially downtown	Refers to 3011.B which exempts properties in UC-1 and UC-2 from needing to meet parking requirements. Recent literature on parking management have talked aboutt he damages caused by minimum parking standards. Especially in built up areas communities are better to develop public parking to allow for "park once / shop many" and to "disconnect the cost of parking from the products that we buy" (see Donald Shoup's "The High Cost of Free Parking"). Best practices say to move away from minimum requirements and let the market set the parking. The Planning Commission discussed this policy at length and decided to exempt only properties in the Urban Core. There were some who wanted to remove the requirements city wide but they were out voted. Staff thinks the PC struck the right balance. Starting with this UC area we can see about expanding to other districts later if it works well. **Staff receommends keeping the rules as they are drafted.**	
187	7) The matrix does not accurately reflect a lot of public commentary. There are complete sections missing, such as Steve Sease's comments about river front setbacks and Main Street	Staff set out only to capture the recommended changes to the zoning and not general comments. You will note no comments supporting the zoning even though there was testimony to that effect. I also did the best I could to capture the changes and plug them in appropriately. I have always encouraged the council and others to review and comment on the matrix and to make any additions that I may have missed. I apologize to any whose comments were not fully reflected in the tables.	
188	8) Sabins' should have conservation, open space or parkland at the top and housing at the bottom. Mike Miller has not provided any real rationale or support as to why this can't be done.	Relates to #32. I think I have been clear that I support accomplishing that goal but that it cannot be implemented through zoning. I think I have been extremely clear why we cannot do parkland (it would, very clearly, violate the US Constitution). Conservation can be if you can tie and environmental standard to the area (rare plants, soils, etc.). We don't have such an environmental constraint that I am aware of. For open space we would need an open space plan for the community that we would be writing rules to implement. We do not have an open space plan (that I am aware of). The Green Print plans are for parks and rec and we have explained that we cannot implement through the zoning ther parkland goals.	

189	9) The building envelope density in some districts will allow projects like the proposed 28 Sibley apartments to be built or for McMansions to be built.	This refers to the footprint requirements in the figures for each district in Part 2 (Figure 2-08 for example). Also discussed in #34 and #66 above. Quite the contrary these rules were developed to prevent Sibley from happening. This large apartment proposal happened during the development fo the zoning and the commisison responded by adding new requirements to help set upper limits to development. So a property owner may have an oversized lot (sibley included a lot of undevelopable bank area so it was 3/4 acre). That extra land allowed for big buildings. Sibley was proposed to be 7,932 square foot footprint. The PC set (for example) the limit in Res 6000 (Sibley Street's district) a max limit of 4,000 square feet or, by coincidence, half of the proposed Sibley building. 4,000 square feet is still big but it is meant to be the upper most limit for a building. If the COuncil would like to set a lower threshold they can. These footprint requirements though have been the #1 concern of developers. Caledonia Spirits, Elm Street, others have all stated that they would rather cluster development into a few big buildings and keep the rest of the area open. That put us in the difficult place of what to recommend- keep them in / perhaps lower the limit (hurting some projects) or increasing limits / eliminating the requirement thereby leaving neighborhoods vulnerable to another Sibley type project. It is a policy decision and this is where the PC found the balance. Considering there is no footprint requirement today and that character of the area is such a big concern, staff has provided a recommednation in #66 for how to potentially address this.	See #34
190	10) Regarding tax stabilization plan for Caledonia Spirits I need to ask why? I also would like to know what sorts of jobs this will produce? Are there any conditions that Caedonia would need to qualify for this? What about changing impact fees to recoup some of the taxpayer cost of improving access, etc.?	Completely unrelated to zoning.	
191	11) Reduce Density on Towne Hill and make density closer to the current density of one unit per acre.	Already discussed in #35. Staff has made a recommendation with reasoning but it is a policy decision at this point for Council to make.	See #35
192	12) Cut PUD density bonuses in half.	Already discussed in #105 where it is flagged for additional comment. Comment in that one is to reduce density TO 25% or 50% not reducing the BY 50%.	
193	13) Drop infill PUD from Residential 6000 and Res 9,000 districts.	Already discussed in #107.	
194	14) Increase the new neighborhood PUD open space requirement from 5% of the parcel to 40%	Already discussed in #117.	
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196	From Sease email:		

197	A section should be added to the matrix to discuss Missing Figure 30. The language in the figure addresses the very significant policy direction that the City will grow outward from downtown in successive five year stages. What is going to become of the figure? More importantly, how will the proposed ordinance address its language? It can hardly be ignored. If the language is dropped, it would amount to a substantive revision of the new plan without any foundation. I suggest language to the effect that Figure 30 be inserted in the Plan in its original form, and the zoning ordinance be revised to be consistent with its direction		
198	Another section should be added to address the evolution of the Growth Center as it was submitted by the City and approved by the state. The City committed to the State to shrink the Growth Center. How will this be addressed in the plan? My suggestion is to insert the new map and adopt the reasoning in Figure 30.		
199	Note 16. The Planning Director conflates recommendations to concentrate growth in the downtown to restricting development to downtown. This is disingenuous at best. No one that I am aware of made such a recommendation, and it is obviously impossible. My request was to develop an ordinance that would concentrate density (not growth) in the downtown, and I cited the example of the Net Zero exercise. Figure 30 captures this concept. Growth will obviously be possible in the outlying regions under whatever ordinance is adopted.		
200	Insert language: Zone in progressively less dense sectors from the downtown outward to preserve the character of neighborhoods in accordance with Figure 30. Use a walkability index of approximately a 1/4 of a mile (the figure found in much planning literature) to accomplish this goal.		
201	Note 24. The Planning Director addresses only the part of the comments I made concerning the North Branch about balconies. I commented that there is a significant amount of green space behind the buildings from the on the west side of Main Street from the roundabout to School Street. Some historic structures directly abut the river, but the great majority of properties have some green space, with shrubbery, bushes, and mature trees. I requested that the zero setback from the river be dropped in favor of protecting the existing green space. This comment does not appear in the matrix at all. I herewith renew my request, and make the following suggestion:		

202	no new construction be permitted closer than 20 feet to the North Branch in UC-2, and natural vegetation and trees will be planted and maintained in this buffer. If a green space of less than 20 feet exists on a lot proposed for redevelopment, that space must be preserved. Existing properties with no setback may continue to have no setback. This recommendation is based on preservation of the aquatic health of the river and aesthetics. Let's not have Montpelier be recognized as a city that canyonized the remaining green space along its rivers.		
203	Note 69. This is out of numerical order, but notes 24 and 69 are related. I would suggest, in the example used, that if NECI were to be torn down, that development be allowed on the old footprint to the edge of the river, even though this flies in the face of good river conservation and environmentalism. Preserving existing green space in UC1 would protect the very attractive green area along the river by the Garage, for example. Even the thin fringe of trees on the eroding bank next to the parking lot behind Aubuchons adds color and vibrancy to this area, and, combined with the trees across the river, helps shade and cool the North Branch as it nears its confluence with the Winooski.		
204	any existing green space less than 20 feet in width along the North Branch must be preserved in both UC1 and UC2 along the North Branch.		
205	Note 25. I commented that proposed building size, roofs, and setbacks are out of character along Main Street from School to the roundabout. This may be Montpelier's most iconic historic street. It's quite lovely, and the viewer sees a great deal of green space in front and back yards and some side yards. There are a number of trees, a great deal of landscaping and shrubbery, and green lawns. The Planning Director only comments on density, when much of my concern was directed toward the egregiously out-of-scale building sizes that would be permitted there		
206	Insert: limit building heights to what exists now, only gable roofs of the same pitch as is found now be allowed, and front and side yard setbacks be limited to what exists now.		
207	The large parking lots behind the buildings on the east side of Main Street present opportunities for development, as a number of contestants in the Net Zero project demonstrated. I recommend that these parking lots be considered for zoning for dense development, with the street front properties limited to what exists now. This would be consistent with practices in numerous other communities that protect aesthetic and historic values of street front property but allow larger and more contemporary structures behind, in a manner designed to protect the qualities of the street front.		

208	Note 34. A 4000 square foot footprint in Res 9000 would be completely out of character with this zone - indeed, in the city at large. A three story 4000 square footprint building would be a monstrosity in any residential neighborhood, adding up to 12,000 square feet of floor space. I think it's important to know the average square footage of buildings in all zones. Present zoning, at 3000 square feet, is also out of character with residential neighborhoods. Direct the Planning Commission determine the average building footprint in all residential zones, and limit new buildings to a reasonable per cent of that number, or limit any new construction to 20% of the building existing on the lot.		See #34
209	Note 38. Change the City's playing fields on Elm Street to Mixed Use Residential. This is preposterous. The city is limited in its recreational opportunities now. Is the Planning Director seriously recommending zoning for development for the Mountaineers' ball field, the other playing fields, tennis courts and the swimming pool, thus eliminating those uses? Does he believe that there is a logical reuse for the playing fields other than recreation? This proposal should be dropped for the recreation fields. Keep it for Turtle Island and CCV. And certainly protect these and all other recreational and park facilities in the City with appropriate zoning.	In looking at the zoning for the two recreation fields I had interpretted the color on quick glance as Residential 9000 meaning these fields woiuld be non-conforming uses. I figured to roll them into MUR because many activities in that area reflect a commercial impact (rather than a resindeital one. The proposed zoning actually has them as municipal lands which allow these recreational uses. That was my mistake misreading the map. I think the proposed zoning can remain municipal (that works fine) but could work as MUR if public-private partnerships were going to be considere in the future (treating the area as if it is commercial). Its a policy decision. Probably cleanest to keep as municipal lands.	See #38
210	Note 110. This addresses a proposal to allow the DRB to waive common open space for infill housing if the development is within 1/4 mile of a park, school, or the State House lawn. Has the School Board, the Recreation Commission, or the state, been consulted on this proposal? It appears to tell residents of these developments,if the waiver is allowed, to head over to the nearest school, park, or State House lawn to recreate. Does that include barbecues? Alcohol consumption? How would this play out if school is in session? As I noted above, the city needs more recreational opportunities, and providing open space at infill developments, and other developments where this idea might apply, is good planning. The proposal, seemingly ill-thought-through, would lead to potentially incompatible demands of school yards, parks, or the State House lawn and increase pressure on our already limited recreational opportunities.		
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213	From Nemeth PLC on behalf of Goldman		
214	Sent 7 page packet with attachments outlining concerns with the Natural Resources Inventory Map.	The information was sent to David Rugh (City Attorney) and he is comfortable with the City map and does not believe we need to make any changes to address concerns raised. Rugh's review was specific of the scientific basis of the data layers being questioned.	

215	3006. One specific concern worth noting is with the 500 foot vernal pool buffer. Mr Nemeth points out that the state has a requirement of only 50 feet so the city will be enforcing 10 times the state setbcak.	I see both sides as staff. 500 feet is very big but 3006 has rules that allow some development in this area. Council should consider if enough latitude is there to make sure the property interests are protected	
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218	Castellano #2 memo		
219	recommendation to reduce densities on the west side of Sabins Pasture and not allow development on the east side.		See #32
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222	Additional staff comments		
223	Figure 2-01. Needs clarification on 5th and 6th story setback in UC-1 district. Does this apply just to front setbacks or all setbacks?	Two solutions. One is to delete the requirement all together. Many of the 6 story buildings that exist today in UC-1 do not have that setback (Pavillion Building). That was built in as a requirement when UC was one big district that included areas that are now in UC-2 (which does not have this requirement). Second option is to designate which setbacks this applies to. I would recommend striking the 5th and 6th story requirement but if the council would like to maintain it then I would suggest applying only to the front setback.	
224	strike 3002.H(6) no longer applicable as buildings are no longer measured in stories.	Self explanatory.	
225	Remove Inn from Res 17 on Table 2-14	Councilor request. Staff agrees it makes sense.	
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