



***CITY OF MONTPELIER
MONTPELIER, VERMONT***

Agenda for City Council Meeting
City Council Chambers, City Hall

**Wednesday, September 10, 2014
6:30 P.M.**

- 1) Call to Order by the Mayor
- 2) 14-203. Approval of the Agenda:
 - a) Suggested Action: City Council Members should review and approve the agenda, including having the Mayor, City Councilors and staff identify items to be added under “Other Business”.
- 3) 14-204. General Business and Appearances
- 4) 14-205. Consent Agenda:
 - a) Consideration of the Minutes from the August 13th Regular Council Meeting and August 29th, 2014 Special City Council Meeting. 
 - b) Accept the bid from H.P. Fairfield, Inc. of Morrisville, Vermont, for the dump body and related equipment and hydraulics for Truck #1, in the amount of \$31,835 and to authorize the City Manager to sign all documents related to this purchase. 
 - c) Approve Parking Committee recommendation to designate four (4) motor coach parking spaces throughout the city from ***September 15 – October 30*** and create temporary signage for those spots:
 - 1) Main Street in front of the Unitarian Church (existed last year)
 - 2) Main Street in front of City Hall (2 spots in front of the Greyhound Bus Stop)
 - 3) State Street at intersection with Gov. Davis Avenue (2 spots proposed)
 - 4) State Street at the far end of the Statehouse (existed last year)

- d) Approve a request from Jesse Moorman (15 Terrace Street) for the closure of Terrace Street Extension between Bailey Avenue and Chapman Road on Saturday, September 27th from 2:00 to 8:00 P.M. for a “Neighborhood Potluck”. Such closure would directly impact driveway access to the five residences at 13-16 Terrace Street and 13 Bailey Avenue (accessed via Terrace Street). The applicant is not seeking to restrict travel along Bailey Avenue nor access to residences further along Terrace Street Extension including Chapman Road, Richardson Street, and Mather Terrace; these streets would remain accessible at all times via Hopkins Street. As always, the Fire Chief requires emergency vehicle access; anything in the street should be able to be moved quickly. (See attached map for clarification.) 
 - e) Designate the Montpelier Senior Activity Center as the second external location for posting meeting notices and agendas. The Council previously designated City Hall and the High School as posting locations. Under the new Vermont Open Meeting Law requirements, two locations are required in addition to City Hall.
 - f) Payroll and Bills
- 5) 14-206. Appointments to Montpelier’s Design Review Committee. 
- a) The two, 3-year terms currently being held by Stephen Everett and Eric Gilbertson expire this month. Staff advertised and only received responses from Mr. Everett and Mr. Gilbertson, both seeking reappointment.
 - b) Recommendation: Reappoint both applicants for another 3-year term.
- 6) 14-207. Appointments to the City’s Development Review Board. 
- a) The two, 1-year vacancies which expire this month are both Alternate seats currently being held by Kate McCarthy and Michael Sherman. Staff advertised and only received responses from Ms. McCarthy and Mr. Sherman, both seeking reappointment.
 - b) Recommendation: Reappoint both applicants for another 1-year term as Alternates.

- 7) 14-208. Appointments to Montpelier's Historic Preservation Commission. 
- a) There will be three vacant seats this month; one is a 3-year term currently being held by Anthony Otis; two are 2-year terms currently being held by Eric Gilbertson and James Duggan.
 - b) Staff advertised and received responses from all three current members seeking reappointment.
 - c) Recommendation: Reappoint all three to their respective terms on the Commission.
- 8) 14-209. Decision on Use of Upper Floor Development at 1 Taylor Street
- a) Community Participation Events were held on May 6, May 21, June 10, and September 3.
 - b) The 1 Taylor Design Committee met on April 21, June 2, July 16, and August 18.
 - c) As a result of this work, the Committee and development team recommend rental housing as the use for the private development at 1 Taylor Street. The proposed bus turning radius, building massing, housing use, and site design can be seen in the attached presentation.
 - d) Based on the recommendation of the Committee, development team, and public discussion, the following resolution is proposed: *The Montpelier City Council approves use of the upper floors at 1 Taylor Street for at least 30 rental apartments. The Council authorizes the City Manager to negotiate a development agreement with Redstone that advances the design and construction phase of the building project, outlines a long-term agreement for the use of the upper floors, and prescribes the use of onsite parking spaces. Finally, the Council authorizes the City Manager to negotiate an agreement with CCTA/GMTA for the use of the first floor space and associated site space for a Transit Center.*
 - e) Recommendation: Approve recommendation and this resolution.

9) 14-210. Discussion of State Street Redesign

- a) On April 16, 2014 the City Council adopted a plan for the redesign of State Street in front of the Statehouse that converted the parking along the Statehouse lawn to angled parking, thereby adding 16 net new parking spaces, and added a bike lane to the DMV side of State Street.
- b) At the August 13, 2014 Council meeting, the Council asked for a project update and to possibly revisit the design.
- c) The Mayor recommends an option to maintain the existing parallel parking and add a bike lane to both sides of the Street.
- d) Recommendation: Discussion and direction to staff.

10) 14-211. Berlin Pond

- a) Council requested this item for an opportunity to discuss whether to appeal the Agency of Natural Resources' ruling on usage of the pond.
- b) Recommendation: Discussion; direction to staff.

11) 14-212. Consider Municipal Planning Grant Application for Completion of Zoning Re-Write

- a) The Planning Commission has been re-drafting the Zoning Ordinance for over two years.
- b) Consultant Brandy Saxton was contracted through December 31, 2014 to assist with this project.
- c) The Commission, with Ms. Saxton and Planning Director Mike Miller, are making good progress but do not expect to complete the work and all the requisite hearings by the end of December. They would like to extend Ms. Saxton's contract into 2015 so that she may be involved through to the end.
- d) The Planning Grant Application would seek funding for this work to continue. This is an eligible expense under the Planning Grant Program.

- e) The City Council had, earlier this year, delayed the start of work on an Economic Development Strategic Plan with the idea of seeking this Planning Grant for that project. Planning Director Miller has developed an alternate approach for the EDSP.
 - f) Recommendation: Direct the City Manager and Planning Director to pursue a Municipal Planning Grant for completion of the zoning rewrite.
- 12) 14-213. Discussion of parking requirements in the Zoning Ordinance
- a) The Mayor requested this discussion of whether they should be reduced, or eliminated, in the Downtown District.
 - a) The Planning Commission is reviewing parking requirements as part of their zoning rewrite process. Planning Director Mike Miller will be present to provide information about this topic.
 - b) Recommendation: Discussion; possible direction to staff/Planning Commission Members.
- 13) 14-214. First Reading/Public Hearing to consider rescinding **Chapter 18, Impact Fees, Article I. Establishment of Impact Fees** of the City's Code of Ordinances. 
- a) Planning staff is recommending this amendment; Planning Director Mike Miller will brief Council and answer questions. (See attached copy.)
 - b) Recommendation: Conduct the First Reading/Public Hearing and set the date of the next hearing for September 24, 2014.
- 14) 14-215. First Reading/Public Hearing of an amendment to the City's Code of Ordinances, **Chapter 16, Taxation, Article I. General Taxation**. 
- a) The City's Delinquent Tax Collector presented to the City Council at their August 13th, 2014 meeting, recommending that Council consider a reduction in the late penalty for property taxes from 8% to 5% (memo attached).

- b) Council voted to move forward, and the First Reading/Public Hearing was scheduled for this date. The amendment would read as follows:

1) Sec. 16-8. PENALTY FOR DELINQUENCY.

~~In accordance with the City Charter, Title XII, Section 4, a penalty of eight (8%) percent shall be added to the unpaid portion of each delinquent installment. Said penalty shall become part of the tax for all purposes and shall be payable to the city sheriff or collector of delinquent taxes.~~

As authorized by Title XII(4) of the City Charter, there is imposed a penalty equal to five percent (5%) of any tax installment paid within five (5) days following a payment date established in Section 16-5, which penalty shall increase to eight percent (8%) on and after six (6) days following such installment payment date. Such penalty shall be deemed a part of a delinquent tax payment installment, and may be recovered by any means permitted by law.

- c) Recommendation: Conduct the First Reading/Public Hearing and set the date of the next hearing for September 24, 2014.

15) 14-216. VCFA Liaison Committee

- a) During recent meetings between the City and the Vermont College of Fine Arts, it has been mutually agreed that regular communication and coordination would be beneficial.
- b) A VCFA Liaison Committee made up of the City Manager, Assistant City Manager, Planning Director, Council Members, and VCFA representatives could address this need.
- c) Recommendation: Discussion; possible appointments.

16) 14-217. Selection of a voting delegate to the Vermont League of Cities and Towns' Annual Business Meeting.

a) Each year, Council is asked to choose a voting delegate to the VLCT's Annual Meeting which is part of the League's Town Fair; this year it is being held at the Champlain Valley Exposition, starting at approximately 2:00 P.M. on Thursday, October 9th.

b) Recommendation: Designate a delegate.

17) 14-218. Other Business

18) 14-219. Council Reports

19) 14-220. Mayor's Report

20) 14-221. Report by the City Clerk

21) 14-222. Agenda Reports by the City Manager

1) Discussion of possible appeal of August 20 decision in *Hallsmith v. City of Montpelier, Fraser & Baker*.

a) Decision was issued concerning due process in this matter. Deadline for appeal of this decision is September 19, 2014.

b) Council Member Golonka has requested that discussion of possible appeal be placed on the agenda.

c) Council has received a privileged communication from its attorney concerning the merits of an appeal.

d) It is anticipated that some or all of this discussion will be conducted in Executive Session in accordance with Title 1, Section 313 (1) E and F, with a finding that premature general knowledge of the attorney's communication would clearly place the city at a substantial disadvantage. Such an executive session would include the City Manager and Assistant City Manager as they are named parties in this suit.

e) Recommendation: Direct City Manager and Attorney whether or not to file an appeal.

22) *Adjournment*

**City Of Montpelier
Department of Public Works
Memorandum**

To: William J. Fraser, City Manager

From: Todd C. Law, PE, Director 

Date: August 20, 2014

Subject: Bids Received for Dump Body & Related Equipment for Truck #1

On August 7, 2014, we opened bids received for a new dump body, plow, spreader, and related hydraulics for the Public Works Department. One bid was received from H. P. Fairfield, Morrisville, VT, in the amount of \$31,835. This includes purchase of the V-box spreader. The amount included in the FY2015 budget for this purchase after buying the cab and chassis is \$43,047.

We request that this item be placed on the Consent Agenda for the next City Council meeting, suggested wording for the Agenda follows:

*To accept the bid proposal from H. P. Fairfield, Inc. of Morrisville, VT, for the dump body and related equipment and hydraulics for Truck #1, in the amount of **\$31,835**, and to authorize the City Manager to sign all documents related to this purchase.*

If you would like further information, or if you would like to review the file on this purchase, please feel free to contact my office.

Attachment (Bid Tabulation)
C: Eric Ladd, Equipment Supervisor

CITY OF MONTPELIER, Vermont
Department of Public Works

Dump Body, Plow w/Hitch Assembly, Spreader & Hydraulics (#1)
Purchase #109400.83.01 (FY2015)

10:03 AM

Date of Opening: August 7, 2014 , 10:00 am.

Item	Description	HP FAIRFIELD	VIKING CLUES	Total Price	Total Price	Total Price	Total Price
#1	New Dump Body, Fisher Plow, Tailgate Spreader	27,550.00	No BID				
#2	New Dump Body, Fisher Plow, 3-4 CY V-Box Spreader	31,835.00	No BID				
	Estimated days for delivery:	60-90					

Minutes of the Montpelier City Council Meeting
August 13, 2014
Montpelier City Hall Council Chambers

In attendance: Mayor John Hollar (presiding), City Councilors Tom Golonka, Anne Watson, Thierry Guerlain, Jessica Edgerly Walsh, Justin Turcotte, Dona Bate and City Manager William Fraser. Assistant City Clerk Crystal Chase served as Secretary of the meeting.

The Mayor called the meeting to order at 6:30 PM.

- 14-186. Page Guertin rose to remind citizens of the clean water rally set for Saturday the 16th at 11am on the State House lawn.

Emily Bodecker spoke about the bike lane project that is in the works and urged the council to take this opportunity to be creative and come up with a plan that will allow for all forms of transportation. She also noted she felt it was important to start this on State Street for access to the State House lawn. She had a few configuration ideas and was asked by councilor Bate to email the council her diagrams. Councilor Watson asks that this be put as an agenda item for a future meeting, and Mayor Hollar suggested that DPW also be involved. Resident Craig Donnan of 188 Elm Street added that he thought the design could be better and supports the idea of further review for the State Street area.

Ben Eastwood prepared a document stating his concerns about the 1 Taylor Street development project. Mayor Hollar acknowledged his concerns and asked Councilor Turcotte to look into them and follow up with Mr. Eastwood.

- 14.187. A motion to approve the consent agenda was made by Councilor Guerlain and seconded by Councilor Bate. The motion carried unanimously.

- 14-188. Four of the five applicants to Montpelier's Community Fund Board (Bernie Lambek, Warren Vail, Nancy Sherman, Ron Wild, and John Van Deren) were in attendance and each took a moment to speak to the council as to why they were seeking appointments to the board. Council member Guerlain moved to go into executive session which was seconded by councilor Edgerly Walsh. Motion for executive session passed unanimously. Motion was then made to exit executive session by councilor Bate and seconded by council member Edgerly Walsh which also carried without objection. Councilor Golonka moved the Council appoint Bernie Lambek and Ron Wild to the board. Motion was seconded by Councilor Bate and passed unanimously.

- 14-189. The Council considered appointments to the Design Review Committee. Applicant Seth Mitchell spoke briefly to the council about his request to fill the seat on the board as did Elinor Bacon, who was seeking the alternate seat. A motion to appoint Seth Mitchell to the regular seat and Elinor Bacon to the alternate seat was made by Councilor Edgerly Walsh with Councilor Watson seconding. Motion carried unanimously.

- 14-190. Council Member Bate moved James LaMonda's reappointment appointment and was seconded by Councilor Edgerly Walsh. Motion passed unanimously.

14-191. The Council considered appointments to the Planning Commission. Commission Chair Kim Cheney took a moment to express his feelings of the committee's good progress it had made during his time as chair and thought it didn't really make sense to change horses mid race. Ivan Shadis approached the council to voice his concern with affordable housing and hoped that all members would make this a priority. All Applicants spoke to the council regarding their desire to be on the board. Motion was made by councilor Guerlain and seconded by Watson to go into executive session, motion passed unanimously. Councilor Turcotte made motion to come out of executive session which was seconded by council member Edgerly Walsh and passed unanimously. Council member Guerlain made the motion to appoint the two year terms to Eileen Simpson, Kimberly Cheney, John Adams, and Leslie Welts. The motion carried unanimously.

14-192. Public Works Director Todd Law briefed the council on the progress and challenges of the sewer separation efforts throughout the city and the new MS4 permit regulations expected of the city. Councilor Edgerly Walsh asked Mr. Law to estimate the percentage of the city that is completely separated, in which his best rough estimate was 80-85%.

Councilor Turcotte suggested the council to look into the possibility of public outreach to notify residents of what they could do to help.

Todd Law announced he had worked with the Planning Director Mike Miller and had applied for and received a \$40,000 Grant for eco system restoration projects to help with the implementation costs. Councilor Watson asked what the next step would be. Mr. Law said that they city would have to put out a RFP asking for bids with different levels of costs and figure out how much more money we need/can put into it. Council member Edgerly Walsh expressed that it would be nice to have some sort of knowledge of the city's fiscal responsibility before entering into the budgetary season.

The Chair called a recess from 9:00-9:05.

14-193. Council opened a discussion of the penalty for delinquent taxes. Tax Collector Bev Hill approached the Council stating that Finance Director Sandy Gallup was out of town but confirmed that she had run the numbers and the reduction was not a concern of the finance department.

Councilor Guerlain made the motion to accept the ordinance change and reduce the penalty from 8% to 5% if paid within five business days of the due date. Motion was seconded by council member Bate and passed unanimously.

13-194. The Council opened a discussion of changing (lowering or eliminating) the late filing penalty for homestead declaration. Bev Hill stated that they did have some concerns with the thought of eliminating the late fee as there is staff time and resources that are associated with having to revise all the tax bills for folks who file late. She stated she thought the 3% was a fair appropriation but did ask for that authority to waive the fee for first time offenders.

Council member Golonka moved to pass the motion as stated by Bev Hill for the 3% penalty and granting the Delinquent Tax Collector the authority to waive for first time offenders. Motion was seconded by councilor Bate and passed unanimously. Ms. Hill

asked for and was granted special consideration of this issue to allow it to go into effect immediately rather than waiting for the official ordinance change.

- 14-195. City Manager Fraser reviewed a few points from the new Open Meeting Law. He brought to the councils attention they are they are supposed to have a 2 specific locations designated and voted on for posting public notices.

Councilor Edgerly-moved to designate City Hall and the High School as the posting places for public notices. Motion was seconded by Watson and passed unanimously.

Manager Fraser also brought to the council's attention that an agenda item can only be added or removed as the first order of business and a lot of times the first agenda item is to "approve the agenda." Although he thought they did a fine job tonight, he noted that they do have to explain in the motion for executive sessions the reasoning for entering into them as well as clearly explain their reasoning's for final decisions after coming out of an executive session.

- 14-196. Councilor Golonka noted that he attended the Barre Town selectboard meeting and they opted to put the Regional Public Safety Authority as a ballot item. Barre City has appointed their two representatives to the governing body who should be at the next Authority meeting, and he looked forward to hearing from them.

Councilor Watson reported that the Solar RFP has been re-issued and there have been some inquiries but no official bids yet. She asked that reverse angle parking be a future agenda item.

Councilor Bate wanted to remind the public again about the Protect Berlin Pond Rally at the State House Saturday at 11am. There will be free Ben & Jerry's ice cream and music.

Councilor Guerlain questioned where the paintings that had previously hung in the council chambers had gone.

Assistant City Manager Jessie Baker informed the council that they had been picked up for a show at the library.

Councilor Guerlain also wanted to offer his thanks to the city and voters on behalf of the Library as they just received the first half payment of the money allocated to them by the City. He also asked what could be done with the "Ariel's" restaurant sign on River Street as they had been out of business for over 5 years and it should be taken down.

- 14-197. Mayor Hollar reported he attended a press conference Tuesday with the governor where he announced some tax credit finance projects. Following that he had accepted the ice bucket challenge for ALS awareness and he challenged all the council members to do the same.

- 14-198. The Assistant City Clerk offered a reminder that property tax payments were due on Friday the 15th.

14-199. City Manager Fraser reported that the Energy committee had entered Montpelier into the Georgetown University energy competition and we had received notice that we had been selected as 1 of 52 to go to the next round. Obviously there are numerous more steps but it does have a prize of 5 Million dollars.

Councilor Edgerly Walsh stated that the final cities for the last round will be selected by this fall and the competition is two calendar years which would begin January 2015.

Motion was made to adjourn at 9:40 by council member Guerlain and seconded by Councilor Edgerly Walsh; motion passed unanimously.

DRAFT

**Minutes of the Montpelier City Council Special Meeting
August 29, 2014
Office of the Montpelier City Manager**

In attendance: City Councilors Tom Golonka (presiding), Justin Turcotte, Dona Bate and Anne Watson. Councilors Jessica Edgerly Walsh and Thierry Guerlain, as well as Mayor John Hollar, were absent. City Manager William Fraser was in attendance. City Clerk John Odum served as Secretary of the meeting.

Councilor Golonka called the meeting to order at 4:14 PM.

14-200. Councilor Watson moved the Council approval the draft agenda, with the addition of the approval of a 2nd class liquor license request by Kurrle Fuels. Councilor Bate seconded. The motion carried unanimously at 4:15 PM

14-201. The Council considered the bids for the Cherry Avenue retaining wall project. They were joined by Tom McArdle and Kurt Motyka of the Public Works Department who provided background. Councilor Turcotte moved the Council accept the proposal from Hebert Excavation Corp. Councilor Bate seconded the motion, which carried unanimously at 4:17 PM.

Councilor Bate moved approval of the Kurrle liquor license. Councilor Watson seconded. Motion carried unanimously at 4:18 PM.

Councilor Turcotte moved the Council adjourn, and was seconded by Councilor Bate. The motion passed unanimously at 4:18 PM.



City of Montpelier, Vermont

"The Smallest Capital City in the United States"

DATE: July 23, 2014

TO: William Fraser, City Manager
City Council Members

FROM: Sandra J. Gallup, Finance Director
Beverlee Pembroke-Hill, Delinquent Tax Collector

SUBJECT: Recommendation to reduce the 8% late penalty to a 5% late penalty for property taxes, water fees and sewer fees on payments made within 5 business days of the due date.

As requested at the June 25th City Council meeting, we researched the cost of reducing the late penalty from 8% to 5% on late property taxes and utility bills that are paid within 5 business days of the due date. For our data we used late payments in the four quarters of FY14 on property taxes, water bills and sewer bills.

The cost of reducing the penalty would have been:

Property Taxes (General Fund) \$4,588 loss of revenue

- Of the 858 total late payments, 143 late payments (16%) would benefit from this reduction.
- Of the \$724,083 taxes that were late, \$152,920 (21%) came in within 5 days and would get the reduced penalty.
-

Water Bills (Water fund) \$1,052 loss of revenue

- Of the 1,312 total late payments, 231 late payments (18%) would benefit from this reduction.
- Of the \$182,661 water fees that were late, \$35,066 (19%) came in within 5 days and would get the reduced penalty.

Sewer Bills (Sewer fund) \$735 loss of revenue

- Of the 1244 total late payments, 227 late payments (18%) would benefit from this reduction.
- Of the \$174,537 sewer fees that were late, \$35,114 (20%) came in within 5 days and would get the reduced penalty

This reduction in the penalty was proposed by the City Council. The cost of this change is relatively small and at the same time, about 1 in 5 late payers would see their penalty reduced. This change could also encourage late payers to make payments quickly and not wait the 30 days before the next interest charge.

For the change in the property tax late penalty we would have to revise a City Ordinance. For the water and sewer penalty reduction, we would have to revise the Water and Sewer Rate Resolution.



Office of the City Manager
City Hall - 39 Main Street, Montpelier, VT 05602
Telephone: (802) 223-9502
Fax: (802) 223-9519
E-Mail: wfraser@montpelier-vt.org

August 15, 2014

The Times-Argus
Att: Classifieds

Please insert the following with City of Montpelier notices on Thursday,
August 21st. Thank you!

CITY OF MONTPELIER
Development Review Board Alternate Vacancies

The Montpelier City Council is seeking individuals interested in filling two, 1-year Alternate seats on the City's Development Review Board. Letters of interest and/or resumes should be submitted to the Office of the City Manager, City Hall - 39 Main Street, Montpelier, on or by Thursday, September 4th. E-mails are also acceptable to: spitonyak@montpelier-vt.org. The City Council will make these appointments at their September 10th meeting; applicants are encouraged to attend. All municipal meetings are accessible to people with disabilities and are held in accordance with the public meeting and public records laws. Further information may also be obtained by contacting the Planning and Development Office at 223-9506.

William J. Fraser
City Manager

Michael Sherman
20 College Street
Montpelier, Vermont 05602

August 15, 2014

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

Dear Bill,

I am writing to apply for a second term as an alternate on the Development Review Board.

I am completing my first year of service on the board. In this learning period, I have devoted considerable time and effort to studying and becoming familiar with the City of Montpelier's Zoning Regulations and Master Plan, relevant state legislation, DRB rules of procedure, the city's ethics policy, and other orientation documents that were provided by the staff of the city's Planning and Community Development Department. As I have become increasingly familiar with these resources, I have been able to be more informed and effective on those occasions when I have been called upon to participate in the discussion and vote on applications brought to the DRB.

In my year on the board as one of the two alternates, I have participated and voted at thirteen meetings. Although I have not done a count of the site plan reviews, applications for variances, and permits I voted on, I think the number is approaching thirty. I have been diligent in preparing for each meeting of the DRB, regardless of whether or not I knew in advance that I would be asked to participate. I have also been careful to review the drafts of decisions that have been circulated to board members following our deliberative meetings; and in a few cases, my recommendations for revision of those drafts have been important for assuring the accuracy and clarity of the board's findings and decisions. So I think that in my year of service, I have made a contribution to the board's work.

The Development Review Board does the important job of working with applicants for site reviews, permits, variances, and appeals, and with others who have an interest in or are affected by its decisions, to explain, clarify, and implement the city's zoning regulations in the context of the master plan and state law. The board tries hard and I think is successful in engaging applicants and interested parties in discussion and problem solving, and in basing its decisions on careful reading and interpretation of the relevant documents. This requires familiarity with the regulations and master plan, careful reading and listening, and critical thinking. I have been gaining familiarity with laws and ordinances that are the underpinning for each vote I am asked to make. And I bring to the board long experience in critical thinking, careful reading, attentive and respectful listening, and writing and editing for accuracy and clarity.

I hope I will be reappointed as an alternate to the DRB and would appreciate the opportunity to continue to serve my community in this way.

Yours truly,

Michael Sherman

To the Members of City Council:

With this letter I'd like to express my interest in continuing to serve as an alternate on Montpelier's Development Review Board.

I've served as a DRB alternate over the past year. During that time, I've done my best to use my background as a land use planner to inform the discussions that take place between applicants, community members, and members of the Development Review Board. As someone who is new to civic service in Montpelier, I've enjoyed learning about and contributing to the Board's operation; I hope that in doing so I have been able to offer useful perspective to the process for all involved. If reappointed, I look forward to building on what I've learned in the last year, in order to continue supporting fair, effective development review that strengthens our city.

Thank you for considering my request to continue my service to Montpelier as a DRB alternate. I look forward to talking with City Council members and answering any questions you may have at the upcoming City Council meeting.

Best regards,

Kate McCarthy

KATE MCCARTHY, AICP

6 Hillhead St., Montpelier, VT 05602 • (802) 451-8348 (cell) • kl.mccarthy@gmail.com

EDUCATION

Cornell University, Ithaca, New York, GPA 3.9/4.33
Master of Regional Planning, May 2010.

Rice University, Houston, Texas, GPA 3.73/4.0
B.A. in Cultural Anthropology, May 2002.

University College Cork, Cork, Ireland
Junior year abroad. Studied Irish culture and history, 2000-2001.

WORK EXPERIENCE

Vermont Natural Resources Council
Sustainable Communities Program Director

October 2011-present

- Educate planning commissions and conservation commissions throughout Vermont on available planning and implementation tools. Provide technical assistance and write zoning bylaw language to advance natural resource, smart growth, and other local goals. Work includes writing standards for development review that can be readily interpreted and administered by local review boards.
- Develop and deliver trainings and educational materials that empower local decision-makers with information about smart growth and natural resources planning and implementation. Includes tasks such as maintaining online community planning toolbox geared toward citizen planners and co-leading a workshop for real estate professionals and engineers called *Planning & Developing with Natural Resources in Mind*.
- Collaborate in working groups with stakeholders from state government, regional planning commissions, municipalities, non-profits, and academia to inform state and local policy and investments. Examples include the Working Lands Coalition, Farm to Plate Network, and legislative study committees.
- Work as an advocate and resource in Vermont's legislature to promote land use, natural resource, and local and regional planning policies. Testify in front of legislative committees on these issues.
- Collaborate with VNRC's Forests & Wildlife, Energy & Climate Action, and Water Programs on integrated approaches, rooted in local decision-making and regional development review, to meet the challenges facing Vermont's environment and communities.

Windham Regional Commission, Brattleboro, VT

June 2010-October 2011

Assistant Planner / Energy Efficiency & Conservation Block Grant Project Coordinator

- Provided technical support on town plans and bylaw updates to municipalities in a rural, 27-town region in southeastern Vermont (approximate population: 47,000). Collaborated with planning commissions and community groups on plan and policy development. Evaluated municipal plans for compliance with Chapter 117 (Vermont's Land Use Law). Coordinated and staffed panels of Windham Regional Commissioners, who served as peer reviewers during regional approval and confirmation of town plans.
- Oversaw energy planning and programs. Provided staff support to Commission's Energy Committee. Articulated Committee positions on policy issues, managed federal grants, and facilitated outreach events to bolster local energy planning and project implementation efforts. Member of Vermont Association of Planning and Development Agencies (VAPDA) Energy Committee.
- Managed \$210,000 in Energy Efficiency and Conservation Block Grants funds from the American Recovery and Reinvestment Act. Included hands-on management of weatherization projects; reporting; contracting; and complying with Davis Bacon, NEPA, and Section 106 requirements. Oversaw 9 energy efficiency projects in municipal and county buildings, translating into an estimated 38 tons of carbon, 4,600 gallons of fuel oil, and \$15,000 in municipal savings.
- Managed sites and provided support to the Windham Regional Brownfields Reuse Initiative, to bring contaminated properties back to productive use. Procured Phase I and II environmental site assessments, supported clean up planning efforts, and assisted with assembling clean up funding. Collaborated with partners at Vermont Department of Environmental Conservation, US Environmental Protection Agency, and community agencies to ensure coordinated clean up and redevelopment.
- Contributed to winning grant for \$1.4 million in EPA Brownfields assessment and revolving loan funding. Wrote four Vermont Municipal Planning Grants, securing over \$30,000 for Towns.

Building Resilient Regions, Cornell University, Ithaca, NY (Prof. Rolf Pendall) *July 2008-May 2010*
Graduate Research Assistant

- Researched, analyzed, and evaluated transportation and housing plans of metropolitan regions for a) how rapid growth would affect the region, and b) whether/how localities were planning for growth.
- Created GIS maps identifying concentrations of vulnerable housing potentially affected by rapid growth.
- Prepared briefs analyzing map and plan data; utilized research, analytical, and writing skills. Project supported the MacArthur Foundation's efforts to understand regional resilience and planning issues.

GrowSmart Maine, Portland, ME
Summer Intern

June 2009-Aug. 2009

- Developed workshop materials on "lessons learned" from a pilot planning project in Standish, Maine. Project used smart growth principles to achieve a collaboratively-developed community vision, which then led to adoption of the first form-based code in the state.
- Created detailed, user-friendly resource packet and presentation for professional and citizen planners.

Cornell University, Department of City and Regional Planning, Ithaca, NY
President, Organization of Cornell Planners

Jan. 2009-Jan. 2010

- Communicated with students and faculty about departmental issues and student needs. Facilitated public participation exercises and constructive dialogue, including the annual department Town Hall meeting.
- Helped the department adapt to a 42% increase in cohort size by developing a group advising program, organizing orientation events, and promoting professional development opportunities.
- Organized and managed student-initiated projects on sustainability and curriculum with other officers.

Central Washington University, Study Abroad & Exchange Programs, Ellensburg, WA

Interim Director, Jan. 2008 – June 2008; Study Abroad Advisor, Nov. 2003 – Jan. 2008

- As a study abroad advisor, advised students, organized short-term faculty-led study abroad programs, marketed study abroad with publications and presentations, led pre-departure orientations, and organized university-wide international studies events.
- Promoted to Interim Director in January of 2008. Supervised staff of four through major office reorganization. Communicated and coordinated with department and successor for a smooth transition.
- Communicated diplomatically and sensitively to handle student emergencies and parental concerns.
- Created study abroad program budgets compliant with university policy and faculty collective bargaining agreement, and managed the office's operating budget.

**PROFESSIONAL
AFFILIATIONS**

American Planning Association, October 2008 to present.
Vermont Planners Association, January 2011 to present (Executive Committee member, November 2012-present; secretary September 2013 - present.)
American Institute of Certified Planners, member, November 2012 to present.

SKILLS

Zoning Bylaw Development • Presentations and Public Speaking • Excellent Oral and Written Communication Skills • Grant Writing and Management • Project Management • Meeting Facilitation • Introductory ArcGIS • Introductory Adobe Creative Suite • MS Word • MS Excel • PowerPoint • MS Publisher • FileMaker Pro • Introductory SPSS/statistical analysis

PUBLICATIONS

"Industrial Wind Power: What Local Officials Need to Know," co-authored; Cornell's CaRDI Research and Policy Brief Series, March 2010. • "Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action," co-authored; September 2013.

**HONORS &
AWARDS**

Finalist, Presidential Management Fellows program (withdrew) • American Institute of Certified Planners Outstanding Student Award, 2010 • American Planning Association Economic Development Division Graduate Scholarship • Graduated cum laude from Rice University • President's Honor Roll, Rice University • Martel College Service Award, Rice University



Office of the City Manager
City Hall - 39 Main Street, Montpelier, VT 05602
Telephone: (802) 223-9502
Fax: (802) 223-9519
E-Mail: wfraser@montpelier-vt.org

August 15, 2014

The Times-Argus
Att: Mandy

Please insert the following with City of Montpelier notices on: Thursday, August 21st. Thank you!

CITY OF MONTPELIER
Design Review Committee Vacancies

The Montpelier City Council is seeking citizens interested in filling two expired seats on the City's Design Review Committee; both are 3-year terms which will expire in September, 2017. Letters of interest and/or resumes should be submitted to the Office of the City Manager, City Hall – 39 Main Street, Montpelier (or by e-mailing spitonyak@montpelier-vt.org) on or by Thursday, September 4th. City Council will make these appointments at their September 10th meeting; applicants will be notified and encouraged to attend. All municipal meetings are accessible to people with disabilities and are held in accordance with the public meeting and public records laws. Further information may also be obtained by contacting the Planning and Development Department at 223-9506.

William J. Fraser
City Manager

Stephen Everett
60 Chestnut Hill Rd.
Montpelier, Vt. 05602
August 15, 2014

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, 2017.

As a resident of Montpelier for over 40 years and a business owner and commercial property owner in the city for over 30 years, I have come to appreciate the value of Montpelier's historic commercial and residential neighborhoods as an important aesthetic and economic resource.

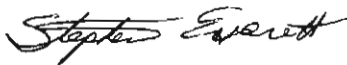
The current members of the Montpelier Design Review Committee represent a variety of experience and expertise including professional architects, historians, contractors, and commercial property owners.

I believe my experience as a business owner and commercial property owner in the city would allow me to contribute to the committee's efforts to encourage quality projects with optimal outcomes and benefits for both the applicants and the city of Montpelier.

Please call me if you have any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Everett".

Stephen Everett

Sandy Pitonyak

To: eric@ptvermont.org
Subject: RE: Design Review Committee

-----Original Message-----

From: eric [<mailto:eric@ptvermont.org>]
Sent: Monday, September 01, 2014 8:49 PM
To: Sandy Pitonyak
Subject: Design Review Committee

To the City Council.

I would like to be reappointed to the Montpelier Design Review Committee. This committee has played an important role in maintaining the historic character and attractive appearance of Montpelier while

allowing and encouraging change that is compatible with the community.

A look at the pictures from the 1976 National Register nomination quickly illustrates that Montpelier has changed but kept the character of its history. This is an important economic asset for the City. It conveys a strong sense of "place" that has been lost in so many small cities in the United States and so makes Montpelier special.

The Design Review Committee also often sends applicants away with suggestions that both work better and cost less. They often say "thank you" when they leave. That practice should continue.

I have lived in Montpelier since 1976 and plan to continue to do so. I have attached my resume with more information on my professional career.

Thank you for considering my request.

Eric Gilbertson
7 Richardson Street
Montpelier, VT
272-8543

RESUME'

December, 2008

Eric Gilbertson
7 Richardson Street
Montpelier, VT 05602

802-272-8543
eric@ptvermont.org

PROFESSIONAL:

1973-75, Deputy State Historic Preservation Officer for the State of Indiana: Hired to create an historic preservation program for Indiana that met all federal program requirements. This included National Register, historic properties survey, federal historic preservation grants and review of federally funded projects for impact on historic and archeological resources. In cooperation with the Historic Landmarks Foundation of Indiana, a statewide non-profit historic preservation organization initiated the first computer based survey in the country.

1976-1983, Deputy State Historic Preservation Officer for the State of Vermont and Assistant Director of the Vermont Division for Historic Preservation where my primary responsibilities were the review of federally funded projects and the operation of the State Historic Sites.

1983 to 1997, Director of the Vermont Division for Historic Preservation and Deputy State Historic Preservation Officer with all program responsibilities budgeting and staff supervision for the State Owned Historic Sites, State and National Registers of Historic Places, operation and restoration of the State Historic Sites, review of federally funded projects, review of projects under Act 250, and the Federal Rehabilitation Investment Tax Credits. The Division initiated a state-funded matching grant program for municipalities and non-profit organizations and the first state funded matching grant program for agricultural buildings (barns) in the country. During this period I also served several terms on the Board of the National Conference of State Historic Preservation Officers and chaired the committee on project review for one term.

1997- September, 2007, In 1997 the Agency of Commerce and Community Affairs recognized the importance of the Division for Historic Preservation and the State Historic Preservation Officer and made the State Historic Preservation Officer an Appointed position in the Division rather than a figurehead in the front office. I remained as Deputy and generally continued the same responsibilities focusing on project review, administering the two state matching grant programs and administering the federal program responsibilities. I retired from the State of Vermont after almost 32 years of service in September, 2007.

In my nearly 32 year tenure at the Division for Historic Preservation a critical focus of my work was always review of projects to determine if they met the *Secretary of Interior's Standards for Historic Preservation Projects* and working with developers, architects, engineers and contractors to bring projects into conformance with Historic Preservation Standards. The Division reviewed hundreds of projects each year. Major projects include the \$20 million Tax Credit Project at the Equinox Hotel in Manchester (1982) and the rehabilitation of the Windsor Cornish Covered Bridge (1987).

RESUME'

December, 2008

Eric Gilbertson

7 Richardson Street

Montpelier, VT 0560

September, 2007 to present, Field Service Representative for the Preservation Trust of Vermont (Vermont's statewide, non-profit historic preservation organization) and the National Trust for Historic Preservation. I provide advice and technical assistance to communities in saving and developing historic buildings, technical assistance to barn owners and administer major historic preservation projects.

1990-91, Adjunct Professor in the University of Vermont Graduate Program in Historic Preservation. The teaching included contemporary practices in historic preservation and the class community project.

EDUCATION:

1966, B.A. in History from the University of Wisconsin-River Falls with honors.

1969, M.A. In History from Indiana University.

AWARDS:

1972, The first Susan O'Kell award for excellence in teaching for my work in teaching black history to black students.

2006, Lifetime Service Award from the National Conference of State Historic Preservation Officers for my work in Vermont.



CITY OF MONTPELIER, VERMONT

"Smallest Capital City in the United States"

The Times-Argus

Please include this ad with City of Montpelier notices on Thursday, August 21st.

MONTPELIER HISTORIC PRESERVATION COMMISSION VACANCIES

The City of Montpelier is seeking individuals interested in serving on this Commission. As of September 22nd, there will be three vacant seats: one is a 3-year term; two are 2-year terms. Please submit a letter of interest by noon on Thursday, September 4th, to the City Manager's Office, City Hall - 39 Main Street, Montpelier, Vermont 05602, or via e-mail to [spitonyak@montpelier-vt.org](mailto:spitonyak@montpelier-<u>vt.org</u>). City Council will make these appointments at their September 10th meeting; applicants will be notified and encouraged to attend. All municipal meetings are accessible to people with disabilities and are held in accordance with the public meeting and public records laws.

William J. Fraser
City Manager

WJF:sg

Sandy Pitonyak

From: eric [eric@ptvermont.org]
Sent: Monday, September 01, 2014 8:52 PM
To: Sandy Pitonyak
Subject: Historic Preservation Commission
Attachments: Resume.doc

To the City Council,

I would like to be reappointed to the Historic Preservation Commission. I have had a 40 year career in historic preservation and continue to work for the Preservation Trust of Vermont and have attached my resume. The historic character of Montpelier is one of its strong assets and that needs to continue to support a strong community and downtown.

I would like to see the City strengthen the Certified Local Government (CLG) program operated in partnership with the state. Montpelier has not taken advantage of the matching grant money available for historic preservation projects for several years. That money can be used for planning, promotion (walking tours etc) for the historic district. It can be matched by the value of the time of existing city employees and contribute to enhancing the understanding of Montpelier's history. The most recent use of CLG funding was to revise the 1976 National Register nomination to reflect change over the years. Many of these changes have restored historic buildings. The removal of the aluminum siding from the Cool Jewels building and the "screen" that hid the facade of the Brown Insurance building on State street.

The revised National Register nomination has several administrative steps to go through before it can be submitted to the National Park Service. This should be done as soon as possible.

The Historic Preservation Commission can and should help with this effort.

Thank you for considering my reappointment.

Eric Gilbertson
7 Richardson Street
Montpelier, Vermont
272-8543

RESUME'

December, 2008

Eric Gilbertson
7 Richardson Street
Montpelier, VT 05602

802-272-8543
eric@ptvermont.org

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page 2

RESUME'

December, 2008

Eric Gilbertson

7 Richardson Street

Montpelier, VT 0560

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2006, Lifetime Service Award from the National Conference of State Historic Preservation Officers for my work in Vermont.

Sandy Pitonyak

From: James Duggan [jpduggs@gmail.com]
Sent: Friday, September 05, 2014 11:22 AM
To: Sandy Pitonyak
Subject: requesting reappointment to the historic preservation commission
Attachments: Duggan CV.docx

Hi Sandy,

Please accept this email to confirm my interest in reappointment to the Historic Preservation Commission. I have attached a few pages from my CV for the City Council to consider.

Unfortunately, I will not be able to attend their meeting this Wednesday night as I have a previous teaching commitment at Yestermorrow Design/Build School in Warren.

I hope my resume and past performance as a Commissioner will be sufficient for the council to consider my reappointment.

Thank you,

--

Jamie
[\(802\) 249-7231](tel:(802)249-7231)

James P. Duggan

P.O. Box 164, Montpelier, VT 05601

(802) 249-7231

jpduggs@gmail.com

PROFESSIONAL EXPERIENCE

2013-Present **Historic Preservation Review Coordinator**

Vermont Division for Historic Preservation, Montpelier VT

Working within the Department of Housing & Community Development, conduct professional and administrative work. Supervise the Environmental Review Team, and coordinate the historic preservation review of development projects requiring federal and state agency approval. Assess the impacts of development projects on historic, architectural, and archeological resources in accordance with the National and Vermont Historic Preservation Acts and other environmental legislation. Assess state and/or national register eligibility of structures and districts and determine effects of projects on historic resources by applying the *Sec. Interior's Standards for Treatments to Historic Structures*

1998-Present **Principal/ Historic Preservation Contractor**

Preservation Unlimited LLC, Montpelier, VT

I am a self-employed, historic preservation Contractor, Consultant and Educator specializing in architectural conservation and building restoration. I am responsible for the design, management and execution of hands-on treatments to historic structures and have considerable knowledge and expertise in historic masonry and plaster preservation. Consulting services including analytical investigation, documentation, archival research, conditions assessment & treatment recommendations, materials analysis and testing, creation of technical documents, specifications, scope of work descriptions and budgetary projections, grant reporting and project management. Many of these projects were funded by federal, state and/or local grants and charitable foundations. Most projects meet or exceed the *Sec. Interior's Standards for Treatments to Historic Structures*

2005-2010 **Principal/ Historic Buildings Specialist**

New England Preservation Collaborative, Inc., Montpelier, VT

I served as the Principal Investigator for a private, member-owned historic preservation consulting firm. I was responsible for the design and execution of protocol for on-site, multi-disciplinary, investigative teams. Activities focused on building survey & documentation, conditions assessment & treatment recommendations, archival research and materials analysis

1997-1998 **Para-professional Educator, Vocational Building Trades**

Bellows Free Academy, St. Albans, VT.

Instruction and supervision of high school students involved in vocational building trades program

EDUCATION

Master of Science - Historic Preservation- degree conferred May 2008

University of Vermont, Burlington, VT

Awards: Research Fellowship (2005); Research Assistantship (2004)

Internship: UVM/NPS Field Program, Las Flores National Historic Landmark, Oceanside, CA (2004).

Bachelor of Arts – Anthropology- degree conferred May 1995

Syracuse University, Syracuse, NY

Concentration – *Archaeology*, Maxwell School of Citizenship and Public Affairs
Minor – *Architecture*, School of Architecture

Certificate in Preservation Skills and Technology- certificate issued March 2000

Preservation Education Institute, Windsor, VT

ACADEMIC EXPERIENCE/ APPOINTMENTS

University of Massachusetts Amherst, MS in Design + Historic Preservation Joint Program w/ Hancock Shaker Village, Pittsfield, MA

2011-present *Adjunct Faculty* – Architectural Materials Testing I & II

University of Vermont, MS in Historic Preservation Program, Burlington, VT

Fall 2009 *Lecturer* – History of American Architecture

Fall 2008 *Guest Lecturer* - Architectural Conservation I & II, Topics presented:
Historic Masonry Preservation, Green Preservation. Project Management

2005–2008 *Field School Instructor* - UVM/National Park Service's Vanishing Treasures Program, Fort Davis National Historic Site, Fort Davis, TX, training graduate interns in adobe, stone, fired clay, lime plaster, limewashes and roofing conservation

2005–2009 *Field School Instructor* - UVM/NPS Field Program at Las Flores Adobe NHL, Oceanside, CA, training graduate interns in adobe, earthen plaster, lime plaster, paint and limewash conservation, seismic retrofit installation, carpentry and roofing

Preservation Education Institute, Windsor, VT

June 2012 *Instructor*, Methods for Repointing Historic Brick Masonry, Steven Jacob House Windsor, VT

July 2005 *Asst. Instructor*, Repointing Brick Masonry, Gen. John Spaulding House, Portsmouth, NH

May 2003 *Assistant*, Historic Plaster Repair, Kent Tavern, Calais, VT

Yestermorrow Design/Build School, Warren, VT

Fall 2005-present *Instructor*, Traditional Trades for Historic Houses, Green Rehabilitation, Slate Roof

Goddard College, MA in Sustainable Business & Community Program, Plainfield, VT

Spring 2010 *Guest Lecturer*, Seminar-Historic Preservation- an Old Road to Sustainability

September 5, 2014

Mike Miller, ACIP CFM

Director of Planning & Community Development

City Hall, 39 Main Street

Montpelier, Vermont 05602-2950

Mr. Miller:

I wish to be reappointed to the Historic Preservation Commission. The current Commissioners are very knowledgeable of historic preservation of the residential and commercial building stock to maintain the Cityscape for housing, commerce, state government and tourism to as a vibrant community.

My wife and I own three historic buildings at 39 Court (law office), 28 Sibley Avenue (our home) and 24-26 Sibley Avenue (a brick duplex with an attic apartment 3rd floor). We have updated these buildings with both the exteriors and interiors with minimal changes as we found them.

In my opinion the Commission will urge those of interest who may be not to be chosen will be welcome very to participate.

Sincerely yours

Anthony Otis

171 Westview Meadows #5

Montpelier, Vt 05602-3391

Pursuant to the provisions of 24 V.S.A., Chapter 131, the City of Montpelier hereby ordains the following IMPACT FEE ORDINANCE, to be effective as of midnight, July 15, 1988:

- WHEREAS, as provided in Section 39 of No. 200 of the Acts of the 1988 Session of the Vermont General Assembly, the City of Montpelier is authorized to impose impact fees (as defined in 24 V.S.A. §5201(2); and,
- WHEREAS, the City of Montpelier has adopted permanent zoning by-laws (Code of Ordinances, Chapter 15) and a subdivision ordinance (Code of Ordinances, Chapter 14); and,
- WHEREAS, the City of Montpelier is engaged in a planning process of which have been approved under 24 V.S.A. §4350; and,
- WHEREAS, the City of Montpelier has undertaken and completed studies and analyses of the costs of acquiring, constructing, operating and maintaining capital projects necessary to maintain levels of municipal service deemed sufficient for public health, safety, welfare and convenience, namely, public parks and recreational facilities, highways and traffic improvements, and schools, affordable housing; and
- WHEREAS, the City of Montpelier has taken into consideration those factors set out in 24 V.S.A., §5203 in establishing and assessing impact fees imposed hereunder; and,
- WHEREAS, the City of Montpelier desires to establish and assess impact fees under an ordinance to be adopted in accordance with 24 V.S.A., §§1971-1976, and Title VII of the Montpelier City Charter (1987);

NOW, THEREFORE, BE IT RESOLVED that Chapter 18 of the Montpelier Code of Ordinances is hereby added to read as follows:

CHAPTER 18

IMPACT FEES

ARTICLE I. ESTABLISHMENT OF IMPACT FEE.

For any development, construction or subdivision located within the City of Montpelier for which either a zoning or subdivision permit or approval, occupancy certificate, building permit, or site plan approval is required, there is hereby imposed an impact fee which will be computed and assessed in accordance with the formula and methodology set out in Appendix A hereto. The impact fee herein established, and the formula by which said fee shall be calculated, are hereby found and determined to reflect the cost of maintaining an appropriate level of service, consistent with the City Plan, to be provided by capital projects and expenditures resulting from development, construction and subdivision, and capital projects previously constructed or acquired.

Sec. 18-2. IMPACT FEE; MITIGATION.

In lieu of the fee imposed by Sec. 18-1 hereof, the City of Montpelier, acting by and through its City Council, may, but is not obligated to, accept comparable and equal off-site mitigation in the form of interests in real estate, the value of which shall be discounted to reflect the diminution thereof as a result of said real estate being exempt from taxation or of limited development potential.

Sec. 18-3. SEGREGATION OF FEES.

(a) All impact fees imposed and collected under Sec. 18-1 hereof shall be maintained in a segregated account and shall be used only to fund capital projects identified as related to the development for which the impact fees are collected. The City of Montpelier shall produce annually an accounting identifying the source of each impact fee, the amount thereof, and the capital project attributable thereto.

(b) All impact fees imposed and collected under Sec. 18-1 hereof, and all interest accretions, shall be expended only to fund those capital projects attributable to the impact fees imposed thereto.

Sec. 18-4. REFUNDS.

All applications for refund of any unexpended impact fees shall be made in writing to the City Council within six months of the sixth anniversary of the date upon which such impact fee was paid. Thereafter, any claim for refund shall be barred and of no force and effect.

Sec. 18-5. RESERVATION OF POWERS.

Nothing herein shall be construed to impair the ability of the City of Montpelier, acting by and through its City Council convened as Water and Sewer Commissioners, to enter into independent contracts for the provision, extension or maintenance of municipal water and sewer services, systems, and improvements; provided, however, that a reasonable proportion of the cost thereof attributable to and paid by any person otherwise subject to the impact fee imposed by Sec. 18-1 hereof shall be deducted from such impact fee.

Sec. 18-6. PAYMENT OF IMPACT FEES.

No zoning or subdivision permit or approval or building permit shall be issued until full payment of the impact fee imposed by Sec. 18-1 hereof shall be received in full by the City Treasurer; provided, however, that, with the prior consent of the City Council.

(ii) said fee may be paid in installments with the interest accruing at the maximum annual rate of interest allowed by law, to be secured by a recorded lien in favor of the City upon all lands made subject to such fee; or

(ii) The payment of said fee may be deferred until a date certain, together with the interest accruing at the maximum annual rate of interest allowed by law, to be secured by an approved bond, securities or letter of credit unconditionally in favor of the City.

Sec. 18-7. EFFECTIVE DATE.

This ordinance shall be effective with respect to all building, zoning and subdivision applications duly filed with the City of Montpelier on and after July 15, 1989.

Sec. 18-8. INCONSISTENT PROVISIONS.

This ordinance shall not be construed to repeal, modify or amend any existing ordinances of the City of Montpelier.

Sec. 18-9. VIOLATIONS; PENALTIES.

Any person commencing or undertaking development in the City of Montpelier without first complying with the provisions of this ordinance, including the payment of any impact fee imposed hereunder, shall be subject to a penalty, not to exceed \$500.00 per day for each day a violation of this ordinance continues in existence, to be recovered in a civil action commenced by and prosecuted in the name of the City. The penalty imposed in this section shall be in addition to any other penalty imposed by general law or ordinance, and shall not be in lieu thereof. In addition to the penalties provided for herein, the City shall have the power to enjoin and abate any violations of this ordinance.

Enacted June 28, 1989.

Amendment enacted December 13, 1989 [Impact Fee Schedule amended to institute a Traffic Impact Fee]. Date of Publication: 12/21/89. Effective Date: 12/27/89.

A scenic view of a river at dusk. In the background, a city skyline is visible, featuring a prominent domed building (likely a state capitol) and several multi-story buildings. The sky is filled with soft, colorful clouds in shades of orange, pink, and blue. Bare trees are in the foreground on the left, and a rocky shoreline is on the right.

ONE TAYLOR STREET

PUBLIC MEETING # 4 **FINAL DESIGN CONCEPT**

September 3, 2014

AGENDA

WELCOME & OVERVIEW OF PRESENTATION

PROJECT GOALS

SITE REQUIREMENTS & DESIGN

BUILDING MASSING & LOCATION

RELATIONSHIP BETWEEN THE BUILDING, STREET & RIVER

ENVIRONMENTAL MITIGATION

HOUSING AS USE

PROJECT ECONOMICS

SUMMARY OF REDEVELOPMENT

NEXT STEPS

OPEN DISCUSSION

SUMMARY: HOW DID WE COME TO THIS DECISION?

COMMUNITY & PROJECT GOALS

- Construct a centrally located Transit Center in partnership with CCTA/GMTA
- Maximize development potential and return to the City
- Develop a “gateway” building that appropriately interacts with the site, bike path, and River
- Ensure that the project is sustainable – both financially and environmentally
- Increase downtown housing options in Montpelier
- Connect the bike path corridor through downtown and create spaces that are attractive for public use

REDEVELOPMENT PLAN

- Transit Center that meets the CCTA/GMTA requirements
- Building and site suitable for rental housing
- “Gateway” building oriented to the Street and Path
- Site design allows for maximizing the green space elements along the bike path corridor

SITE AREA

SITE REQUIREMENTS & DESIGN

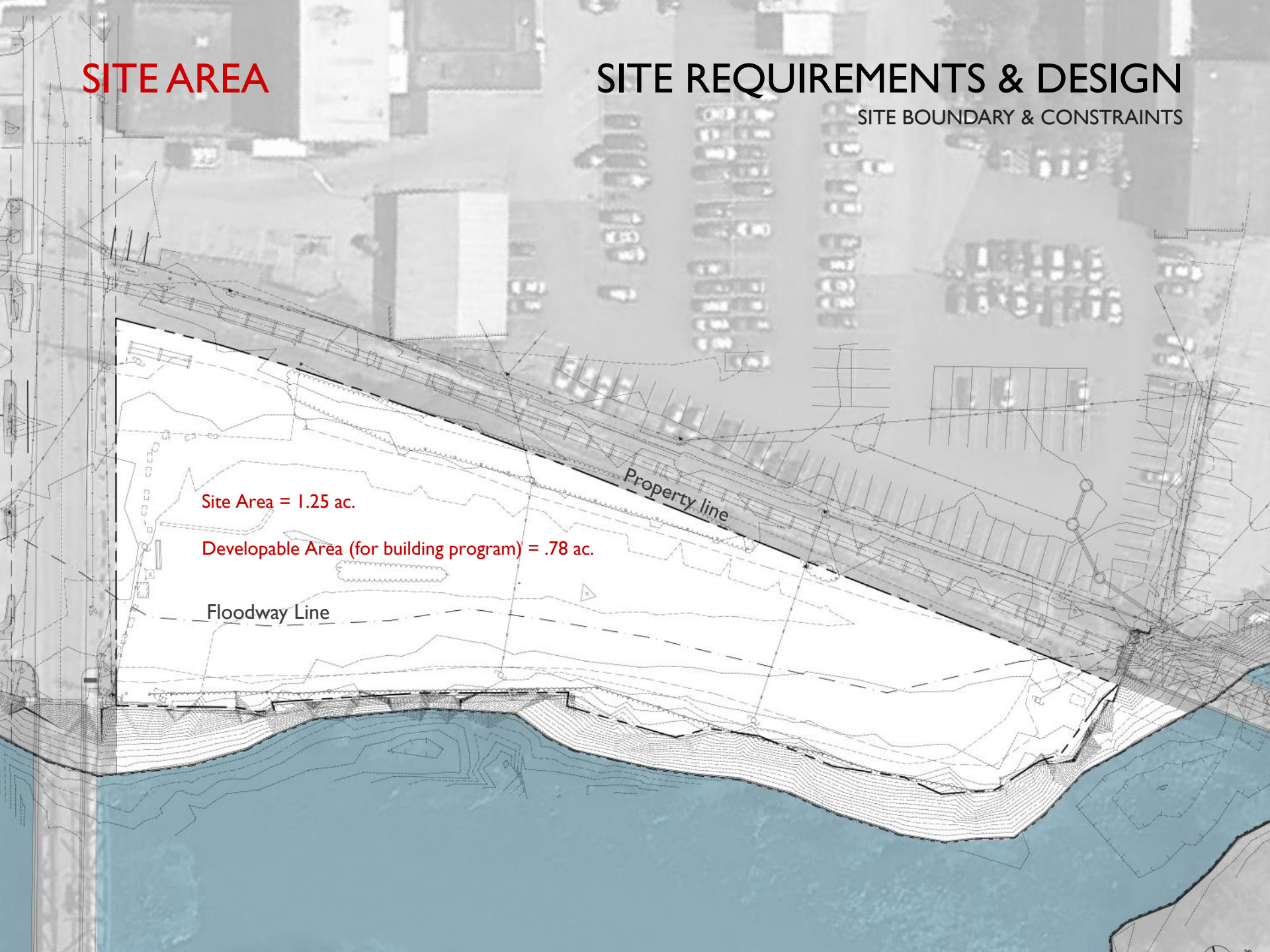
SITE BOUNDARY & CONSTRAINTS

Site Area = 1.25 ac.

Developable Area (for building program) = .78 ac.

Floodway Line

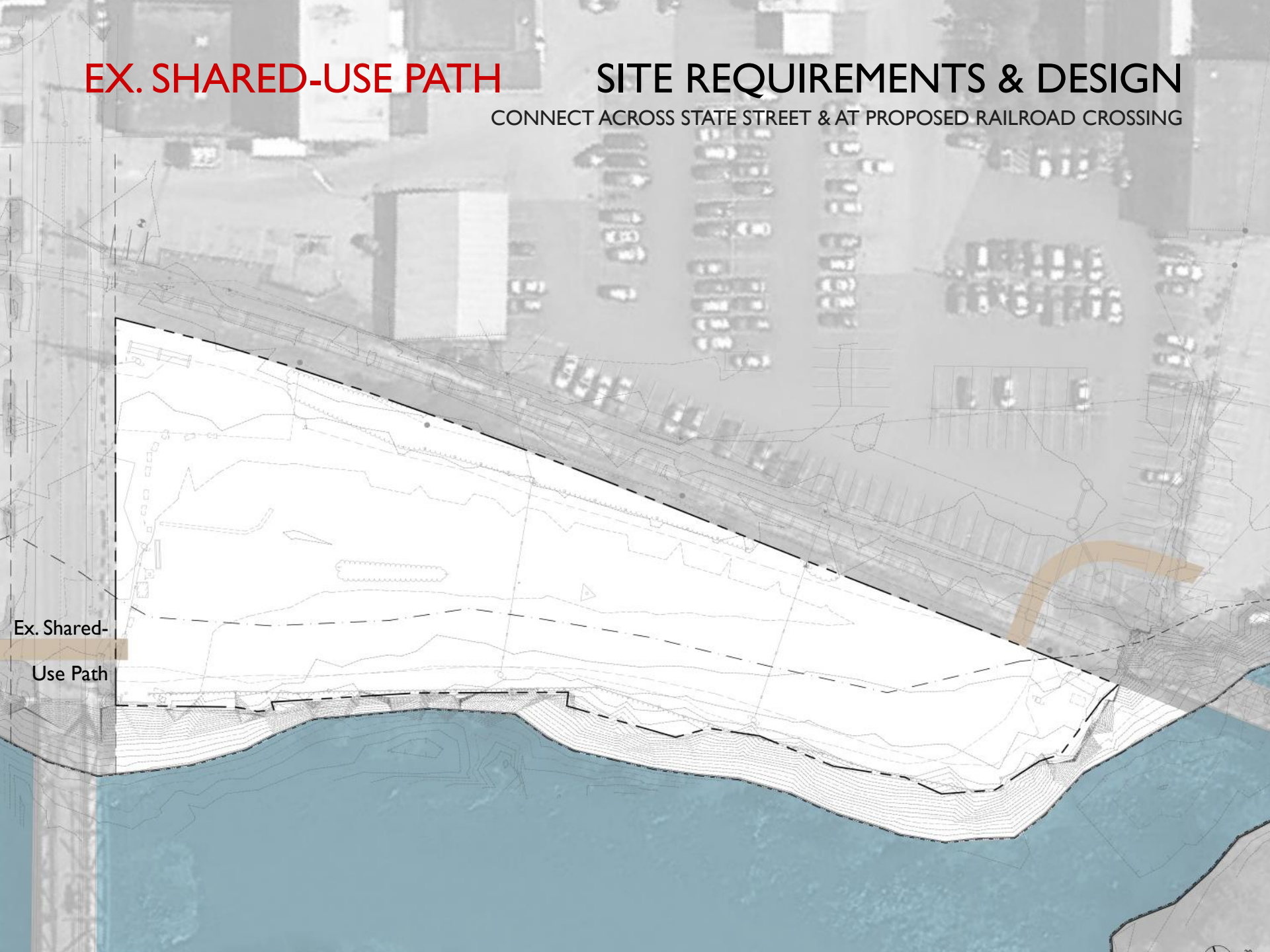
Property line



EX. SHARED-USE PATH

SITE REQUIREMENTS & DESIGN

CONNECT ACROSS STATE STREET & AT PROPOSED RAILROAD CROSSING



Ex. Shared-
Use Path

CCTA'S NEEDS

SITE REQUIREMENTS & DESIGN

ACCOMMODATE 6 BUSES

2 large on street
4 small within site

2,500 SF PROGRAM SPACE

CONTROLLED LIGHT AT INTERSECTION OF
STATE & TAYLOR STREET

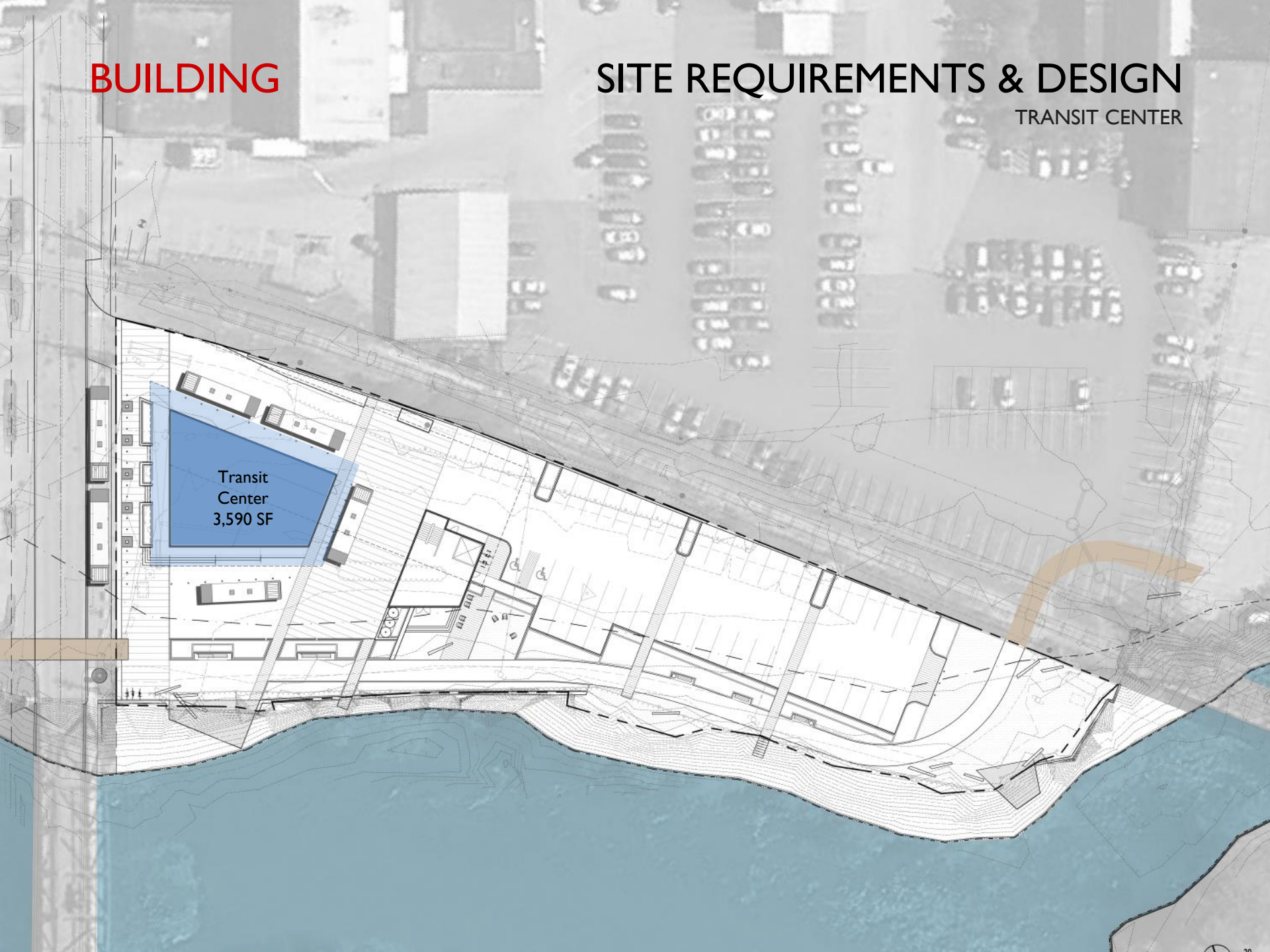
COVERED WAITING AREA



BUILDING

SITE REQUIREMENTS & DESIGN

TRANSIT CENTER

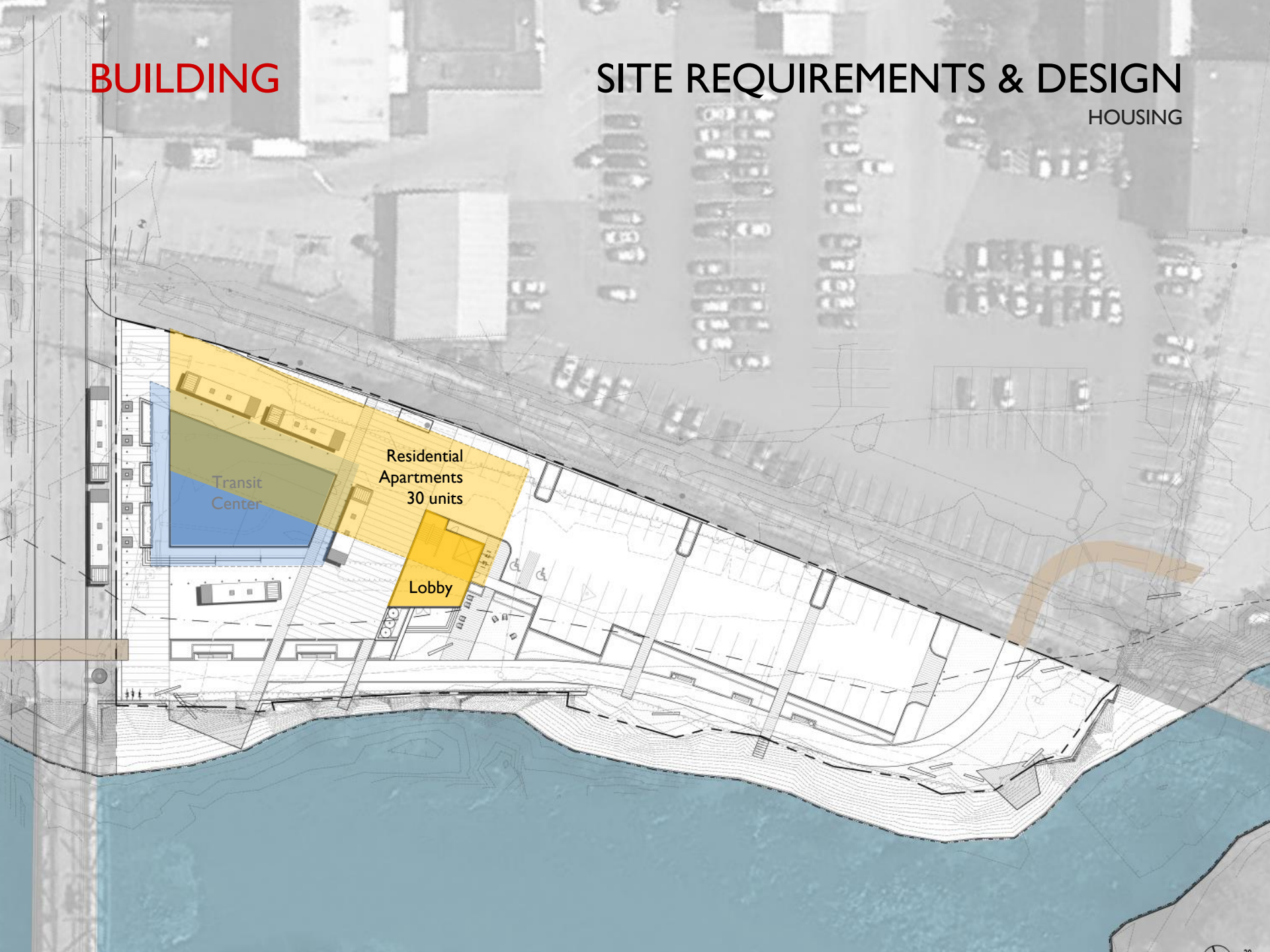


Transit
Center
3,590 SF

BUILDING

SITE REQUIREMENTS & DESIGN

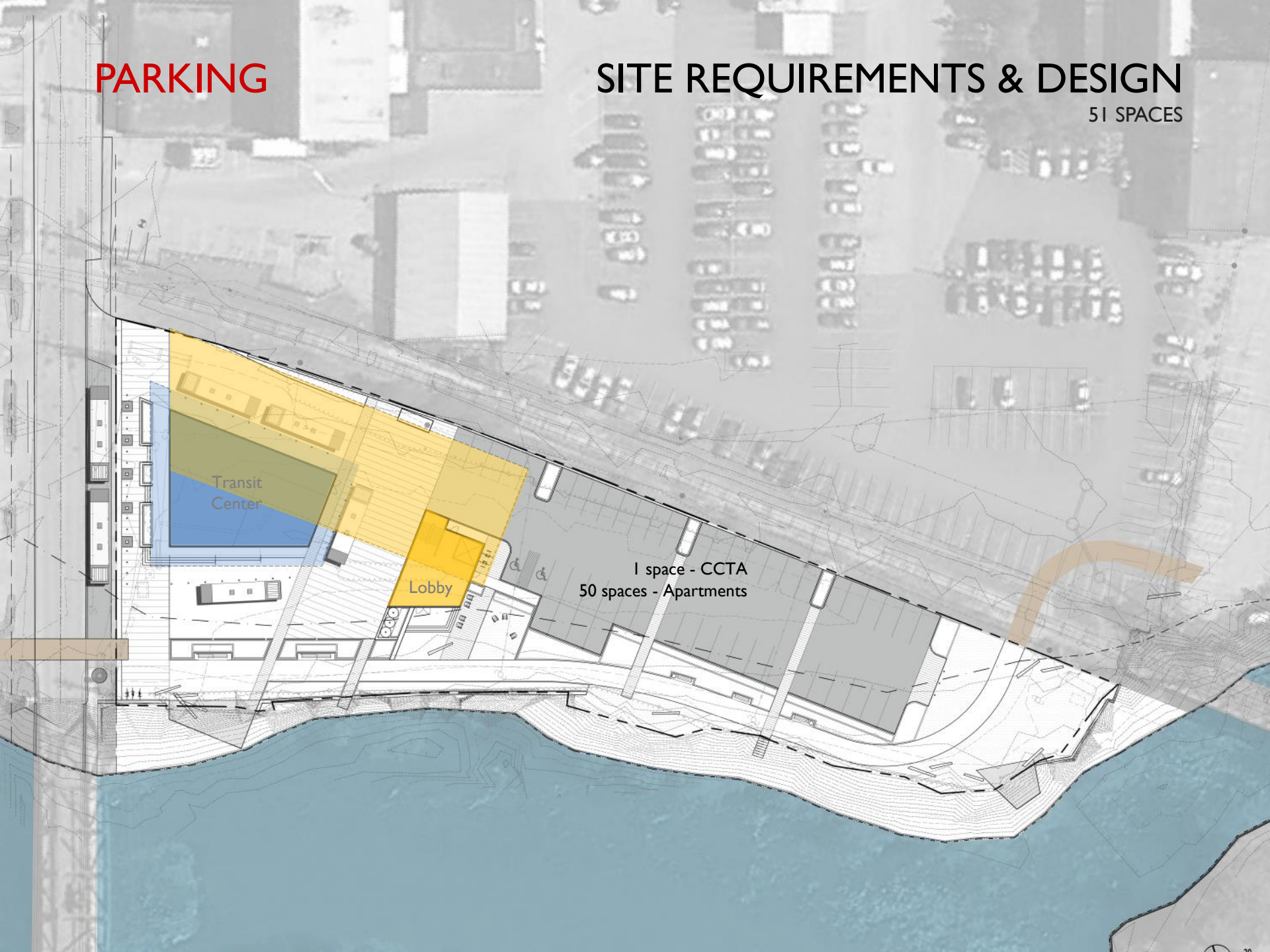
HOUSING



PARKING

SITE REQUIREMENTS & DESIGN

51 SPACES



Transit
Center

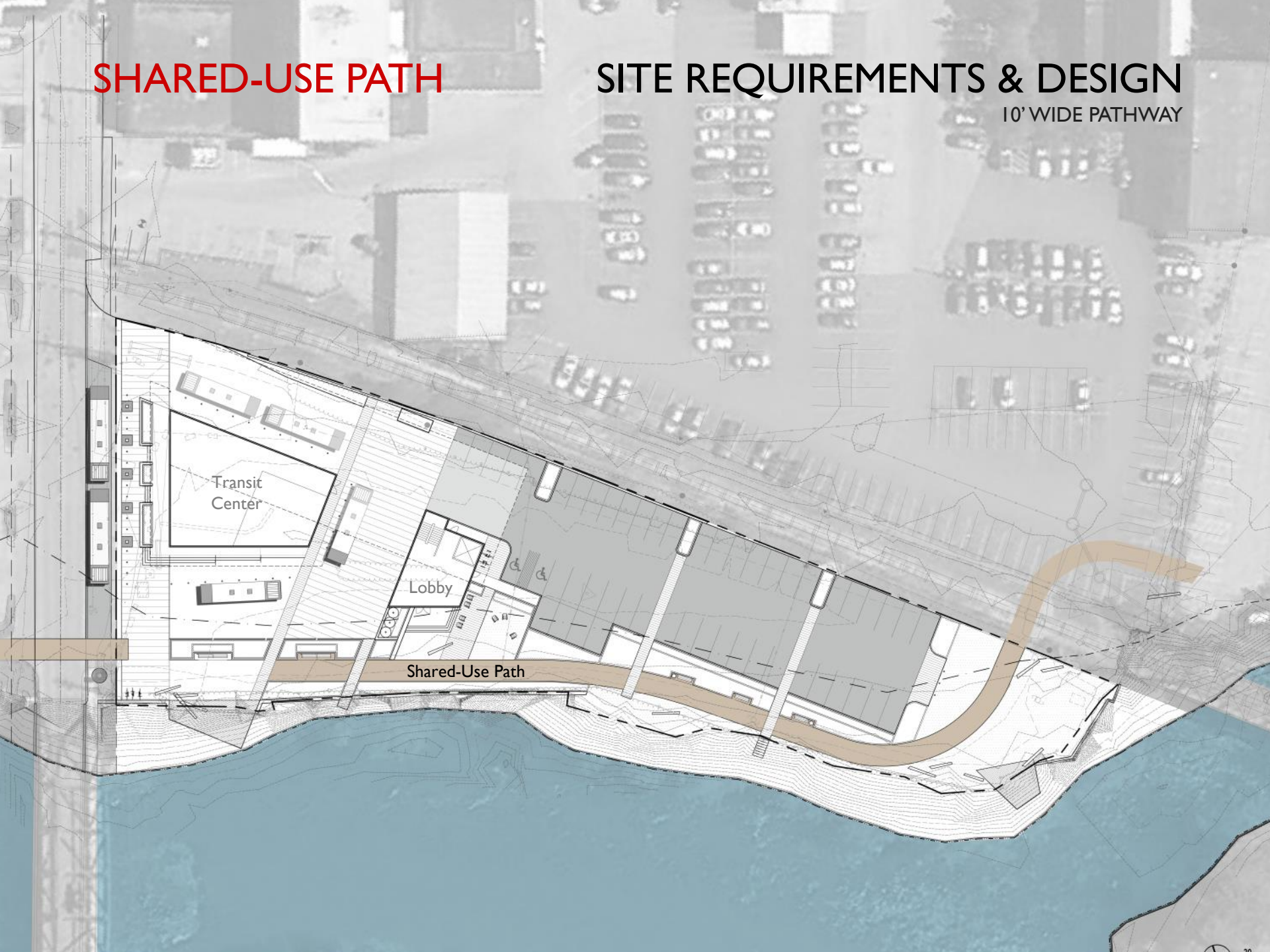
Lobby

1 space - CCTA
50 spaces - Apartments

SHARED-USE PATH

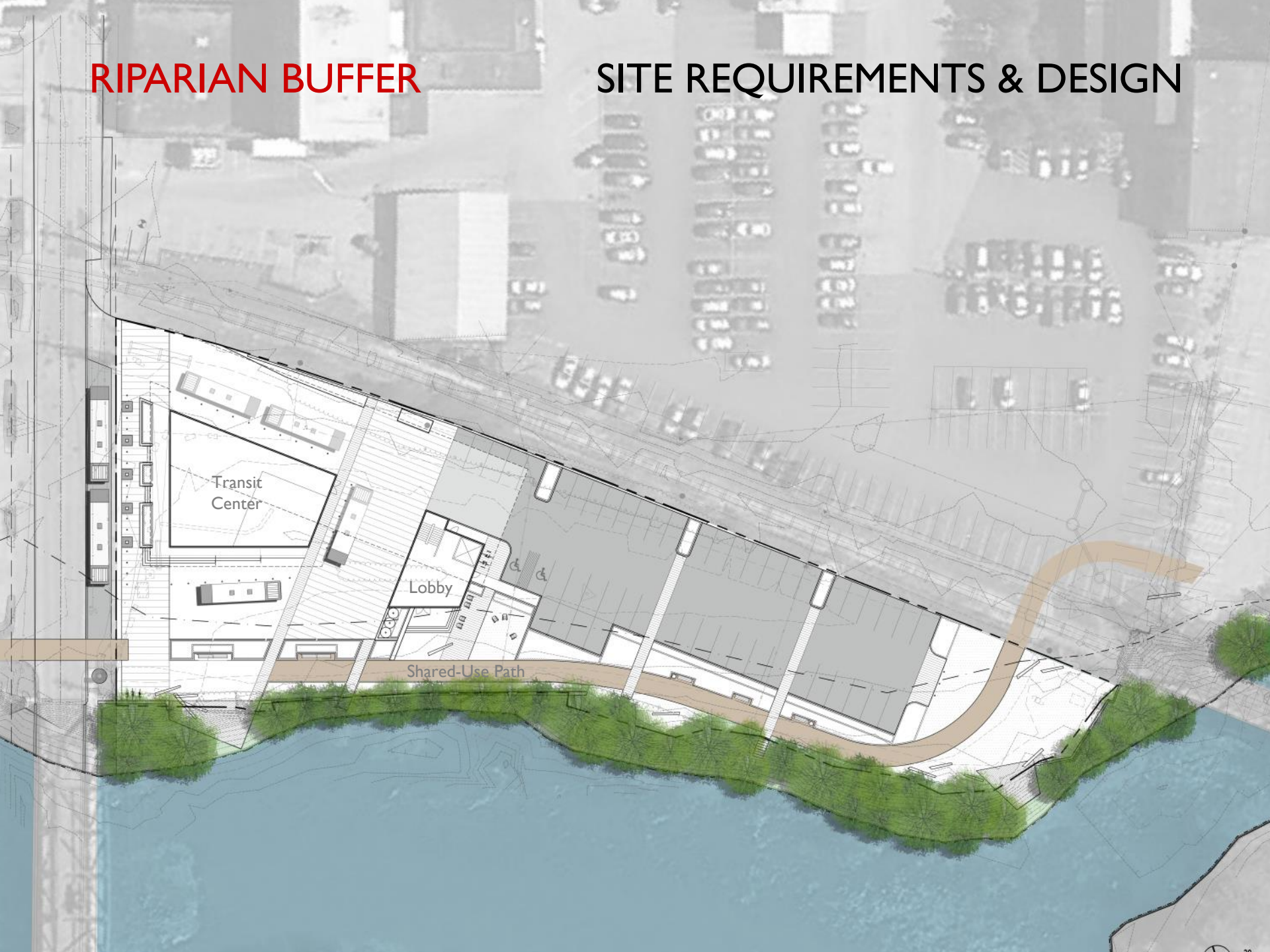
SITE REQUIREMENTS & DESIGN

10' WIDE PATHWAY



RIPARIAN BUFFER

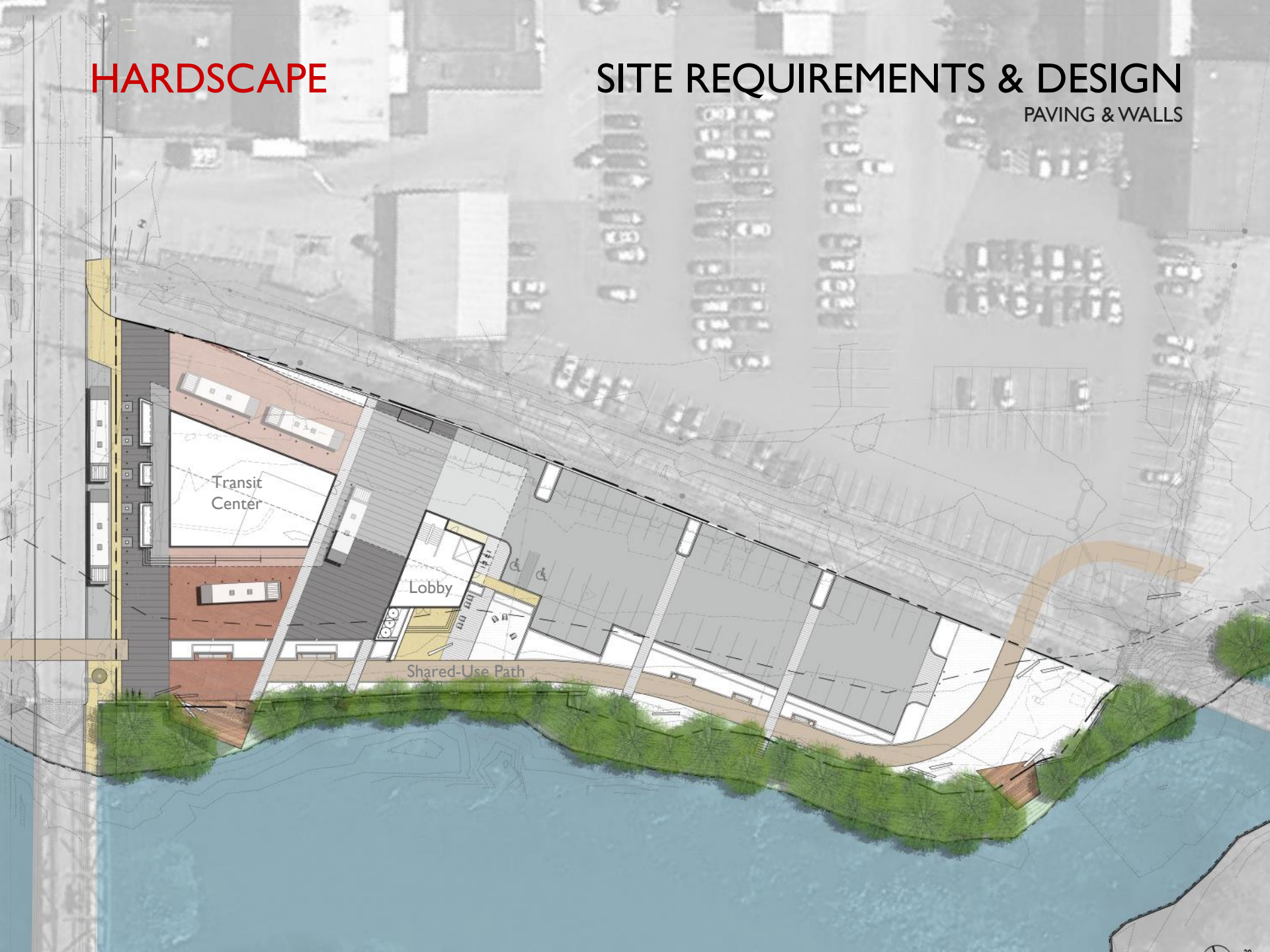
SITE REQUIREMENTS & DESIGN



HARDSCAPE

SITE REQUIREMENTS & DESIGN

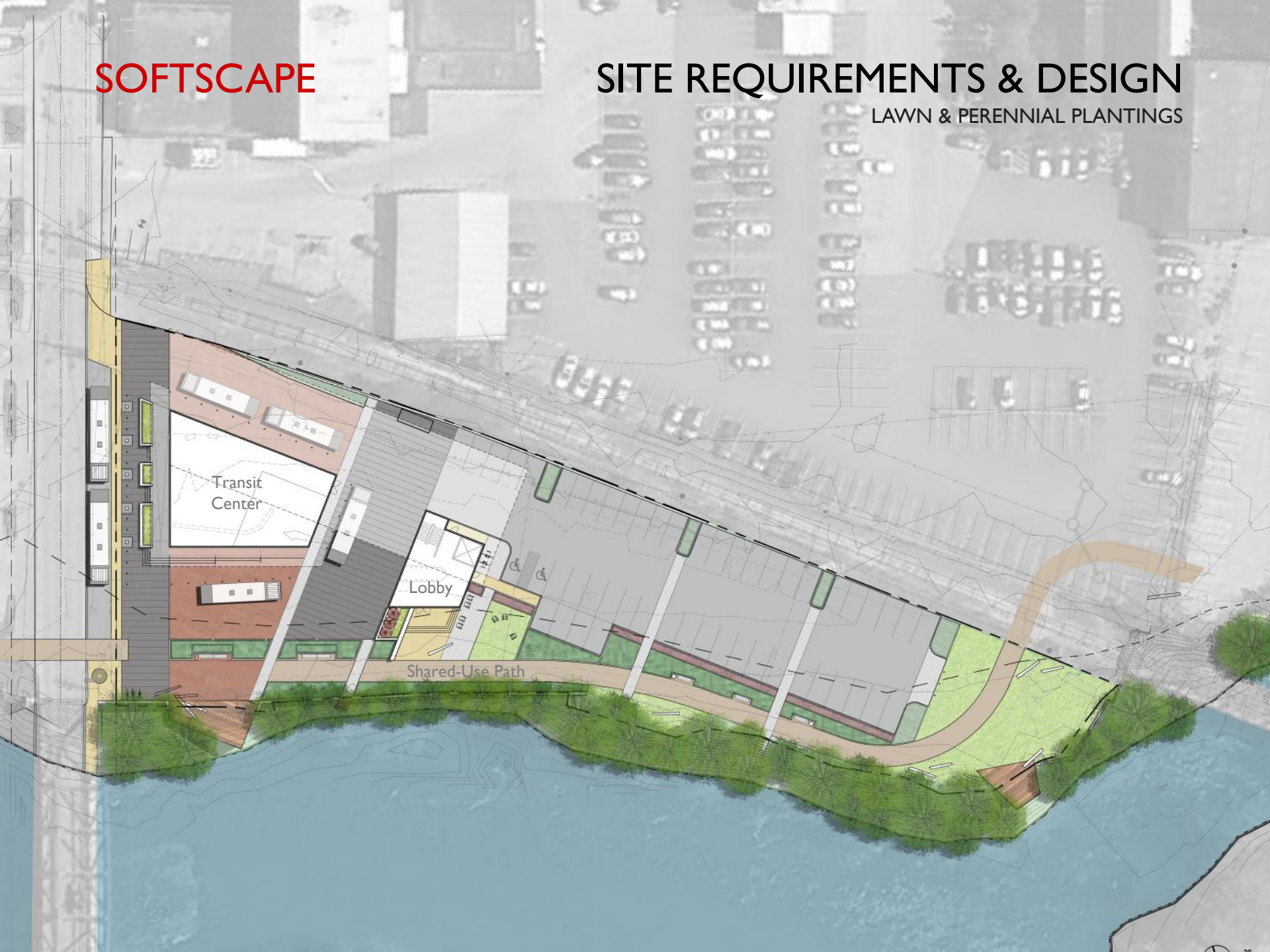
PAVING & WALLS



SOFTSCAPE

SITE REQUIREMENTS & DESIGN

LAWN & PERENNIAL PLANTINGS



RAIN GARDENS

SITE REQUIREMENTS & DESIGN

STORMWATER MITIGATION



TREE CANOPY

SITE REQUIREMENTS & DESIGN

STREET TREES

TREE ROW TO SEPARATE BUSES FROM SHARED-USE PATH

CREATE PARKING ROOMS

SHADE TREES



SEATING / PUBLIC ART OVERLOOKS

SITE REQUIREMENTS & DESIGN

BENCHES & SCULPTURAL SEATING
ALONG SHARED-USE PATH & IN PUBLIC SPACES
OVERLOOKS AS VIEWING PLATFORMS

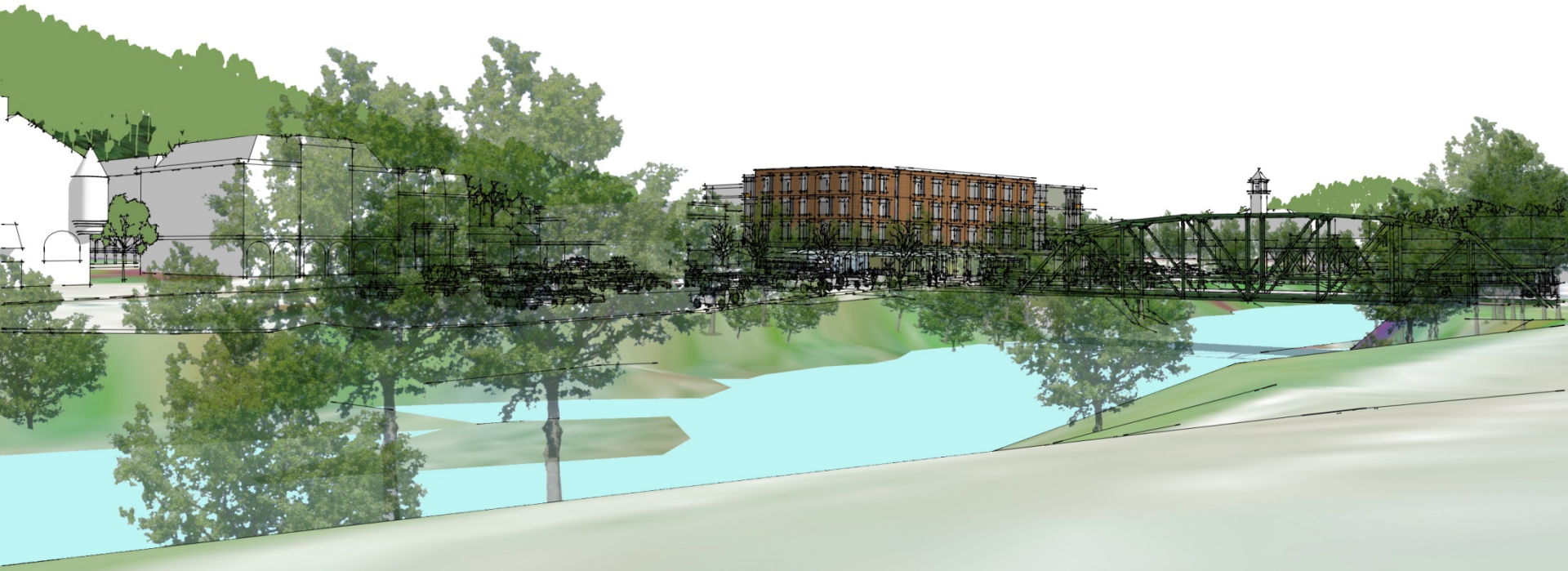


ILLUSTRATIVE SITE PLAN

SITE REQUIREMENTS & DESIGN



BUILDING MASSING & LAYOUT



BUILDING MASSING & LAYOUT



BUILDING MASSING & LAYOUT



BUILDING MASSING & LAYOUT



RELATIONSHIP BETWEEN BUILDINGS, STREET & RIVER

STREETSCAPE
CIVIC PLAZA
SHARED-USE PATH
RIVERFRONT EDGE & ACCESS



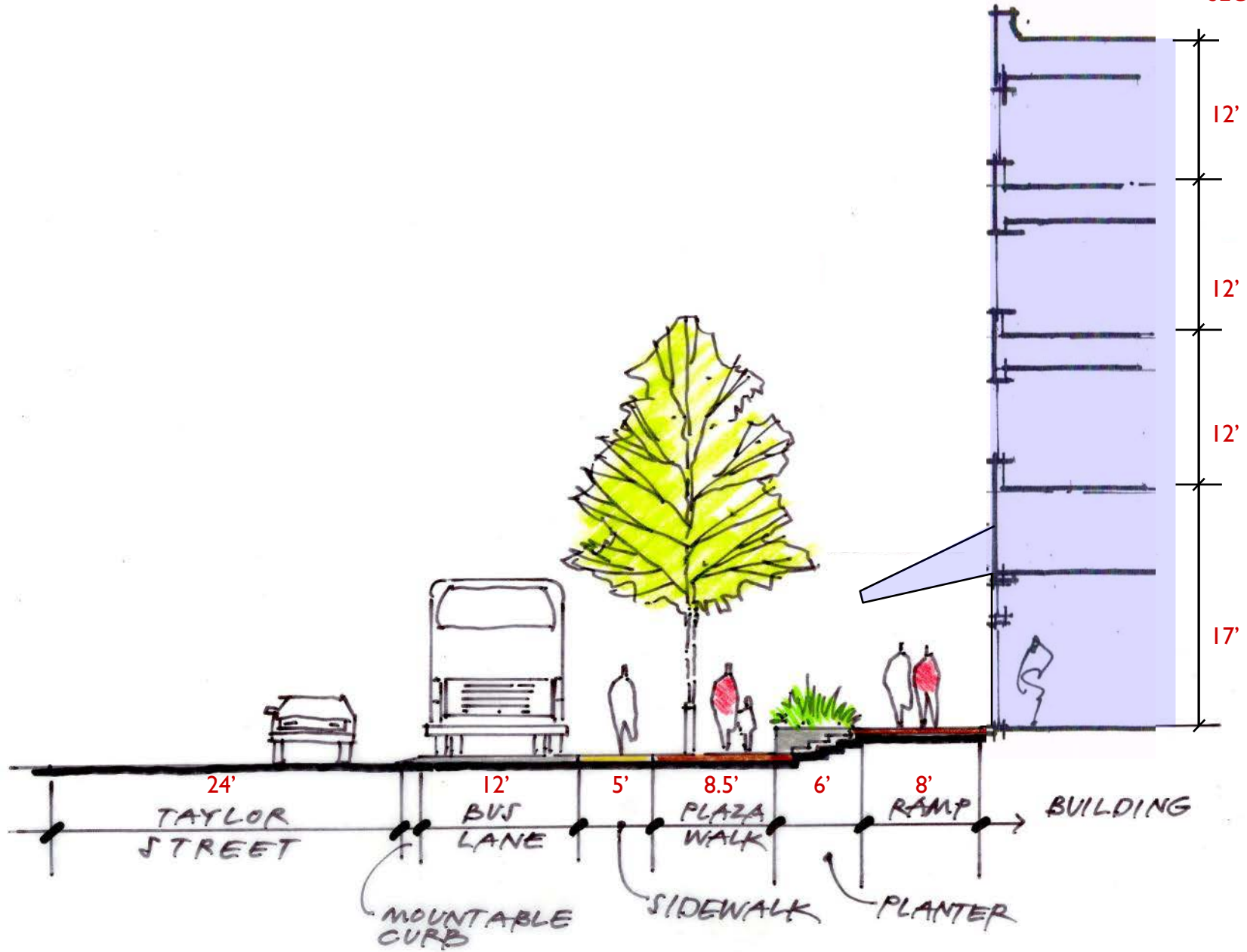
TAYLOR STREET

STREETSCAPE



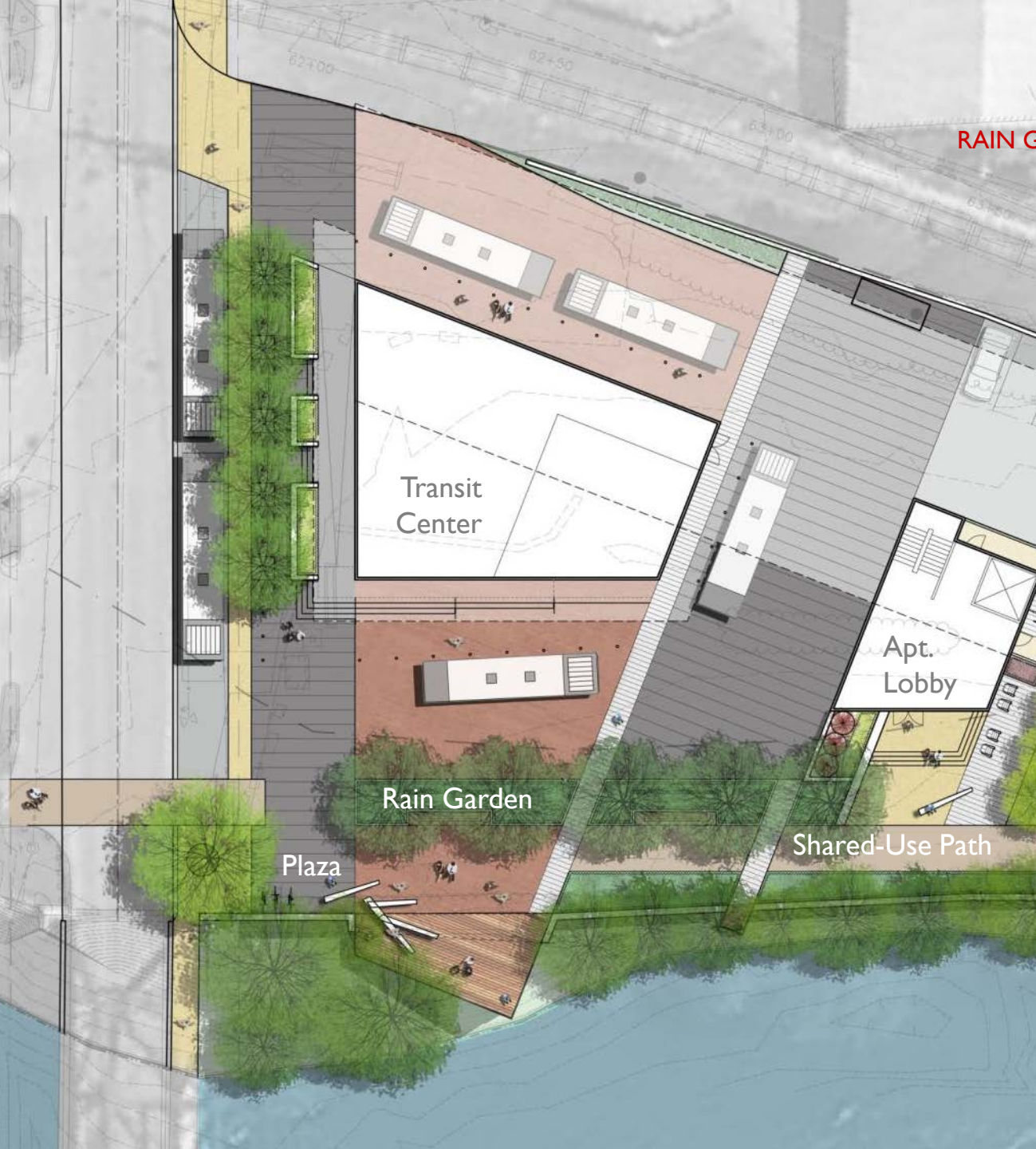
TAYLOR STREET

SECTION



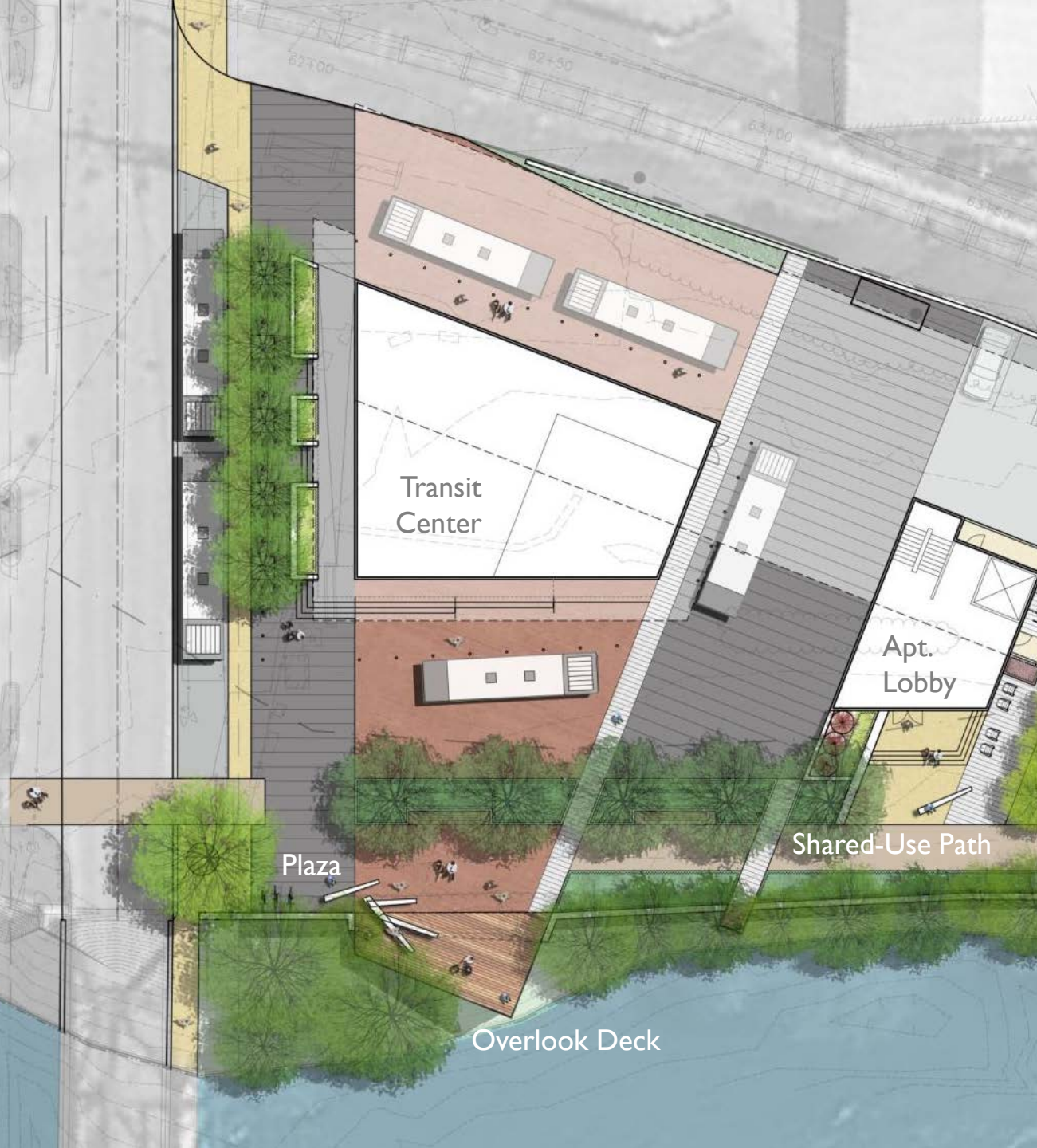
CIVIC PLAZA

RAIN GARDEN/ PLANTINGS AS A DIVIDER



CIVIC PLAZA

OVERLOOK DECK





SHARED-USE PATH

PUBLIC SEATING



RIVERFRONT EDGE

RESTORE HISTORIC RETAINING WALLS
RESTORE/ ENHANCE RIPARIAN VEGETATION



RIVERFRONT ACCESS

OVERLOOK DECKS & SEATING STAIRS
 MAINTAIN VIEW UPSTREAM & OF INDUSTRIAL BRIDGES

Transit Center

Apt. Lobby

WASHINGTON COUNTY RAILROAD

Overlook Decks

Seating Stairs

Overlook Deck

NORTH BRANCH WINOOSKI RIVER

TAYLOR STREET

RIVERFRONT ACCESS
 OVERLOOK DECKS & SEATING STAIRS
 MAINTAIN VIEW UPSTREAM & OF INDUSTRIAL BRIDGES

Transit Center

Apt. Lobby

WASHINGTON COUNTY RAILROAD

Seating Stairs

Overlook Decks

Overlook Deck

TAYLOR STREET

WINOOSKI RIVER

NORTH BRANCH

RIVERFRONT ACCESS
 OVERLOOK DECKS & SEATING STAIRS
 MAINTAIN VIEW UPSTREAM & OF INDUSTRIAL BRIDGES

Transit Center

Apt. Lobby

WASHINGTON COUNTY RAILROAD

Seating Stairs

Overlook Decks

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TAYLOR STREET

NORTH BRANCH WINOOSKI RIVER

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Transit Center

Apt. Lobby

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Overlook Decks

Overlook Deck

WASHINGTON COUNTY RAILROAD

NORTH BRANCH WINOOSKI RIVER

TAYLOR STREET

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 OVERLOOK DECKS & SEATING STAIRS
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WASHINGTON COUNTY RAILROAD

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Apt. Lobby

WASHINGTON COUNTY RAILROAD

Seating Stairs

Overlook Decks

Overlook Deck

TAYLOR STREET

NORTH BRANCH WINOSKI RIVER



PUBLIC GREEN SPACE

LAWN AREA & SHADE TREES



SCALE COMPARISON

CHRIST EPISCOPAL CHURCH VS. NEW CONFLUENCE PARK



Area = 5050 sf. (.115ac.)



PUBLIC ART

INTEGRATE INTO SHARED-USE PATH & PUBLIC GREEN SPACE
SCULPTURE AS EDUCATIONAL OPPORTUNITIES
SCULPTURE AS SEATING OPPORTUNITIES
SCULPTURE AS COMMUNITY GATHERING FEATURE



STORMWATER MITIGATION

RAIN GARDENS
RUNNELS
POROUS PAVERS



ENVIRONMENTAL MITIGATION

BROWNFIELD RELATED FREQUENTLY ASKED QUESTIONS

1. Can stormwater infiltrate into the underlying soils without causing any concern with the underlying soils?

Answer: Yes, stormwater can be allowed to infiltrate, as it currently does, as long as it is not overly concentrated.

2. Can people work full time on the first floor and live in the upper floors as part of the redevelopment?

Answer: Yes. The state VANR approved the 2013 “VTDEC Corrective Action Plan and EPA Risk-Based Disposal Approval (Amendment #2) in a letter dated December 26, 2013 and EPA has stated they will provide their final approval upon submission of the final site plan.

3. Is it safe to leave contaminated soils underground and apply a cap on top that prevents exposure of the underlying soils to people?

Answer: Yes. Capping is a nationally recognized treatment for the redevelopment of Brownfields. A permanent cap will provide a layer of protection that keeps people safe by preventing their exposure to the underlying soils.

ENVIRONMENTAL MITIGATION

BROWNFIELD RELATED FREQUENTLY ASKED QUESTIONS

4. How common is the Corrective Action Plan Amendment #2 for Brownfield redevelopment?

Answer: The provisions in this plan are used nationwide with state and federal approval for the management of contaminated soils at Brownfields sites

5. Does the VANR and the U.S. Environmental Protection Agency (EPA) support the redevelopment of this project for its intended use?

Answer: Yes. This project has been under review from both state and federal agencies since 2002. These agencies have reviewed and approved soil and groundwater testing programs, risk assessment, soil remediation and the risk-management provisions for the current redevelopment plan.

6. What is required to obtain final approval from both VANR and EPA to begin construction of the project?

Answer: The last step is for the City to submit a “final” redevelopment site plan to VANR and EPA for final approval. This will occur later this year once the City has approved the redevelopment plan.

ENVIRONMENTAL MITIGATION

BROWNFIELD RELATED FREQUENTLY ASKED QUESTIONS

7. Do any more PCB-contaminated soils need to be removed from the site in order to develop it as currently planned?

Answer: No. PCB-contaminated soils with a concentration of over 5 ppm were removed from the site in 2012.

8. What happens to any contaminated soil that is excavated from the site during construction?

Answer: Any excess contaminated soils will be disposed of at approved landfills, such as the Coventry, VT landfill.

9. What were some of the basic protective steps the City took when purchasing this Brownfield site relative to hazardous waste?

Answer:

Prior to taking ownership of property, the City took the following actions to limit future environmental risk

- The City retained an attorney with significant brownfield legal expertise to assist with the property purchase documents.*

ENVIRONMENTAL MITIGATION

BROWNFIELD RELATED FREQUENTLY ASKED QUESTIONS

- *The City applied and received assistance from the VANR which funded the preparation and approval of the 2013 “VTDEC Corrective Action Plan and EPA Risk-Based Disposal Approval (Amendment #2)” document that provides the risk-management provisions for the proposed redevelopment.*
- *On the state level, in 2013 the City enrolled the site into the VANR Environmental Liability Limitation Program (ELLP) that protects the City from incurring future assessment or remediation costs if there are changes in regulations. For example, if a contaminant’s cleanup criteria are changed to a lower level or if new chemical compounds are added to the list that is regulated the state cannot reopen the site and require the City to pay to meet the new standards.*
- *On a federal level, the City took steps to obtain liability protection as a “bona fide prospective purchaser” (BFPP). The federal Brownfields program developed this provision to remove certain CERCLA liability barriers to purchasers of property with known contamination to encourage redevelopment. This work included satisfying the programs “all appropriate inquiries” provision by completing a Phase I Environmental Site Assessment (ESA) in June 2013 in addition to a Phase I ESA. Update completed immediately prior to closing in December 2013.*

HOUSING AS USE

- Montpelier has a desperate need for housing of all types and at all price points.
- This need is particularly acute with regard to rental housing.
- Rental housing demand is supported by the City's Master Plan which notes a vacancy rate of 1.8%.
- There is very little upscale rental housing targeted toward professionals and empty nesters in the downtown.
- Almost no new un-subsidized rental housing has been constructed in Montpelier in decades.
- Regional/National trends show a strong and growing demand for downtown living.

HOUSING AS USE

Redstone is proposing the following mix of rental housing at 1 Taylor Street

Type	Number of Units	Minimum Size	Projected Monthly Rental Rate
Studio	8	550 Square Feet	\$950 – 1,050
1-Bedroom	14	700 Square Feet	\$1,100 – 1,200
2-Bedroom	8	850 Square Feet	\$1,400 – 1,500

	Apartments	Square Footage	Development Cost
Totals	30	30,000	\$5,500,000

PROJECT ECONOMICS

- Costs divided between Building/Development and Site.
- Site includes bike path, river access, new bridge, Main Street improvements.
- Building includes Transit Center, related bus access and housing.

SITE COSTS

PROJECT ECONOMICS

- Bond payment \$65,000 (20 years)
- Foregone taxes \$12,800
- Site Maintenance \$ 2,650
- Annual Total \$80,450
- Paid from city budget as planned

BUILDING COSTS

PROJECT ECONOMICS

- Additional Mortgage \$43,200 (12 years)
- Foregone Taxes \$ 7,200
- Transit Center O & M \$28,000
- Environmental \$ 1,500
- Total Expenses \$79,900

BUILDING REVENUES

PROJECT ECONOMICS

• Taxes on 30 Units @115K	\$38,000
• GMTA O & M	\$14,000
• Greyhound Sales	\$12,500
• Annual Total	\$64,500
• Net Balance	\$15,400

POTENTIAL ADDITIONAL REVENUES PROJECT ECONOMICS

- Lease for site
- Lease for parking
- Additional Units or Higher Value of units
- Different cost share on Transit Center

Even with no additional revenue, all city building costs recouped in full by 2031 (18 years) with net gain thereafter.

TOTAL PROJECT ESTIMATES

PROJECT ECONOMICS

- Site project estimate is \$5.8 mill in city/federal funds.
- Of that, \$450,000 is for retaining wall and \$550,000 for environmental work.
- Transit Center project estimate is \$1.9 M in city/federal funds.

SUMMARY OF REDEVELOPMENT

Redevelopment of existing parking lot
into vibrant downtown mixed-use place

Extension of Montpelier bike path

Transit center to serve CCTA, GMATA,
Greyhound

Revitalized green space along the
riverfront

Apartments for 30 new households in
the downtown



NEXT STEPS

PROJECT SCHEDULE (with a bit of history)

- Formation of Design Review Committee Nov. 2013
- Finalize purchase of Carr Lot property Jan. 2014
- Selection of Redstone and gBA / Wagner-Hodgson Feb. 2014
- City Public Information Process May 2014 – Sept. 2014

NEXT STEPS

- City Council Approval of Use and overall Site Redevelopment Plan Sept. 2014
- Conceptual Design / Design Development Sept. – Nov. 2014
- Local, State and Federal permit process (approx. 6-months) Nov. 2014 – May 2015
- Prepare 60% Building & Site Design Dec. 2014
- Draft Final (90%) Building & Site Design May – June 2015
- Construction Bidding & Negotiations June – July 2015
- Begin Construction August / Sept. 2015
- Complete Construction / Open Facility for Use Summer / Fall 2016

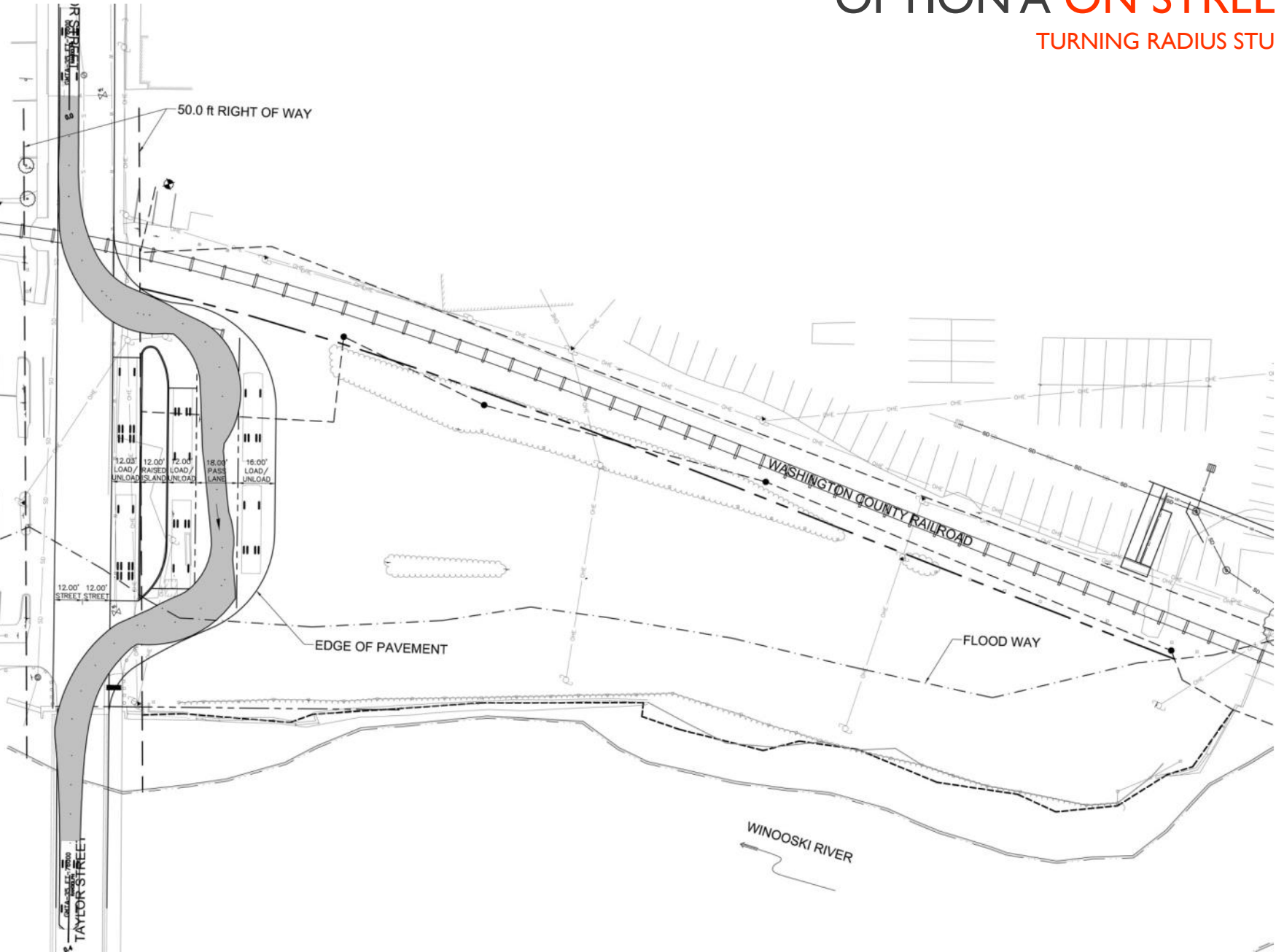
OPEN DISCUSSION



ADDITIONAL SUPPORTIVE INFORMATION

OPTION A ON STREET

TURNING RADIUS STUDY



OPTION A ON STREET

TURNING RADIUS STUDY



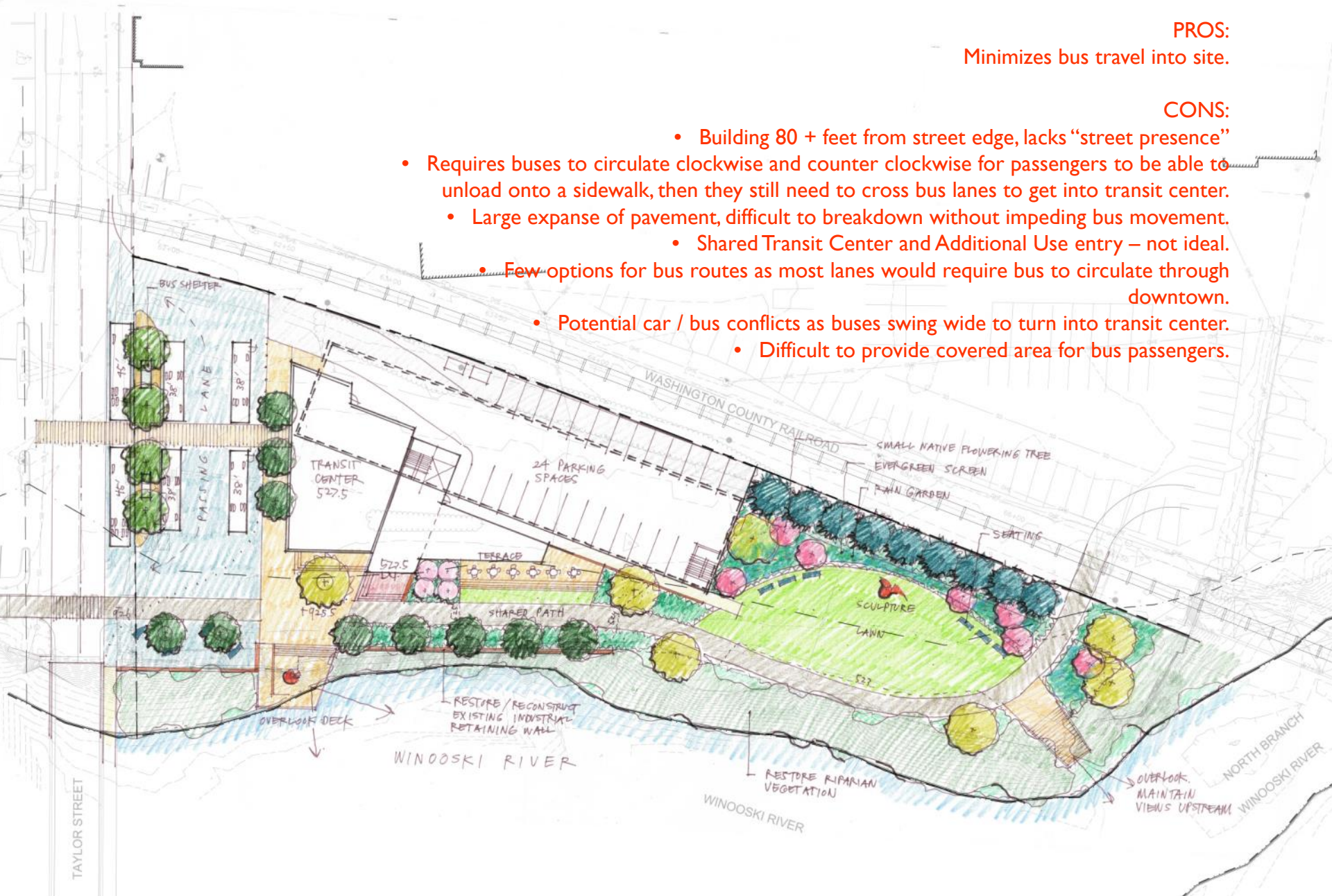
OPTION A ON STREET

PROS:

Minimizes bus travel into site.

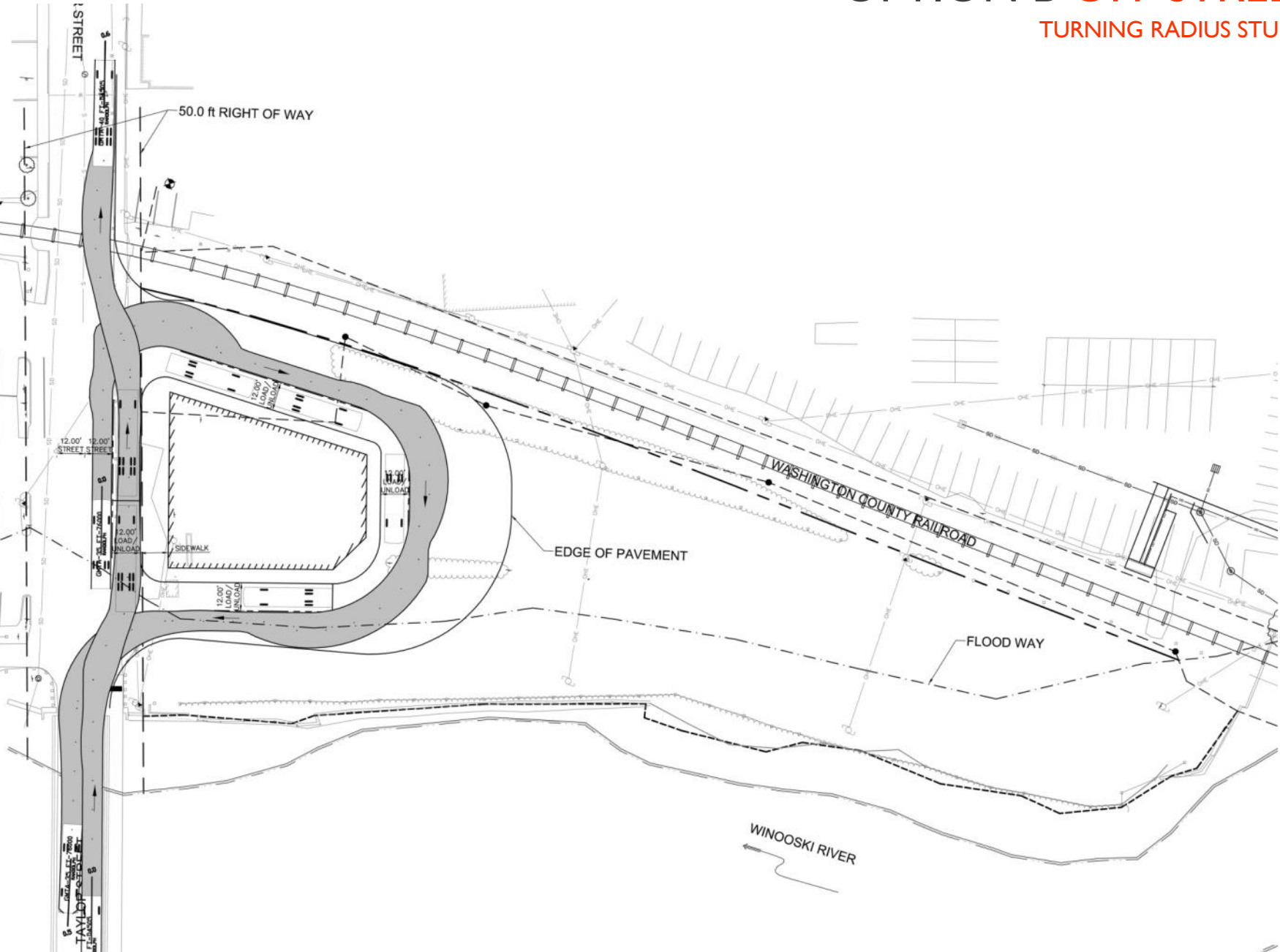
CONS:

- Building 80 + feet from street edge, lacks “street presence”
- Requires buses to circulate clockwise and counter clockwise for passengers to be able to unload onto a sidewalk, then they still need to cross bus lanes to get into transit center.
 - Large expanse of pavement, difficult to breakdown without impeding bus movement.
 - Shared Transit Center and Additional Use entry – not ideal.
 - Few options for bus routes as most lanes would require bus to circulate through downtown.
- Potential car / bus conflicts as buses swing wide to turn into transit center.
- Difficult to provide covered area for bus passengers.



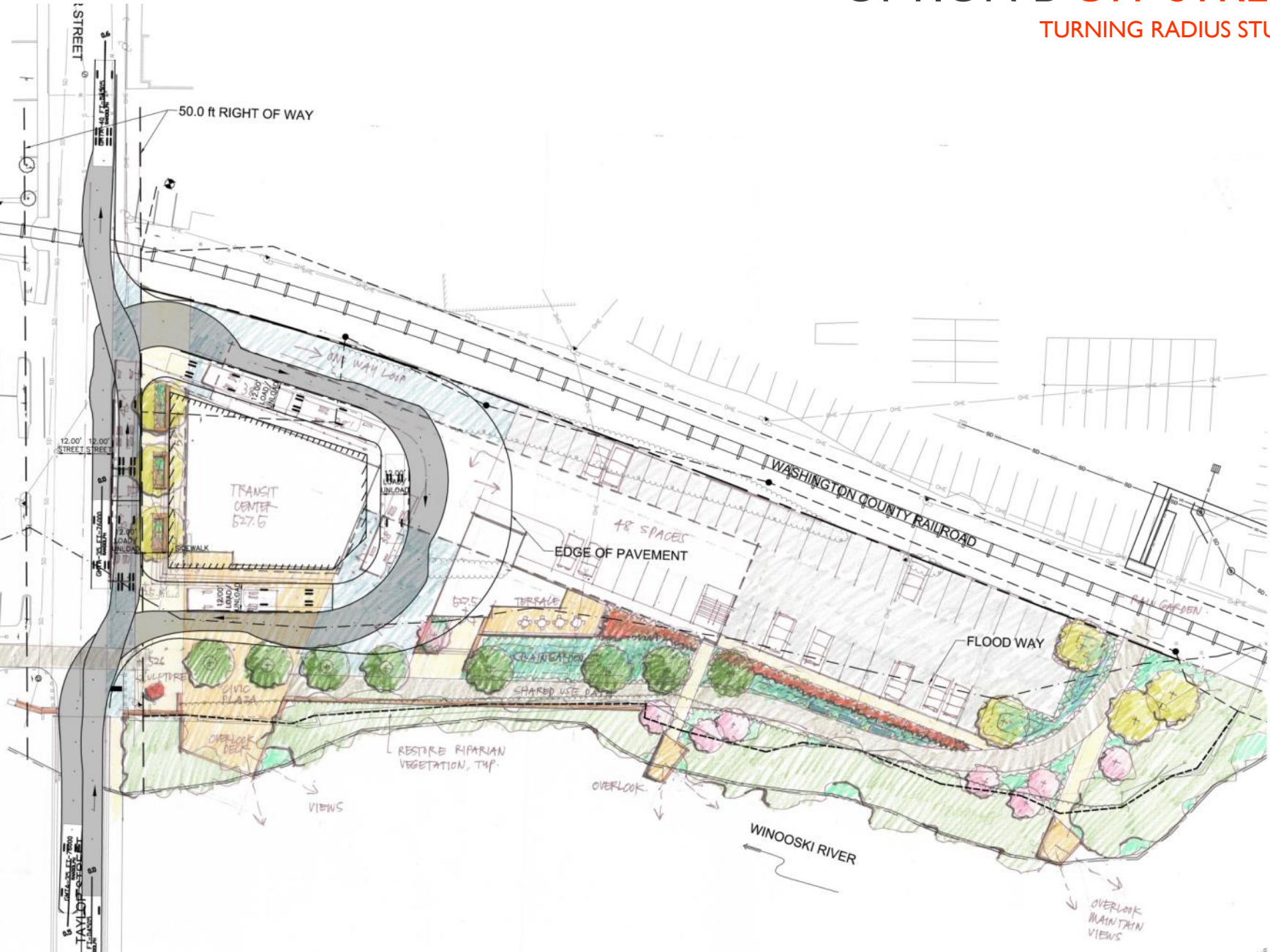
OPTION B OFF STREET

TURNING RADIUS STUDY



OPTION B OFF STREET

TURNING RADIUS STUDY



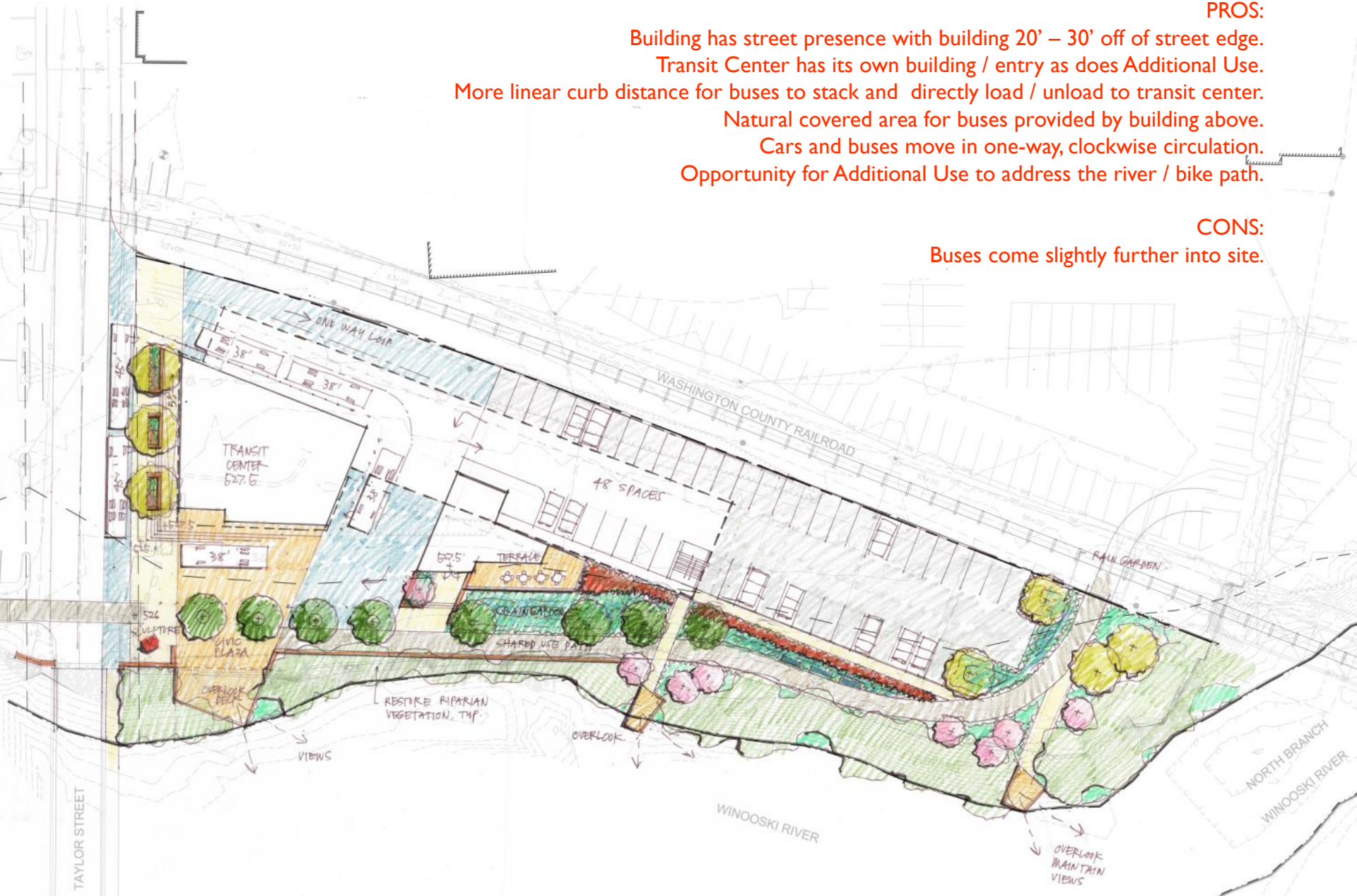
OPTION B OFF STREET PREFERRED

PROS:

- Building has street presence with building 20' – 30' off of street edge.
- Transit Center has its own building / entry as does Additional Use.
- More linear curb distance for buses to stack and directly load / unload to transit center.
- Natural covered area for buses provided by building above.
- Cars and buses move in one-way, clockwise circulation.
- Opportunity for Additional Use to address the river / bike path.

CONS:

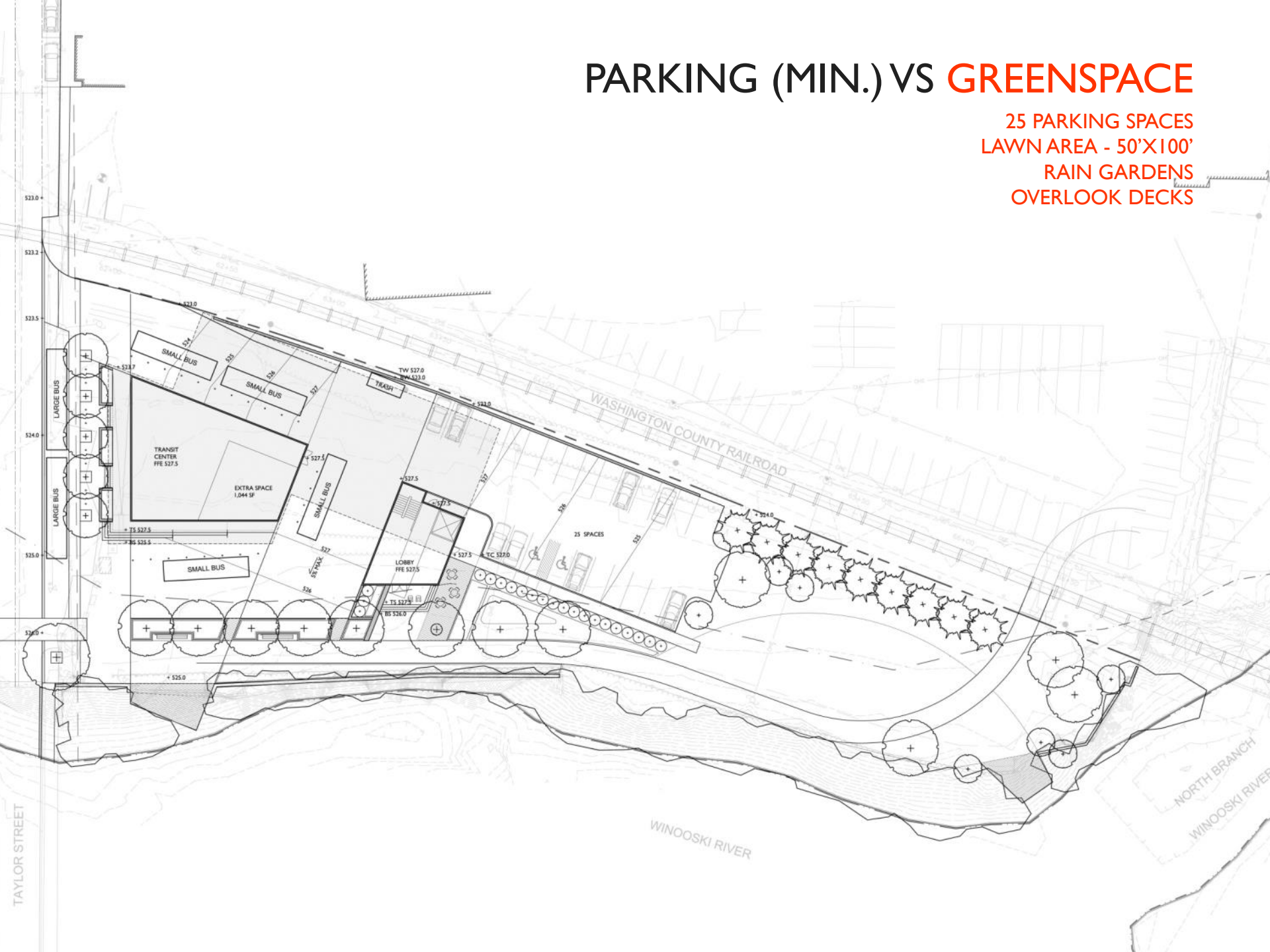
- Buses come slightly further into site.



PARKING (MIN.) VS GREENSPACE

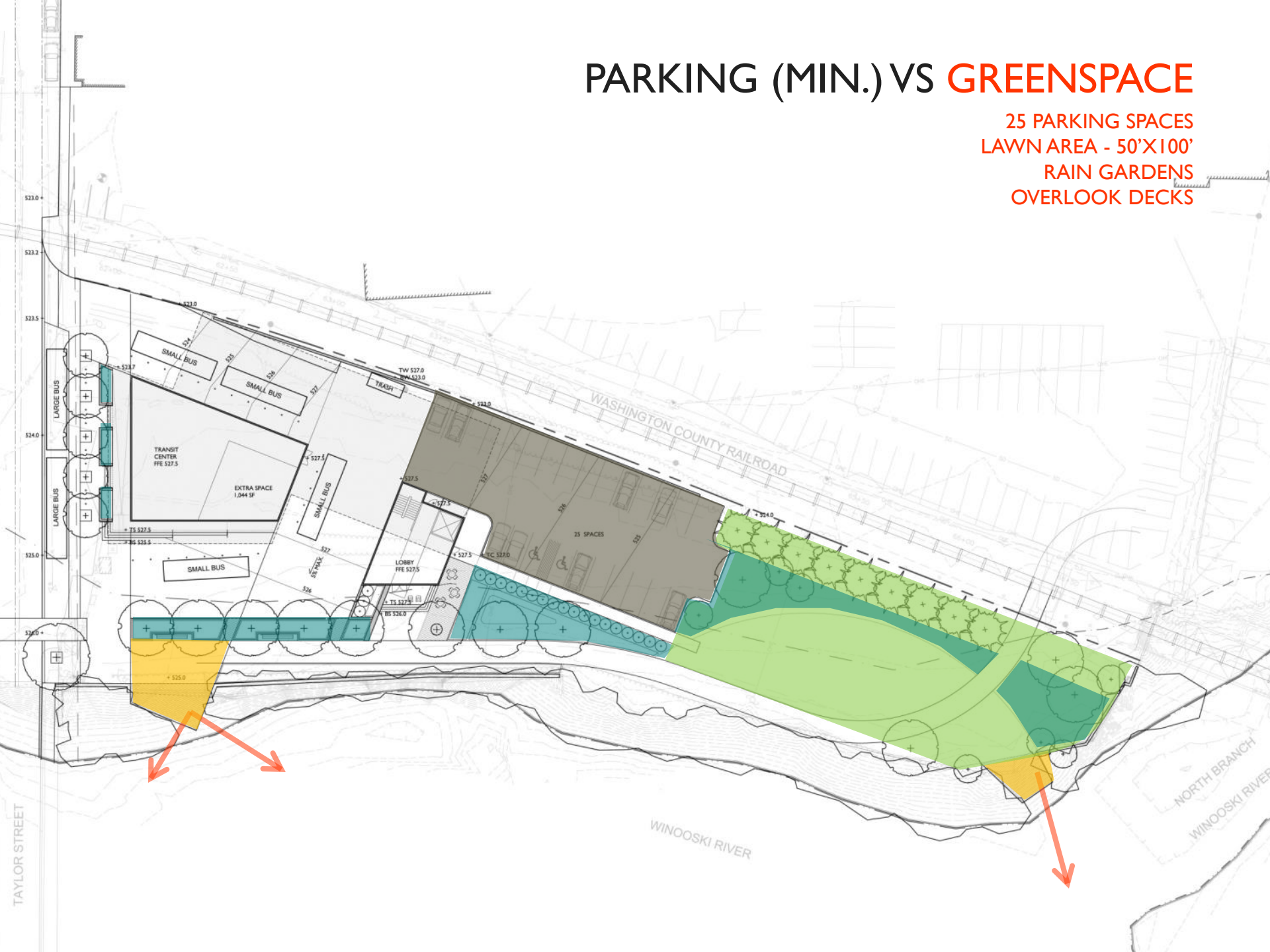
25 PARKING SPACES
LAWN AREA - 50'X100'

RAIN GARDENS
OVERLOOK DECKS



PARKING (MIN.) VS GREENSPACE

25 PARKING SPACES
LAWN AREA - 50'X100'
RAIN GARDENS
OVERLOOK DECKS

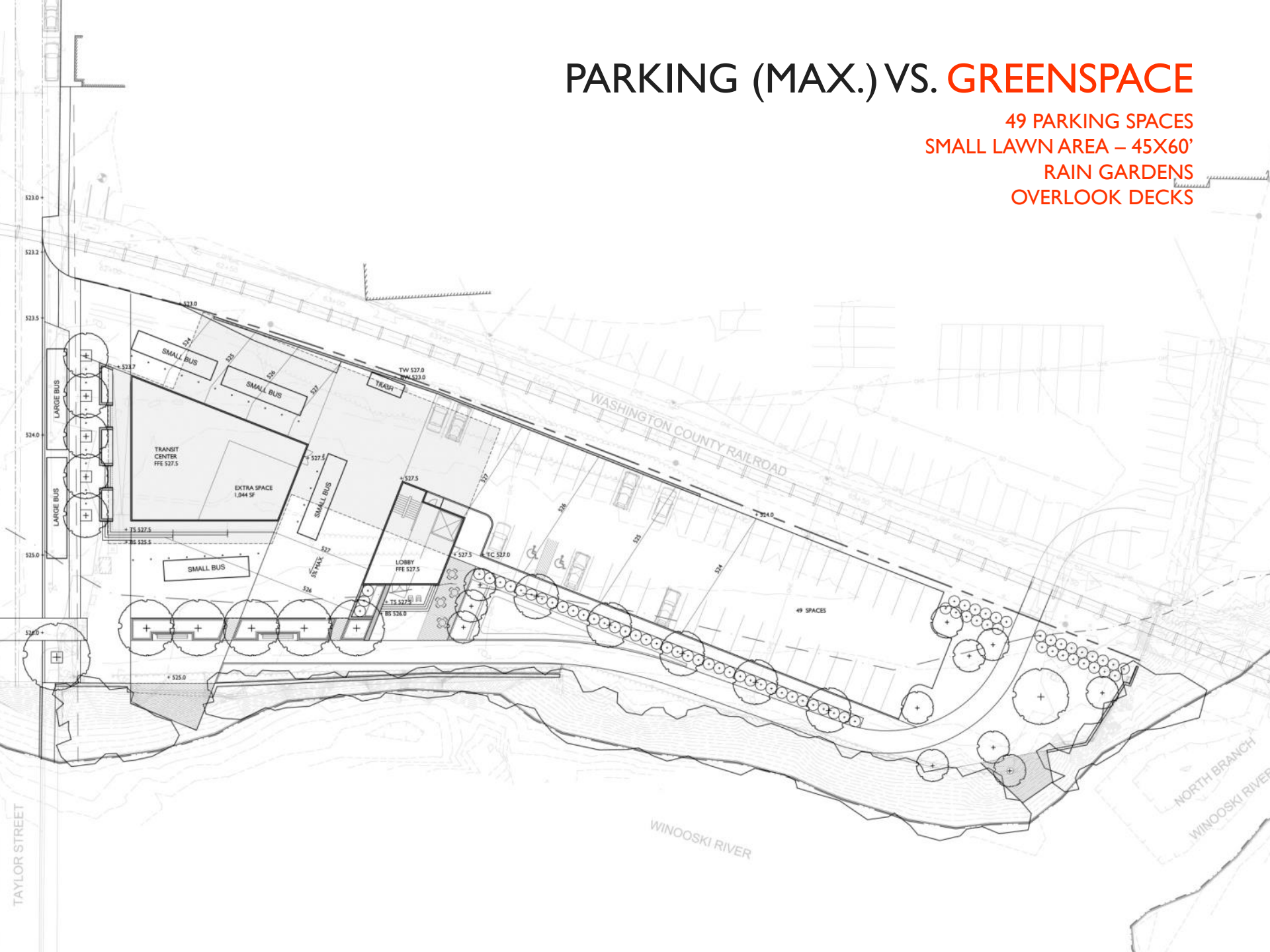


PARKING (MAX.) VS. GREENSPACE

49 PARKING SPACES

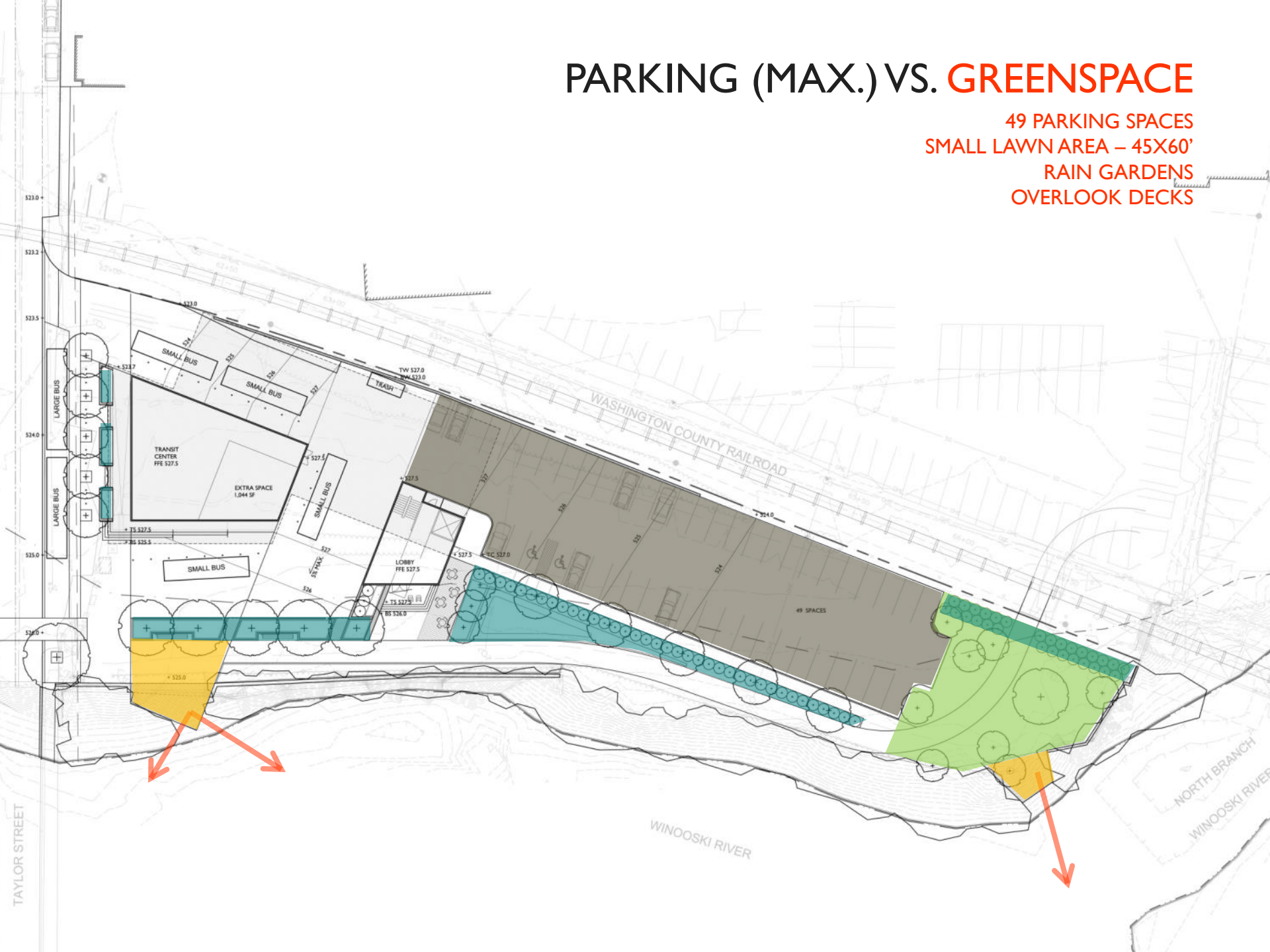
SMALL LAWN AREA – 45X60'

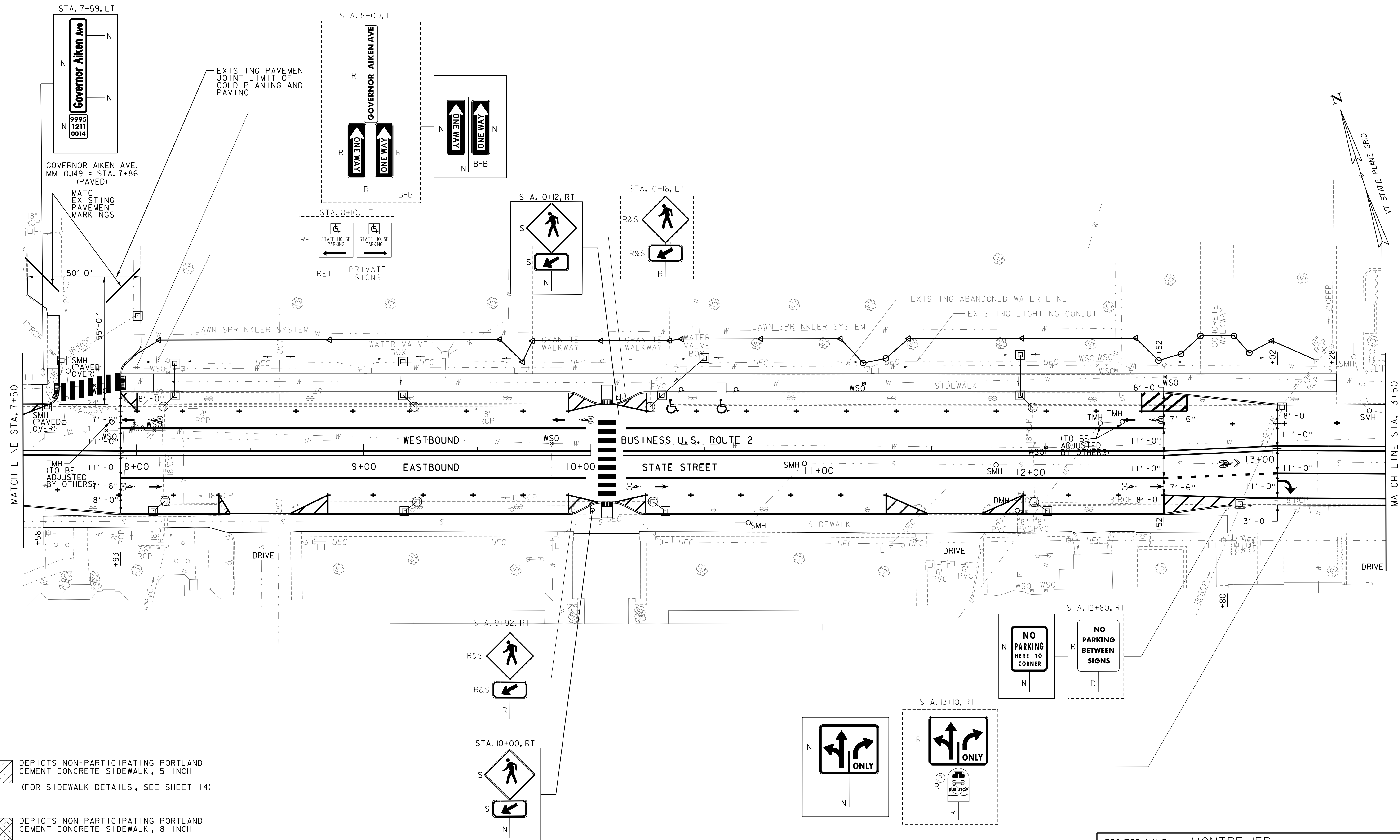
RAIN GARDENS
OVERLOOK DECKS



PARKING (MAX.) VS. GREENSPACE

49 PARKING SPACES
SMALL LAWN AREA – 45X60'
RAIN GARDENS
OVERLOOK DECKS





DEPICTS NON-PARTICIPATING PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH
(FOR SIDEWALK DETAILS, SEE SHEET 14)

DEPICTS NON-PARTICIPATING PORTLAND CEMENT CONCRETE SIDEWALK, 8 INCH
(FOR SIDEWALK DETAILS, SEE SHEET 14)

- NOTES:
- FOR LEGENDS, SEE SHEETS 3 & 17
 - ALL EXISTING SIGNS NOT SHOWN SHALL BE RETAINED.
 - ALL EXISTING DRIVES ARE PAVED UNLESS OTHERWISE NOTED.

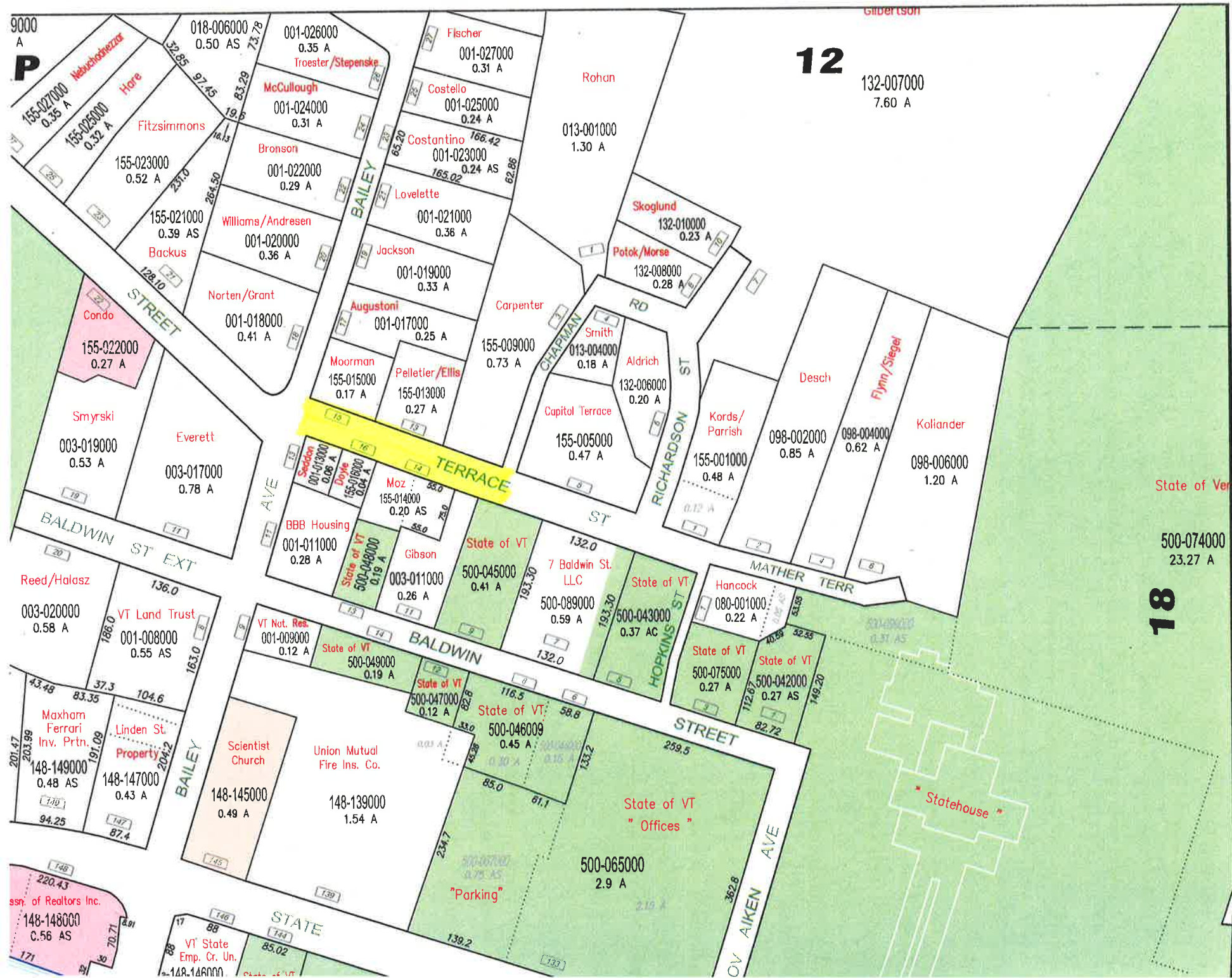
0 20 40
SCALE IN FEET



PROJECT NAME: MONTPELIER
PROJECT NUMBER: STP 2950(I)

FILE NAME: Alternative 1bdr.dgn
PROJECT LEADER: G. EDWARDS
DESIGNED BY: D. DRAPER
LAYOUT SHEET 3

PLOT DATE: 9/9/2014
DRAWN BY: D. DRAPER
CHECKED BY: J. LITTLE
SHEET 1 OF 1



12

18



89 Main Street, Suite 4
Montpelier, Vermont
05602-2948

Tel.: (802) 229-9111
Fax: (802) 229-2211

e-mail:
info@vlct.org

web:
www.vlct.org

To: Vermont Selectboards and City Councils

From: Sandra Harris, President, VLCT Board of Directors

Re: Voting Delegates at the VLCT Annual Business Meeting

Date: August 18, 2014

As part of Town Fair, the Vermont League of Cities and Towns will hold its annual business meeting at the Champlain Valley Exposition, Expo North **starting at approximately 2:00 p.m.** (or at the conclusion of the luncheon and awards program) on Thursday, October 9, 2014.

To ensure that all VLCT member cities and towns are properly represented and able to participate in the adoption of the 2015 Vermont Municipal Policy (the Legislative Platform of the Vermont League of Cities and Towns) and the election of League officers, we are asking you as your municipality's legislative body to designate **one** official from your town as a **Voting Delegate** for the meeting. This designation will ensure that each town is heard from and gets one vote.

Please inform us of your designation by Friday, September 12. Designations can be made on the date of Town Fair at the VLCT Information Booth if necessary.

Designated delegates can pick up their credentials card at the VLCT Information Booth located in the Expo North A building at the Champlain Valley Expo.

Only designated delegates will be allowed to vote at the annual meeting.

The attached document is *not* a Town Fair registration form. If you want to participate in the day's activities (workshops, trade show, and lunch), please complete and return a Town Fair registration form with payment or register online at <http://www.vlct.org/eventscalendar>. If you plan to attend only the annual meeting, please check the appropriate box on the attached voting delegate form.

Sponsor of:

VLCT Health Trust, Inc.

VLCT Municipal Assistance
Center

VLCT Property and Casualty
Intermunicipal Fund, Inc.

VLCT Unemployment
Insurance Trust, Inc.

Enclosure

VLCT ANNUAL BUSINESS MEETING

2:00-4:00 p.m.

(or upon conclusion of the luncheon)

Thursday, October 9, 2014

Champlain Valley Exposition
Essex Junction, Vermont

DELEGATE DESIGNATION FORM

We, the Selectboard/City Council of _____,
designate the following individual as the voting delegate for our city/
town at the 2014 Annual Business Meeting: _____

Name (please print)

Position

We understand that the above individual will represent the city/town
as a voting member of the VLCT membership.

Signed,

Chairperson

Date

Please complete and return by Friday, September 12, to VLCT, 89 Main Street, Suite 4,
Montpelier, VT 05602. You may also fax it to us at 802-229-2211, or bring it with you to
Town Fair.

Please note that this is *not* a Town Fair registration form. Visit our website,
www.vlct.org/eventscalendar, to download a copy of the attendee registration form or to
register online.

If you plan to attend only the VLCT Annual Meeting, please check below. There is no
charge to attend only the Annual Meeting.

☐ I will *only* be attending the Annual Meeting.