



**CITY OF MONTPELIER
MONTPELIER, VERMONT**

Agenda for City Council Meeting

City Council Chambers, City Hall

Wednesday, May 28, 2014

5:30 P.M.

- 1) 5:30 P.M. Call to Order by the Mayor
- 2) 14-130. Council will Recess for City Dump Road Site Visit (Off of Elm Street)
 - a) City Councilors will meet at the site to prepare for a Public Hearing scheduled to be conducted during the regular portion of this meeting; Council is being asked to consider the reclassification of this road.)
- 3) 6:30 P.M. Meeting will be Reconvened by the Mayor
- 4) 14-131. General Business and Appearances
- 5) 14-132. Consideration of the Consent Agenda:
 - a) Approve Minutes from the May 14th, 2014 City Council Meeting. 
 - b) Accept the bid proposal from H.P. Fairfield, Inc. of Morrisville, Vermont, for the dump body and related equipment and hydraulics for Truck #6, in the amount of \$46,810.00, and authorize the City Manager to sign all documents related to this purchase. (After purchase of cab and chassis, remaining amount in budget: \$55,626.60) 
 - c) Accept the bid proposal for a new half-ton pickup truck, submitted by Gateway Motors, White River Junction, Vermont, in the amount of \$12,476.00, plus the extended warranty in the amount of \$1,100.00, for a total price of \$13,576.00; also authorize the City Manager to execute all documents related to this purchase. (Included in the budget: \$24,000.00) 
 - d) Approve a "Finance, Right-of-Way, & Maintenance Agreement" between the State of Vermont Agency of Transportation (VTrans) and the City of Montpelier for a project entitled "Montpelier BO 1446(36)" Contract No. FM0124. 

- 1) This is in regards to the replacement of the Cummings Street Bridge (BR #13) which spans the North Branch of the Winooski River. The bridge project was accepted by VTrans as an eligible project in the Town Highway Bridge Program and received funding for the Scoping Phase which was completed by the Vtrans Structures Design Section.
 - 2) A publicly warned and advertised Alternative Presentation meeting was conducted on November 6, 2013. As a result of the public meeting discussion, Public Works staff review and with expertise provided by the VTrans Structures Project Manager, the full bridge replacement was selected as the recommended alternative to address this aging bridge.
 - 3) The recommendation was subsequently considered and accepted by the Montpelier City Council during their regular meeting of February 12, 2014. The Finance, Right-of-Way, & Maintenance Agreement is a standard agreement between the State and municipalities as the legal mechanism to establish and assign obligations, rights, responsibilities and the identification and allocation of project-related costs (including various cost implications should the project be cancelled by the municipality or State). In this case, the City of Montpelier will be responsible for 10% of project eligible costs with the State and Federal Highway Administration (FHWA) bearing 90% of the costs. The preliminary project cost estimate of \$1,580,000 will require a local share of \$158,000 which has been (or will be) included in the Capital Improvement Plan for FY 18 at which time expenses are expected to be incurred.
 - 4) The Public Works staff has reviewed the Scoping Report, project plans and agreement and recommends approval. A majority of the City Council will need to sign the agreement in the space provided to consummate this agreement.
- e) Consideration of awarding the contract for installation of a fire alarm system at the DPW Garage/Office Building to Vermont Life Safety LC in the amount of \$13,384.12.
- 1) This is a top-priority capital needs project to bring this building into safety code compliance and protect this asset.

2) The project was designed by Pearson & Associates of Stowe and then put out to bid. Six bids were received and opened Thursday, May 15, and were as follows:

i.	Vermont Life Safety LC Bolton, Vermont	\$13,384.12
ii.	Mountain View Security Systems Plainfield, Vermont	\$14,322.00
iii.	CE Wendel Electric Middlesex, Vermont	\$14,856.00
iv.	Norway & Sons Inc. Barre, Vermont	\$18,585.00
v.	Benoit Electric Inc. Barre, Vermont	\$18,680.00
vi.	Selectric LLC Worcester, Vermont	\$23,166.00

3) Funds for this project are available from the 2012 Bond – Capital Needs Assessment (CNA) funds.

4) Recommendation: Award of the contract for the fire alarm system at the DPW Garage/Office Building as recommended by staff to Vermont Life Safety LC in the amount of \$13,384.12 and designate the City Manager as the duly authorized agent to execute the contract documents.

f) Payroll and Bills

6) 14-133. Public Hearing for a Resolution to consider reclassifying a public highway known as City Dump Road (aka Stump Dump Road) from a Class 4 town highway to a Class 3 town highway. This action is recommended by the Public Works Department in support of a request from an adjoining property owner and is to be in accordance with VT Statutes, Title 19: Highways, Chapter 7: Laying Out, Discontinuing, and Reclassifying Highways.

a) WHEREAS:

b) 19 VSA 708(a) permits the City Council to initiate proceedings to consider reclassification of a municipal highway.

- c) City Dump Road is considered a class 4 town highway 0.3 miles in length as identified on the Vermont Agency of Transportation highway map for the City of Montpelier. City Attorney J. Paul Giuliani provided an opinion letter in 2005 stating "...it is safe to assume that City Dump Road is a Class 4 highway...". He also pointed out ".... that the City has fee ownership over the land which City Dump Road is located."
- d) In April, 2011, the Montpelier Development Review Board approved a two lot subdivision for the adjoining property owned by Bryndle, LLC. The access to one of the lots was to be provided by City Dump Road. As a condition of the subdivision approval, the Applicant first needed to secure an access easement from the City of Montpelier to connect the lot to City Dump Road.
- e) During its regular meeting on January 12, 2011, the Montpelier City Council granted an easement to Bryndle, LLC for construction of a driveway and bridge across a portion of City's property. Upon recommendation of the Public Works Department, approval was also granted to undertake certain upgrades and alterations of City Dump Road in preparation for reclassification. The upgrades and alterations have now been completed and approved by the Director of Public Works.
- f) On April 9, 2014, in accordance with 19 V.S.A § 709, "Notice and Hearing", the City Council established the time and date for examining the premises and hearing the persons interested, and gave 30 days notice to persons owning or interested in lands through which the highway may pass or abut, of the time when they will inspect the site and receive testimony, as well as giving notice to the Planning Commission, and posting and publishing notice of the hearing. (see full text of statute). Said date and time, as duly warned and notice given thereof, was **May 28, 2014 at 5:30 PM for inspection of the highway; with the hearing to be held on the proposed reclassification to follow at City Council Chambers at 6:30 PM.**
- g) Per 19 V.S.A. § 710, "Survey or Order of Discontinuance", after examining the premises and hearing any interested parties, and if the selectmen judge that the public good, necessity, and convenience of the inhabitants of the municipality require the highway to be reclassified, they shall cause the highway to be surveyed if the bounds of the original highway right-of-way cannot be determined. (see full text of statute).

- h) Resolution: After considering the information presented by the Public Works Director and the recommendation for reclassification, and the inspection made May 28th by members of the City Council, and upon consideration of testimony provided by the public and interested persons, The City Council hereby approves the reclassification of the 0.3 mile segment of City Dump Road from a Class 4 to a Class 3 highway. The City Council further authorizes the City Public Works Director to obtain a metes and bounds survey by a licensed land surveyor so the true bounds of the roadway can be properly located and legally recorded.
- 7) 14-134. Second Reading/Public Hearing for proposed amendments to the Downtown Improvement District (DID) Ordinance. 
 - a) Council conducted the First Public Hearing on May 14th; minor changes were made and are shown in the attached copy.
 - b) Recommendation: Conduct the Second Public Hearing; approve the ordinance, with or without further amendments.
- 8) 14-135. Presentation of Montpelier Alive's proposed budget for Downtown Improvement District Funds, FY 15.
 - a) Montpelier Alive Board members will present the proposed budget.
 - b) Recommendation: Receive presentation; opportunity for discussion; provide input and approve the proposed budget.
- 9) 14-136. Continuation of Second Reading/Public Hearing for a City Fireworks Ordinance, specifically for use by private citizens. 
 - a) Safety issues have become a concern for fireworks displays being set off by private citizens rather than a licensed professional company.
 - b) Fire Chief Bob Gowans drafted a new ordinance which Council reviewed during a second public hearing held at their May 14th meeting. Issues were raised that needed further review by a City Attorney.
 - c) Staff has a new copy, with requested revisions included.
 - d) Recommendation: Continue Second Public Hearing; approve the ordinance, with or without further amendments.

- 10) 14-137. Presentation by Rick DeAngelis, Montpelier's Town Service Officer, on homelessness in Montpelier and Central Vermont. 
- a) In his report, Mr. DeAngelis hopes to address the following questions:
- 1) *How many people are homeless in Montpelier and in Central Verrmont?*
 - 2) *What are the causes of homelessness?*
 - 3) *What services are most essential to addressing the needs?*
 - 4) *What can the City or its citizens do to help?*
- b) Recommendation: Receive presentation; opportunity for discussion.
- 11) 14-138. Kim Brittenham, Chair of the Montpelier Americans with Disabilities Act (ADA) Committee, will present an update on the Committee's recent efforts.
- 12) 14-139. Presentation by Ann Gilbert, Director of Central Vermont New Directions Coalition.
- a) Items that she would like to talk with Council about include:
- i) CVNDC's work in the community and how it supports the City's goals of becoming a pedestrian-friendly city, and *promoting a vibrant downtown.*
 - ii) CVNDC as a resource, i.e. 802 Quits smoking cessation and signage and media.
 - iii) Current information about smoke-free initiatives and examples from other towns.
 - iv) October 17, 2013 meeting with the Montpelier Parks Commission, and their vote in favor of Montpelier's city parks becoming a smoke-free zone.
 - v) CVNDC's hope that Council will approve designating Montpelier city parks as smoke free.
- b) Recommendation: Receive presentation; discussion; direction to CVNDC and/or staff.

- 13) 14-140. Chris Andresen, Chair of the City's Pedestrian Advisory Committee will provide an update from the Committee and present the City's draft application to ***Walk Friendly Communities***.
- 14) 14-141. Consideration of a request from Gary Schy for an “exploratory committee to study the need for a “Citizens Oversight Board”.
- a) Mr. Schy’s letter requesting this discussion, and outlining a more detailed reason for his request, is attached.
 - b) Recommendation: Discussion with Mr. Schy; possible direction to staff.
- 15) 14-142. Appointment of a City Representative and Alternate to the Central Vermont Regional Planning Commission. 
- a) According to CVRPC’s Bylaws, town representatives and alternates serving on the Commission are to be appointed annually, or re-appointed if that’s the municipality’s preference. CVRPC staff realizes that it is ideally better to have an alternate, as well as a Commissioner, but they recognize that it is not always possible to find two willing volunteers.
 - b) Staff has communicated with the City’s current representative and alternate, Tina Ruth and Kimberly Cheney. Tina would like to continue serving as the City’s rep; Kim has agreed to stay on as the alternate as well.
 - c) Recommendation: Reappoint Tina Ruth as the City’s representative, and Kim Cheney as the alternate, to the CVRPC.
- 16) 14-143. Set the summer schedule for City Council Meetings.
- 17) 14-144. Reports by City Council
- 18) 14-145. Mayor’s Report
- 19) 14-146. Report by the City Clerk
- 20) 14-147. Status Reports by the City Manager
- 21) *Adjournment*

Memorandum

TO: Montpelier City Council
FROM: Kim Brittenham, Chair, ADA Committee
CC: ADA Committee Members
DATE: May 22, 2014
RE: Update City Council on ADA Committee Activities

The ADA Advisory Committee consists of seven members appointed by the City Council: the acting ADA Coordinator, Assistant Director of Public Works, a City Council Representative, a Representative from the Montpelier School System, and three community residents. Its duties are to address access issues and monitor ADA compliance in the City. The committee is currently working on assessing municipal buildings for ADA compliance to create an inventory of access improvements to be made, and advise the City Council on issues related to accessibility and disability as they arise.

The ADA Committee's continuing mission is to (1) coordinate and monitor City ADA compliance; (2) provide guidance and evaluate efforts to improve access to City facilities and programs; (3) develop procedures to identify and correct access deficiencies, including access to communications; (4) advise the City Council regarding compliance-related issues and recommend appropriate remedial actions; (5) field complaints alleging the City's noncompliance with ADA; (6) connect City and community to achieve greater awareness of the ADA.

The following access improvements have been made as a result of the work of the Montpelier ADA Committee over the past two years.

Municipally owned facilities:

Capital Needs Assessment of 2012 guided building improvements in City Hall: auto door entrances, City clerk desk, door hardware

Pool building on Elm Street has improved access in: bathrooms, changing areas, showers, accessible routes to pool from bathhouse

Municipal Program Improvements:

Parking

- Accessible Parking Fines Raised at recommendation of Police to reflect the new fee structure (\$200 ticket) set by state statute for illegally parking in accessible parking spaces in 2012
- Two accessible on-street parking spaces were added at Main & School 2012

Sidewalks

- New auditory warning systems installed at main intersections in 2012
- 25 miles sidewalks assessed in 2013
- Snow removal priorities identified and maintained
- Construction engineers for District Heat Project participated in walk-through to improve construction area accessibility for people with visual impairments summer 2013
- Elm Street pedestrian sidewalk improvements being made through state grant; construction begins June 2014

Events

- Montpelier Alive events consider and plan for accessibility; new capital cash design reviewed for visual accessibility
- Mountaineers Games have accessible temporary bathrooms & accessible shuttle bus
- Montpelier events including July 3rd , Farmers Market and ball games provide accessible bathrooms

Administrative

- Assistant City Manager joined committee in 2013
- Building Code Officer joined committee in 2013

- New Committee member, resident Diane Richardson joined 2014
- All City produced materials (minutes, agendas, etc) are circulated in PDF accessible for screen readers for people with visual impairments

Montpelier Public School System conducted assessment of its buildings in 2012 and passed its school facilities bond with support of voters in 2013, and is now making substantial access improvements including rebuilding pedestrian access through the parking area and entrance at the high school and improving way-finding signs in all three schools.

Committee Priorities for 2014:

Increase ADA Committee Involvement

- Solicit new committee members
- Keep City Council Members Updated Quarterly
- Encourage Montpelier Alive participation/engagement
- Summer Solstice – guide vendor for accessibility
- Broadcast partner potential for VCIL biz awards/24th ADA Anniversary

Administrative Priorities:

- Review City's Employment Practices for ADA Transition Plan
- Get legal review of Montpelier's Updated ADA Transition Plan
- Identify training needs of staff for access assurances
- Building Code Office: Document process for assuring ADA compliance & referrals for state Access Board variance requests
- Montpelier Recreation Department: Board approval of scoping project for allocation of funds (20-30k) for planning solution to the inaccessible facility on Barre Street
- Montpelier School System: develop plan with Rec Dept for achieving ADA compliance for programs & services

Facility/Program Priorities:

- City Clerk desk rebuilt/access added, City Hall voting assessment improvements
- Public Works Department:
- Review Snow Removal Plan & Post Storm Walk-Through
- Monitor Taylor Street & Bike Path
- Training for staff & construction contractors
- Public Schools: monitor improvements identified school facilities bond, improve way-finding each school (signs)

Central Vermont New Directions Coalition

73 Main Street #33 Montpelier, VT 05602 (802) 223-4949 agilbert@cvndc.org

May 16, 2014

Montpelier City Council
City Hall, 39 Main St.
Montpelier, VT 05602-2950

Re: Request for a Meeting

Dear Montpelier City Council Members:

On behalf of Central Vermont New Directions Coalition, I am writing to request the opportunity to be scheduled as an Agenda item to meet with you at the next available City Council meeting.

I am Ann Gilbert, Director of Central Vermont New Directions Coalition, a local non-profit organization committed to making a difference in youth substance abuse prevention in our community. CVNDC was established in 1998 in response to community need following the alcohol related crash that killed two Montpelier high school students. We serve the needs of youth and families in Montpelier and the five towns in the U-32 district; Berlin, Calais, East Montpelier, Middlesex, and Worcester. Our fiscal agent is Washington Central Friends of Education and we work closely with Community Connections, after school and summer programming, which provides learning activities for youth. We are funded through grants from the Vermont Department of Health, the Vermont Agency of Education, and have had federal SAMHSA grants in the past as well. We work in partnership with the schools, businesses, parents, youth, law enforcement, and local officials to educate and promote public health and prevention messages related to tobacco control, alcohol and drug abuse, and physical activity and nutrition. We feel proud and successful to be part of this Montpelier community that supports healthy lifestyles for our residents and visitors.

During our meeting with you, we would like to talk about:

- Our work in the community and how it supports the city's goals of becoming a pedestrian-friendly city, and *promoting a vibrant downtown*
- CVNDC as a resource, ie. 802 Quits smoking cessation and signage and media
- Current information about smoke free initiatives and examples from other towns
- October 17, 2013 meeting with the Montpelier Parks Commission, and their vote in favor of Montpelier's city parks becoming a smoke free zone.
- Our hope that you will approve designating Montpelier city parks as smoke free

I will call your office to confirm receipt of this letter and to speak with your scheduler about a specific meeting date and time. Thank you in advance for the opportunity to meet with you.

Sincerely,

Ann Gilbert

Minutes of the Montpelier City Council Meeting
May 14, 2014
Montpelier City Hall Council Chambers

In attendance: Mayor John Hollar (presiding), City Councilors Thierry Guerlain, Jessica Edgerly Walsh, Justin Turcotte, Dona Bate, Anne Watson and City Manager Bill Fraser. Councilor Tom Golonka was not present. City Clerk John Odum acted as Secretary of the meeting.

The Mayor called the meeting to order at 6:31 PM.

- 14-116. Bill McQuiggan read a statement objecting to the impact of the road construction on River Street, as well as the communication from the city, as an affected business owner. City Manager thanked Mr. McQuiggan for bringing some of the specific issues (such as the placement of construction equipment) to his attention, and reviewed the outreach that was done before the most recent project commenced.

Councilor Watson asked about the procedures for informing business owners under these types of circumstances. Councilor Edgerly Walsh requested that projects of this magnitude be reviewed in council meetings. Councilor Turcotte elaborated on concerns about the impact of the closing of Barre Street on the River Street project.

Councilor Edgerly Walsh asked that an update on the paving schedule on Barre Street be included in a future meeting.

Mayor Hollar made note of the recent Times Argus article regarding the legality of council votes by email, reminding the councilors that votes on city business via email (as well as policy discussions) were not proper.

Vicki Lane noted to the council that they were very difficult to hear on the public access live stream.

- 14-117. Councilor Watson moved approval of the consent agenda without item b). Councilor Bate seconded. The motion carried unanimously.

Meg Schulz came forward at Councilor Watson's request to expand on item c) from the consent agenda (the "Park in the Street" event).

- 14-118. Energy Committee Chair Dan Jones introduced the discussion of filling the two open Energy Committee positions. Mr. Jones spoke in favor of candidates Barbara Conrey and Geoff Fitzgerald (both of whom were present), and suggested the council consider expanding the committee by one to include the third applicant, Scott Muller (not present).

Ms. Conrey addressed the council on her qualifications and interest in serving on the committee, and was followed by Mr. Fitzgerald discussing his own interest and qualifications.

Councilor Guerlain moved that Barbara Conrey, Geoff Fitzgerald and Scott Muller be appointed to the Energy Committee. Councilor Turcotte seconded. The motion carried unanimously at 6:56.

- 14-119. Polly Nichol of the Vermont Housing Conservation Board (VHCB) and the City's Housing Task Force gave a presentation to the council on the issue of affordable housing in Montpelier, contrasting trends in the city negatively against the goals of the two bodies. She discussed some of the policies that have been used elsewhere to encourage affordable housing.

Fire Chief Gowans responded to Councilor Watson's questions about the sprinkler ordinance in the context of accessory apartments. He expressed his view that the sprinkler ordinance was not an impediment to construction of housing.

Councilor Guerlain asked Ms. Nichol where older residents were moving when they left the city. Ms. Nichol did not have data on that question. Mr. Guerlain went on to ask about specific numbers of units in the city.

A discussion of general perceptions on the city's openness to development followed.

- 14-120. Jesse Jacobs of Montpelier Property Management, and PJ McHenry from ArtsRIOT briefed the council regarding a Food Truck Stop pilot event for Montpelier, modeled after the ones ArtsRIOT puts on in Burlington to great success. Councilors as well as the Mayor had questions about the choice of location. Councilor Edgerly Walsh also had questions about the impacts on local restaurants.

Councilor Turcotte asked Mr. McHenry to review the logistics of the event and offer his projections of possible participation and attendance. Councilor Bate expressed concerns about the impact on parking, and the subsequent impact on local businesses. Mr. Jacobs took a moment to discuss the event's financing.

Councilor Guerlain moved the Council approve the use of the Jacobs lot for the Food Truck Stop pilot event as proposed, to include review and approval from public safety authorities, as well as signage indicating the lots closure. Councilor Edgerly Walsh seconded. The motion carried unanimously at 7:53.

- 14-121. The Mayor initiated the first reading/public hearing for amendments to the Downtown Improvement District (DID) Ordinance at 7:54. The City Manager reviewed the proposal.

Councilor Edgerly Walsh suggested an adjustment requiring a publicly warned hearing/review for DID expenditures proposed by any privately contracted or designated agent. Mayor Hollar suggested adding a subsection to that effect, and expanding it to include a hearing requirement for any expenditure at Councilor Bate's suggestion.

The Mayor also noted a technical change to Section 16 (202) removing an outdated reference.

Councilor Edgerly Walsh moved that the ordinance pass the first public hearing and that the second public hearing be scheduled for the next council meeting. Councilor Bate seconded the motion. The motion carried unanimously at 7:58.

- 14-122. The second reading/public hearing for a City Fireworks Ordinance, specifically for the use by private citizens was opened at 7:59. Fire Chief Gowans came forward to assist in the discussion. The City Manager noted that requested changes from the previous hearing had been made, but that the document as amended had not been reviewed by the city's attorney.

Councilor Edgerly Walsh noted that the term "fireworks" appeared in the definition of "fireworks" within the proposal, and suggested language to specifically protect property.

Chief Gowans noted that the definition reflects state language. Similarly, the Mayor objected to the use of the term "recklessly" in reference to defiance of the ordinance.

Councilor Turcotte asked about the penalties, and possibility of changing the lead-time requirement for obtaining permission under the ordinance. Chief Gowans stood by the timeframe as proposed.

Page Guertin had questions about what sort of fireworks were covered.

Monique Signorat had concerns that the city attorney who had reviewed and modified the ordinance was the person responsible for fireworks that had repeatedly landed on her property. She asked that the language be reviewed by another.

Councilor Guerlain had questions about enforcement of the ordinance.

The Mayor closed the second public hearing at 8:09. No action was taken on the ordinance, so that it could undergo further legal review.

- 14-123. Councilor Guerlain had questions about the genesis of the agenda item calling for consideration of installation of public Wi-Fi in the downtown area. The Mayor and City Manager indicated it had come from them in response to discussions which had occurred with a corporate interest who had broached the topic with city agents.

Councilor Bate moved that the proposal be pursued and investigated, and that other cities' comparable services be examined. Councilor Watson seconded. The motion passed 4-0 (Councilor Edgerly Walsh was not present at the time of the vote).

The Council took a recess at 8:15. The Council reconvened at 8:20. Councilor Edgerly Walsh returned to the meeting.

- 14-124. At the outset of the discussion of the 2014-15 City Council Goals and action steps, Councilor Edgerly Walsh asked for clarification regarding language referencing energy goals. Mayor Hollar had questions about a sentence referencing public safety

ordinances, quality of life and restorative justice. The City Manager suggested removing the phrase referencing quality of life to make the goal clearer.

Councilor Bate asked whether the investigation of parking structures had been adopted as a formal goal. The Mayor and Councilor Edgerly Walsh recalled that it had been. Councilor Bate expressed a preference to include references to other parking alternatives, and felt that a standalone parking structure reference was too specific. Councilor Turcotte expressed strong support for the emphasis on downtown parking. Councilor Guerlain spoke supportively of parking structures specifically.

Councilor Edgerly Walsh suggesting including examining satellite parking options into the language of the goal, alongside the structure reference. Councilor Turcotte concurred. It was noted that references to satellite parking were included in another sentence.

Councilor Watson encouraged a well-rounded approach to parking, given the net zero goals.

Councilor Turcotte suggested adding language to create metrics towards achieving the street improvement “steady state” paradigm.

Councilor Watson moved approval of the draft goals. Councilor Guerlain seconded. The motion carried unanimously at 8:34.

- 14-125. Richard Sheir came forward to discuss the City’s website with the Council. Before beginning his discussion, he made note of some of the work of the Parking Committee (on which he sits) in the context of the discussion immediately prior. He also noted that discussions with Jesse Jacobs about replacing parking displaced during the ArtsRIOT events were underway.

Regarding the website, Mr. Sheir promoted the use of the “Stat counter” widget to measure web traffic. He then noted that the business tab on the city website did not include his wife’s business (The Quirky Pet), but that it did include Black Sheep Books which had been closed for the last year.

M. Sheir offered perspectives on examining the efficacy of the website going forward, and suggested that Montpelier Alive’s DID website be hosted as an independent facet of the city’s website, rather than budget for a completely distinct site.

The Mayor suggested the Council get an update on the progress on a new city website in an upcoming meeting.

- 14-116. Page Guertin raised the topic of Berlin Pond, noting that the state was moving forward with the town of Berlin on preparing for a boat ramp, despite the petitions currently under review by the Agency of Natural Resources. She urged anyone listening to do everything they could to protect the city’s drinking water supply.

- 14-125(a) Councilor Watson reported on the progress of the Request for Proposals (RFP) for the city photovoltaic project, explaining why the committee decided to reissue the RFP. Councilor Bate commended the committee on their work.
- Councilor Watson referenced Duane Wells' parking proposal from the previous meeting. She hoped that the discussion could accelerate.
- Finally, Ms. Watson noted the maintenance on the bike path before asking if the Council would be considering changes to the summer meeting schedule (the consensus was to discuss the schedule at the next meeting).
- Councilor Bate passed around copies of a survey she is passing out to downtown businesses regarding communication and partnership with the city and elaborated on her concerns in that regard.
- Councilor Bate noted a noise complaint relating to a business in her district. Councilor Watson suggested that the Community Justice Center could provide moderation services. City Manager Fraser noted that the noise ordinance might attach.
- Councilor Guerlain asked about progress on replacing the microphone set up for public testimony. Mr. Guerlain also noted he was looking forward to the new Planning Director's arrival, and hoped he could further the discussion of further developing the Blanchard Lot (as per his proposal from the last meeting). He noted he had received many constituent contacts on the issue.
- Mr. Guerlain relayed a constituent contact regarding the condition of Spring Hollow Road.
- Councilor Turcotte noted the upcoming rummage sale at the Senior Center. He also repeated his concerns about Barre Street's closure.
- 14-126. Mayor Hollar noted that the city charter changes and the public safety authority charter were approved by the legislature, noting that it would allow for the upcoming Rialto Bridge parklet. He noted that he had received interest on more parklets from downtown merchants.
- Mr. Hollar also encouraged Councilors to join him in the Memorial Day parade.
- Finally, the Mayor indicated he had been asked to participate in a panel to discuss community renewable energy and affordable housing.
- 14-127. The City Clerk noted that taxes were due the next day, and that he was now able to receive Primary petitions for major party candidates, General Election petitions for Independent candidates and statements of nomination for minor party candidates (until June 2).

14-128. City Manager Fraser noted that Mark Miller would be starting as Panning Department Director soon. He also noted that next Wednesday was the next 1 Taylor Street public event, and that the Corporate Cup was scheduled for tomorrow (the 15th).

Mr. Fraser referenced the recent the shooting of a police officer in Brentwood NH to express his appreciation for the work of the city police department.

14-129. Councilor Watson moved that the Council go into Executive Session to receive a review of a tentative agreement with the Department of Public Works Union. Councilor Edgerly Walsh seconded. Motion carried unanimously at 9:05.

At 9:15 Councilor Guerlain motioned (seconded by Councilor Watson) to return to open session. The motion carried unanimously. Councilor Guerlain then moved the council adjourn, and was again seconded by Councilor Watson. The motion carried unanimously.

City of Montpelier
Department of Public Works
Memorandum

To: William Fraser, City Manager

From: Todd Law, P.E., Director of Public Works 
Thomas McArdle, Assistant Director

Date: March 20, 2014

Subject: Reclassification of a Town Highway – City Dump Road

With the assistance of City Attorney John Riley, we have prepared the attached draft resolution for City Council consideration at an upcoming regularly scheduled meeting. The resolution provides a brief explanation of the actions and events leading to this proposal with a recommendation for reclassification.

This town highway has served as the sole access to the City's so-called "stump dump" property and it is also the only means of access for one undeveloped parcel while serving as the preferred access to the now subdivided property formerly owned by Bryndle, LLC. A review conducted in response to the Ancient Roads legislation revealed the likely existence of a town road in this location providing property access sometime before the City acquired the overall parcel. A record of formal dedication and acceptance of the road as a town highway was not located. Although a deed specific to the road was also not found, the record shows that the city of Montpelier originally acquired the property in 1897 as part of the old so-called "Poor Farm" (formerly known as "City Landfill") and has held continuous title to the property since that time. A portion of the original Poor Farm lot which adjoins Elm Street was sold & deeded in 1958 but reserving a strip of property adjacent to the brook 30' in width for the first 170' length of the road connecting with Elm Street. The bounds of the remaining road length is contiguous with the City's property and unmapped.

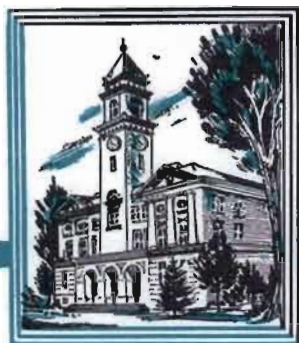
In a letter from City Attorney Paul Giuliani dated June 22, 2005, he states that "...it is safe to assume that City Dump Road is a Class 4 highway at least to the point where it branches out along internal roadways...." (copy attached). This opinion appears consistent with 19 VSA § 717. "Evidence of Highway Completion or Discontinuance". Accordingly, we are now proceeding along this course; that it is a town highway, it is a Class 4, and it is identified on the official highway map of Montpelier as recorded in the Land Records of the City Clerk's office.

With title to the road appearing to be on solid ground, we are confident that the process prescribed for reclassification can proceed. As attorney Riley advises, "Think of this as a two step process. The Council has authority to initiate the reclassification process. They first set a date to visit the location, and to hold a hearing where the Council hears from interested parties. They then make a decision whether the proposed reclassification is in the public good. In the initial resolution, the Council is only agreeing to go through the process to consider the proposed reclassification."

Regarding the true metes and bounds of this public highway as described above, attorney Riley further advised that it depends on whether an adequate survey already exists. He feels it's an issue that can be addressed in the Council's eventual findings and decision following the public hearing. Given the fact that the bounds are only partially laid out by survey and the road is not fully & properly defined, our office will recommend that a survey be conducted by a registered and licensed land surveyor. We will recommend that the bounds of the road be guided and established by the centerline of the current travel way.

If you are agreeable with this recommendation, we request that the matter be added to first available City Council agenda. When the date of the Council meeting is known, we will notify the adjoining & interested landowners.

C: Brian Tuttle, Street Supervisor
John P Riley, Esq, Rice & Riley



CITY HALL

CITY of MONTPELIER

Vermont

THE CAPITAL CITY OF THE STATE OF VERMONT

Department of Public Works, City Hall, 39 Main Street, Montpelier, VT 05602
Phone: (802)223-9508 FAX: (802)223-9524 email: tlaw@montpelier-vt.org

City of Montpelier, Vermont

Notice of Inspection and Public Hearing:

Reclassification of City Dump Road (aka: Stump Dump Road)

The City Council of the City of Montpelier hereby gives notice pursuant to 19 VSA § 701 et seq. of a public hearing to consider the reclassification of the town highway described as follows:

- Being a Class IV town highway situated on land and premises owned by the City of Montpelier and known as City Dump Road (TH #116), and is further described as an existing gravel road with its point of beginning intersecting with Elm Street (VT Rte 12) and extending in a westerly direction for a distance of approximately 0.30 miles to its terminus at the City-owned "Stump Dump" property.

This hearing for the reclassification of City Dump Road from a Class 4 town highway to a Class 3 town highway will be held on **Wednesday, May 28, 2014 beginning at 6:30 pm** at the Council Chambers located in Montpelier City Hall, 39 Main Street, Montpelier, Vermont.

Further notice is hereby given that on **Wednesday, May 28, 2014 at 5:30 pm**, the Montpelier City Council shall conduct an on-site inspection of the town highway to be reclassified.

For more information, please contact Todd Law, P.E., Director of Public Works, at 802-223-9508 or by email tlaw@montpelier-vt.org.

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

To: William J. Fraser, City Manager
From: Todd C. Law, PE, Director 
Date: May 20, 2014
Subject: Bids Received for Half-Ton Pickup #24

On May 14, 2014, we opened bids received for a new Half-Ton Pickup Truck for the Public Works Department. Three bids were received. We recommend that the low bid, submitted by Gateway Motors, White River Junction, VT, in the amount of \$12,476, be accepted. We also recommend that we purchase the 60 month/60,000 mile extended warranty for \$1,100. Total price for this truck will be \$13,576. \$24,000 is included in the FY2015 budget. The truck will not be accepted until after July 1, 2014.

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 for a new half-ton pickup truck, submitted by Gateway Motors, White River Junction, VT, in the amount of \$12,476, plus the extended warranty in the amount of \$1,100, for a total price of **\$13,576.00**; and to authorize the City Manager to execute 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

Half-Ton 6,000 GVW 2WD Longbed Pickup Truck (#24)
Purchase #109400.83.01 FY 2015

Date of Opening: May 14, 2014, 10:00 am.

Closed 10:03 Am

*CADillac city
Auto tract*

COPY Chevrolet

*GATEWAY
Motors*

Item	Description	Total Price	Total Price	Total Price	Total Price	Total Price
1	New Half-Ton 2WD Longbed Pickup	26500.00	28260.00	24676.00		
2	Less Municipal Discounts	4806.00	5565.00	7200.00		
3	Trade Allowance 2007 Ford F150 2WD Pickup	2500.00	5300.00	5000.00		
	TOTAL BID PRICE w/TRADE	19,200.00	17,195.00	12,476.00		
	TOTAL BID PRICE w/NO TRADE	21,700.00	22695.00	17,476.00		
4	OPTION: Extended Warranty 60 mos./60,000 miles	1699.00	1540.00	885.00		
	Total Bid Price w/Option			1100.00		
	Estimated time of delivery:					

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

To: William J. Fraser, City Manager
From: Todd C. Law, PE, Director 
Date: May 20, 2014
Subject: Bids Received for Dump Body & Related Equipment for Truck #6

On May 14, 2014, we opened bids received for a new dump body, plow, spreader, and related hydraulics for the Public Works Department. Two bids were received. The low bidder was H. P. Fairfield, Morrisville, VT, in the amount of \$39,805. We also recommend purchase of the V-box sander for \$7,005, which brings the total amount to \$46,810. The amount remaining in the FY2015 budget after purchase of the cab and chassis is \$55,626.60. The completed truck will not be accepted until after July 1, 2014.

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 #6, in the amount of **\$46,810**, 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 (#6)
Purchase #109400.83.01 (FY2015)

Date of Opening: May 14, 2014 , 10:30 am.

Closed 10:01

*U.K. Inc
CIVILS*

HO FAIRFIELD

*TENEO
INSTRUCTIONS*

Item	Description	Total Price	Total Price	Total Price	Total Price	Total Price
1	New Dump Body, Plow & Hitch, Spreader, Hydraulics	<i>100 Bid</i>				
2	Less Municipal Discounts					
	TOTAL BID PRICE		<i>39805.00</i>	<i>43194.00</i>		
3	OPTION: V-box Spreader w/Hydraulics		<i>9495.00</i>	<i>6,693.00</i>		
	Total Bid Price w/Option					
	Estimated time of delivery:					



State of Vermont
Finance & Administration
Contract Administration
One National Life Drive
Drawer 33
Montpelier, VT 05633-5001
www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2641
[fax] 802-828-5545

April 23, 2014

John Odum, Clerk
City of Montpelier
39 Main Street
Montpelier, Vermont 05602

RE: MONTPELIER BO 1446(36) - Contract No. FM0124

Dear Mr. Odum:

Enclosed, please find the Finance and Maintenance Agreement for the above referenced project.

We respectfully request that you have the Agreement signed by the proper authorities and witnessed where required.

Please do not date page one of the Agreement. This will be accomplished by our office after the Agreement has been signed by the Secretary of Transportation.

Your cooperation in expediting the signing and return of the original will be greatly appreciated. We appreciate very much your cooperation in this matter.

Once the Agreement is fully executed a copy shall be returned to you for your records.

Should you have any questions or concerns, please contact me at 802-828-2641.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Winter".

Jon Winter
Special Agreements Administrator
Enclosure



**FINANCE, RIGHT OF WAY AND MAINTENANCE AGREEMENT
BETWEEN
STATE OF VERMONT
AGENCY OF TRANSPORTATION
AND
CITY OF MONTPELIER
FOR
MONTPELIER BO 1446(36)
EA 1446036 CONTRACT No. FM0124**

THIS AGREEMENT, made this ____ day of _____, 20____, between the State of Vermont, acting through its Agency of Transportation, with its principal office at 1 National Life Drive, Montpelier, Vermont 05633-5001 (the "STATE") and the City of Montpelier, with its principal office at 39 Main Street – City Hall, Montpelier, Vermont 05602 (the "MUNICIPALITY").

WITNESSETH:

WHEREAS, the STATE proposes to submit to the Federal Highway Administration, United States Department of Transportation, a federal-aid project known **MONTPELIER BO 1446(36)**; and,

WHEREAS, the MUNICIPALITY, under the provisions of 19 V.S.A. Section 306 (State aid for town highways and bridges), has requested funds for this project which will provide certain improvements to a bridge of the MUNICIPALITY ("the Project"), described as follows:

Project Location: Located in the County of Washington, City of Montpelier, on Cummings Street, Bridge 13 over the North Branch of the Winooski River approximately 0.1 miles east of its junction with VT 12 (Elm Street);

Project Description: Replacement of existing bridge (Bridge No. 13) including minor approach work;

and,

WHEREAS, the MUNICIPALITY desires the improvement of this bridge as described above; and

WHEREAS, the MUNICIPALITY further desires that the STATE act, insofar as necessary, for the MUNICIPALITY with technical assistance and/or preparation of plans for the construction of the Project;

NOW, THEREFORE, in consideration of the premises and the mutual agreements hereinafter set forth, the parties hereto agree as follows:

1. Allocation of Federal/State Funds to Project. On the basis of the MUNICIPALITY's request for assistance for this Project, and subject to the availability of STATE and/or federal funds and the provisions of 19 V.S.A. Section 309a (Local highway work; uniform local share; exceptions), the STATE will allocate to the Project a sum of STATE and/or federal funds not to exceed **ninety percent (90%)** of the preliminary engineering, right-of-way, utility costs where applicable, and final construction costs.

2. Technical and Other Assistance from State. The STATE will provide MUNICIPALITY with the necessary engineering assistance to design and construct the Project, keep all accounting records, and make all payments to contractors hired by the STATE for the Project.

3. State/Municipal Cooperation. The Project will be constructed by contract under the supervision of the STATE or its duly authorized representative. The STATE and MUNICIPALITY will cooperate to advance the Project. The STATE will submit design plans and cost estimates to the MUNICIPALITY as the Project reaches the stages of Conceptual Plans, Preliminary Plans, and Final Plans. The Project will not advance to the next step until the MUNICIPALITY has given its written approval to the current step plans.

4. Use of Municipal Facilities. During the period of construction of the Project, the MUNICIPALITY will grant the STATE and/or the STATE's authorized representative the following:

- a. Temporary use for Project purposes of lands within the limits of MUNICIPALITY'S highways, as well as other lands owned by the MUNICIPALITY that are identified as needed for the project;
- b. Use of municipal highways for trucking and hauling, as may be required without payment of any permit or other user fee to the MUNICIPALITY; and
- c. Authority to sign the Project construction site as necessary to provide information and warning to the public.

5. Encroachments. Except for utilities authorized by law to occupy highway rights of way, the MUNICIPALITY will not sell, lease or permit any non-highway use or encroachments on the rights-of-way to be controlled and/or acquired in connection with the Project without first obtaining the written permission of the STATE.

6. Control of Right-of-Way. The MUNICIPALITY will not permit, now or hereafter, any installation of utilities or other work within the rights-of-way now controlled or acquired in connection with the Project until the MUNICIPALITY's legislative body has approved detailed plans showing the proposed work and issued a permit, all in accordance with 19 V.S.A. Section 1111. Before issuing a permit, the MUNICIPALITY will review any proposed utility installation for conformance with the current Utility Accommodation Policy of the Vermont Agency of Transportation.

7. Participation in Payments of Damages to Abutters. The MUNICIPALITY will pay for its proportionate share of any incidental damages that may occur to abutting or adjacent property owners or occupants due to the improvement, widening or relocation of right-of-way.

8. Acquisition of Additional Right-of-Way.

- a. **TECHNICAL ASSISTANCE FROM STATE.** Should construction of this project require the acquisition of lands or rights outside existing highway rights of way, the STATE will assist the MUNICIPALITY in acquiring such lands or rights in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. No. 91-646, 84 Stat. 1894, as amended, and the Surface Transportation and Uniform Relocation Assistance Act of 1987, Pub. L. No. 100-17, 101 Stat. 246-256, as amended, provided that the lands or rights can be acquired by agreement at fair market value, and with the understanding that if condemnation is necessary the MUNICIPALITY must be the condemning authority, as hereinafter provided.
- b. **RECORD KEEPING AND REPORTS.** In accordance with 49 C.F.R. §24.9 (Recordkeeping and Reports) the MUNICIPALITY will maintain adequate records of its acquisition and displacement activities in sufficient detail to demonstrate compliance with this part. These records shall be retained for at least 3 years after each owner of a property and each person displaced from the property receives the final payment.
- c. **ACQUISITION IN NAME OF MUNICIPALITY.** The STATE will perform right of way work for the Project and, as agent for the MUNICIPALITY, will assist the MUNICIPALITY with negotiating purchase of lands or rights required for this Project. Title to all lands or rights acquired for the Project shall vest in the MUNICIPALITY immediately upon acquisition.
- d. **USE OF MUNICIPAL EMINENT DOMAIN POWERS.** If any of the lands or rights needed for the Project cannot be acquired by negotiation, it is agreed and understood that the MUNICIPALITY will exercise its eminent domain powers. The MUNICIPALITY agrees to make every reasonable effort to condemn at the fair market value price, as determined by the STATE'S reviewing appraiser, but may condemn at a price which exceeds the approved fair market value price if facts set forth at a hearing warrant a higher award. The STATE reserves the right to approve or disapprove the portion of such an award that is in excess of the fair market value determined by the STATE'S reviewing appraiser. If the MUNICIPALITY makes an award higher than the fair market value price determined by the STATE'S reviewing appraiser without the prior written approval of the STATE, MUNICIPALITY may be required to bear the entire cost of the excess amount over the STATE'S approved fair market value price.

If condemnation becomes necessary, the MUNICIPALITY will commence condemnation proceedings within 30 days upon receipt of notice from the STATE that condemnation is required.

- e. **USE OF PRIVATE LEGAL COUNSEL.** Before authorizing any private lawyer or law firm to begin any legal work involving condemnation of lands or rights needed for the Project, the MUNICIPALITY shall enter into a contract for legal services with the lawyer or law firm. The contract must be approved by the STATE and the Federal Highway Administration and, to ensure the maximum participation of federal-aid funds, shall include the following:
- i. A recital of the qualifications and experience of the lawyer or law firm in areas of property law.
 - ii. A requirement that all legal work must be performed in accordance with Vermont laws and 23 CFR § 710.309 (Acquisition) and 49 CFR Part 24 (Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs).
 - iii. The estimated cost of legal services on a lump sum or hourly rate, including a breakdown that specifies salaries, costs of materials and any other direct or indirect costs. No legal work shall be commenced which will exceed the lump sum estimate without first obtaining the approval of the STATE and the Federal Highway Administration. Failure to obtain such approval may result in the MUNICIPALITY's bearing the entire cost of such excess.
- f. **USE OF STAFF COUNSEL.** The MUNICIPALITY may choose to be represented by a lawyer who is a municipal official or employee. However, in such event compliance with 23 C.F.R. § 710.203 (Funding and Reimbursement) by the MUNICIPALITY is a prerequisite to reimbursement of otherwise eligible legal expenses.
- g. **APPROVAL OF LEGAL REPRESENTATION IN OTHER PROJECT-RELATED MATTERS.** The MUNICIPALITY may be denied reimbursement for costs of legal representation for Project-related matters other than preparation for and trial of condemnation cases unless it has secured the prior approval of the STATE and the Federal Highway Administration. Matters in this category include, but are not limited to, Act 250.
- h. **REIMBURSEMENT OF APPROVED LEGAL COSTS.** Legal costs incurred by the MUNICIPALITY that are eligible for federal participation shall be included in the right of way costs of the Project. Reimbursement to the MUNICIPALITY of its share of these costs by the STATE, upon receipt of properly itemized invoices, shall be in accordance with the cost distribution as hereinafter set forth. Payment for these legal costs shall be in accordance with the cost principles established by Parts 1-15 of the Federal Procurement Regulations and/or Federal Highway Administration policies. The MUNICIPALITY must comply with these federal cost principles to assure maximization of federal participation in these costs.

- i. **NOTIFICATION AS TO COURT APPEALS.** At the expiration of the period during which an affected party can seek judicial review of condemnation awards made by the MUNICIPALITY, the MUNICIPALITY shall send written notification to the STATE either setting forth the names of the appealing landowners or attesting to the fact that no appeals have been taken.
- j. **WARRANTY AS TO ADEQUACY OF MUNICIPAL RIGHTS OF WAY.** The MUNICIPALITY agrees to save harmless and indemnify the STATE, its officers, agents and employees, from all suits, actions or claims for damages sustained by abutting or adjacent property owners or occupants because of the inadequacy of the rights of way furnished the Project by the MUNICIPALITY.
- k. **ADDITIONAL INFORMATION.** Upon request, the STATE will furnish the MUNICIPALITY a copy of more detailed information regarding the MUNICIPALITY'S responsibilities under this Right of Way Agreement.

9. Maintenance of Traffic Control Devices and Street Lights. All signs (including parking regulatory signs), street lights, traffic signals and pavement markings shown on the Project plans will be installed by the STATE and thereafter maintained in place by the MUNICIPALITY at no cost to the STATE, including cost to provide electrical power, all in conformance with 23 V.S.A. Section 1025 (Standards) and the latest edition of the Federal Highway Administration's *Manual on Uniform Traffic Control Devices (MUTCD)*. Once constructed, no changes shall be made to the parking and/or traffic control features without the prior written approval of the STATE and the Federal Highway Administration.

10. Relocation of Privately-Owned Utilities. The STATE will perform liaison and negotiation with utility companies, as necessary to relocate all privately-owned utilities that are in conflict with the Project. The MUNICIPALITY will cooperate with the STATE and utility companies in the timely relocation of privately-owned utility facilities that are in conflict with the Project.

11. Relocation of Municipal Utilities. The MUNICIPALITY will cooperate with the STATE and take such steps as may be necessary to accomplish the timely relocation of all utility facilities owned by the MUNICIPALITY that are in conflict with the Project. Any approved cost sharing shall occur as provided in a separate Utility Agreement to be entered into between the MUNICIPALITY and STATE.

The cost of utility relocation work accomplished by the contractor for the MUNICIPALITY and designated as "non-participating" shall be the sole responsibility of the MUNICIPALITY.

12. Traffic Control; Detours. During construction of the Project, the MUNICIPALITY will render such assistance as the STATE may request in the maintenance of traffic. If the Project route is closed to through traffic, the MUNICIPALITY will be responsible for selecting, signing, and maintaining any detour routes at no cost to the STATE, which shall be accomplished in conformance with 23 V.S.A. Section 1025 and the latest edition of the Federal Highway Administration's *Manual on Uniform Traffic Control Devices (MUTCD)*.

13. Maintenance of Roadways During Winter Suspension of Project Work. If construction of the Project is temporarily suspended for the winter season, the MUNICIPALITY will provide winter maintenance of roadways in the Project area, all in conformance with the provisions of the applicable edition of the Vermont Agency of Transportation's *Standard Specifications for Construction*, until construction operations resume in the spring.

14. Project Plans; Conformance to Applicable State and Federal Laws, Regulations and Construction Standards. The Project will be constructed as the STATE, in cooperation with the Federal Highway Administration (FHWA), may determine, all as detailed in the Project plans. Construction of the Project will conform to applicable FHWA rules and regulations and to the applicable edition of the Vermont Agency of Transportation's *Standard Specifications for Construction*, as well as special provisions that may be included in the Project's contract agreement.

15. Permits; Compliance with Permit Conditions. The MUNICIPALITY will be the applicant for any permits required for the Project and will adhere to all permit conditions. The MUNICIPALITY authorizes the STATE to apply for permits in the name of the MUNICIPALITY.

16. Defense of Project-Related Litigation. The MUNICIPALITY, in consultation with the STATE, will diligently defend all suits, actions or claims for damages sustained by abutting or adjacent property owners or occupants due to the Project. Any payments for settlements approved by the STATE or judgments entered by courts of competent jurisdiction will be considered by the STATE for participation as part of the overall costs of the Project.

17. Municipal Share; Invoices; Payment. The MUNICIPALITY will reimburse the STATE for one hundred percent (100%) of all non-participating Project costs and for **ten percent (10%)** of total participating Project costs, inclusive of preliminary engineering, right-of-way, utility costs where applicable, and the participating final construction costs. The MUNICIPALITY acknowledges that underruns or overruns in item quantities during construction, as well as change orders during construction, may increase or decrease quantities, thereby causing the total cost of construction to differ from the amount of the accepted bid.

The MUNICIPALITY will pay its proportionate share to the STATE, on the basis of monthly progress billings received from the STATE.

18. Cancellation or Default by State. If, due to the failure of the STATE, the Project is not constructed, then all costs incurred shall be borne in full by the STATE.

19. Cancellation or Default by Municipality. If at any time prior to award of a construction contract, the MUNICIPALITY no longer desires the Project, then the Project may be canceled subject to the following conditions:

- a. If the MUNICIPALITY does not approve the Conceptual Plans, the Project will be canceled, and the STATE shall reimburse the MUNICIPALITY for one hundred percent (100%) of all costs incurred by the MUNICIPALITY;

- b. If Conceptual Plans have been approved by the MUNICIPALITY and subsequent cost estimates (Preliminary Plans, Final Plans, or Low Bid) exceed the Conceptual Plans estimate by fifty percent (50%) or more, the MUNICIPALITY may request cancellation of the Project and shall be liable for its proportionate share of the total costs incurred to date, as specified in Section 17, above; and
- c. If Conceptual Plans have been approved by the MUNICIPALITY and cost estimates have not increased more than that specified in Section 19(b), above, the MUNICIPALITY may request cancellation of the Project, subject to payment by the MUNICIPALITY to the STATE for one hundred percent (100%) of all costs incurred to the date of the request.
- d. Should the project be cancelled by the MUNICIPALITY or otherwise not advance to construction because of any act or omission of the MUNICIPALITY including not exercising its eminent domain powers, then the MUNICIPALITY will reimburse the STATE in full for one hundred percent (100%) of all costs incurred to date for the Project.

20. Cancellation of Project Because of Circumstances Beyond Either Party's Control. If, due to circumstances beyond the control of the STATE or the MUNICIPALITY, the Project is not constructed, then all costs incurred shall be shared as specified in Section 17, above.

21. Records Available for Audit. The MUNICIPALITY will maintain all books, documents, payroll papers, accounting records, and other evidence pertaining to costs incurred under this Agreement and make them available at reasonable times during the period of the Agreement and for three years thereafter for inspection by any authorized representatives of the STATE or the federal government. If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved. The STATE, by any authorized representative, shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this Agreement.

22. Hazardous Material Contamination. The cost of handling, treatment and disposal of petroleum-contaminated soils or other hazardous material contamination in existence prior to construction of the Project shall be non-participating. Accordingly, any costs associated therewith shall be the sole responsibility of the MUNICIPALITY. Hazardous material generated during the construction of the project shall be disposed of as provided for in the project specifications and shall be a participating cost.

23. Maintenance of Project Improvements. The MUNICIPALITY agrees that if the Project is approved, constructed, and accepted by the STATE, then the MUNICIPALITY will maintain the Project in a manner satisfactory to the Agency of Transportation or its authorized representatives and make ample provisions each year for such maintenance. In this regard, the MUNICIPALITY acknowledges that its attention has been directed to the provisions of 19 V.S.A. Sections 304 (duties of selectboards) and 310 (highways, bridges and trails).

24. Indemnification. Upon its acceptance of a constructed project, the MUNICIPALITY shall thereafter defend, indemnify and hold harmless the STATE, its officers, agents, and employees from all manner of suits, actions, or claims brought for or on account of any injuries or damages received or sustained by any person, persons, or property that arise out of, relate to, or are in any way related to the work performed in the design and/or construction of the Project.

25. Entire Agreement. This Agreement constitutes the entire agreement between the parties relating to the subject matter hereof, supersedes all prior oral or written negotiations, agreements, understandings and courses of dealing between the parties relating to the subject matter hereof and is subject to no understandings, conditions, or representations other than those expressly stated herein. This Agreement may only be modified or amended by a writing which states that it modifies or amends this Agreement and which is signed by both parties.

26. Applicable Law. This Agreement will be governed by the laws of the State of Vermont.

27. Independence; Liability. The MUNICIPALITY will act in an independent capacity and not as officers or employees of the STATE.

The MUNICIPALITY shall defend the STATE and its officers and employees against all claims or suits arising in whole or in part from any act or omission of the MUNICIPALITY or of any agent of the MUNICIPALITY. The STATE shall notify the MUNICIPALITY in the event of any such claim or suit, and the MUNICIPALITY shall immediately retain counsel and otherwise provide a complete defense against the entire claim or suit.

After a final judgment or settlement, the MUNICIPALITY may request recoupment of specific defense costs and may file suit in the Washington Superior Court requesting recoupment. The MUNICIPALITY shall be entitled to recoup costs only upon a showing that such costs were entirely unrelated to the defense of any claim arising from an act or omission of the MUNICIPALITY.

The MUNICIPALITY shall indemnify the STATE and its officers and employees in the event that the STATE, its officers or employees become legally obligated to pay any damages or losses arising from any act or omission of the MUNICIPALITY.

28. Fair Employment Practices and Americans with Disabilities Act. MUNICIPALITY agrees to comply with the requirement of 21 V.S.A. Chapter 5, Subchapter 6 (Fair Employment Practices), relating to fair employment practices, to the full extent applicable. MUNICIPALITY shall also ensure, to the full extent required by the Americans with Disabilities Act of 1990 that qualified individuals with disabilities receive equitable access to the services, programs, and activities provided by the MUNICIPALITY under this Agreement. MUNICIPALITY further agrees to include this provision in all subcontracts.

29. Set Off. The STATE may set off any sums which the MUNICIPALITY owes the STATE against the sums due the MUNICIPALITY under this Agreement; provided, however, that any set off of amounts due the State of Vermont as taxes shall be in accordance with the procedures more specifically provided hereinafter.

30. Taxes Due to the State.

- a. MUNICIPALITY understands and acknowledges responsibility, if applicable, for compliance with STATE tax laws, including income tax withholding for employees performing services with the STATE, payment of use tax on property used within the STATE, corporate and/or personal income tax on income earned with the STATE.
- b. MUNICIPALITY certified under pains and penalties of perjury that, as of the date the contract is signed, the MUNICIPALITY is in good standing with respect to, or in full compliance with a plan to pay, any and all taxes due the State of Vermont.
- c. MUNICIPALITY understands that final payment under this Agreement may be withheld if the Commissioner of Taxes determines that the MUNICIPALITY is not in good standing with respect to or in full compliance with a plan to pay any and all taxes due to the State of Vermont.
- d. MUNICIPALITY also understands that STATE may set off taxes (and related penalties, interest, and fees) due to the State of Vermont, but only if the MUNICIPALITY has failed to make an appeal within the time allowed by law, or an appeal has been taken and finally determined and the MUNICIPALITY has not further legal recourse to contest the amount due.

31. No Gifts or Gratuities. MUNICIPALITY shall not give title or possession of any thing of substantial value (including property, currency, travel and/or education programs) to any officer or employee of the STATE during the term of this Agreement.

32. Interpretation of Agreement. If an ambiguity or question of intent arises with respect to any provision of this Agreement, the Agreement will be construed as if drafted jointly by the parties and no presumption or burden of proof will arise favoring or disfavoring either party by virtue of authorship of any of the provisions of this Agreement.

33. Section Headings. The section headings contained in this Agreement are for reference and convenience only and in no way define or limit the scope and contents of this Agreement or in any way affect its provisions.

34. Miscellaneous. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

35. Definitions. For the purposes of this Agreement:

- a. "Participating Project Cost" means items deemed eligible for participation of federal-aid funds under applicable laws and the regulations of the Federal Highway Administration ("FHWA").
- b. "Non-participating Project Cost" means items deemed not eligible for participation of federal-aid funds under applicable laws and FHWA regulations.

IN WITNESS WHEREOF, the State of Vermont has caused its name to be subscribed this ____ day of _____, 20____, by Brian R. Searles [Susan M. Minter], its [Deputy] Secretary of Transportation and duly authorized agent.

**STATE OF VERMONT
AGENCY OF TRANSPORTATION**

By: _____

Brian R. Searles [Susan M. Minter]
[Deputy] Secretary of Transportation
and Duly Authorized Agent

APPROVED AS TO FORM:

DATED: 4-18-2014



ASSISTANT ATTORNEY GENERAL

IN WITNESS WHEREOF, the City of Montpelier has caused its name to be subscribed this ____ day of _____, 20____, by _____, its _____ and duly authorized agent(s).

**CITY OF MONTPELIER
(MUNICIPALITY)**

Its Duly Authorized Agents

Article II. SPECIAL BENEFIT ASSESSMENT DISTRICT

Sec. 16-200. DISTRICT CREATION

As provided in Chapter 87 of Title 24, Vermont Statutes Annotated, and authorized by the City of Montpelier at the March 5, 2013 Annual Meeting thereof, there is hereby created a special benefit assessment district to be known as the "Downtown Improvement District", which shall consist of that part of the City designated a "Downtown District" under Section 2973 of Title 24, Vermont Statutes Annotated.

Sec. 16-201. PROPERTY AFFECTED

All non-residential property located within the Downtown Improvement District shall be subject to a benefit assessment as provided in this ordinance.

Sec. 16-202. ASSESSMENT IMPOSED

~~For the fiscal year commencing July 1, 2013,~~ There is hereby imposed a special benefit assessment upon all non-residential real estate located within the Downtown Improvement District, to be apportioned among such non-residential real estate in direct proportion to the listed value thereof. The amount of the special benefit assessment for each fiscal year shall be as determined by the City at the annual meeting thereof next preceding the commencement of each fiscal year. In the case of mixed-use property, there shall be excluded from the computation and allocation of such benefit assessment the proportion thereof that the heated floor space of such property used for residential purposes bears to the entire heated floor space of such property.

Sec. 16-203. LEVY AND COLLECTION

The City Treasurer shall prepare benefit assessment bills in accordance with Section 16-204, and shall cause the same to be mailed to the record owners of all property subject to the benefit assessment imposed in the Article. Such benefit assessments shall be due and payable in the same manner and with the same frequency as are property taxes.

Sec. 16-204. COLLECTION

Any benefit assessment remaining unpaid following its due date shall bear interest and penalties, and be subject to such collection and enforcement remedies as in the case of delinquent property taxes. Benefit assessments levied under this Article shall constitute a subsisting lien upon the property subject to such assessment.

Sec. 16-205. DOWNTOWN IMPROVEMENT DISTRICT ~~COMMITTEE~~ MANAGEMENT

~~(a) The City Council shall constitute and appoint a Downtown Improvement District Committee consisting of five (5) to ten (10) members who shall represent a cross section of interests within the downtown area. Examples of those interests include, but are not limited to: persons owning or representing owners of real estate within the District; persons owning or representing co-owners of retail businesses within the District; persons owning or representing owners of hospitality businesses with the District; persons owning or representing the owner of a service business within~~

~~the District; persons owning or representing an arts community enterprise within the District; persons representing or employed by the State of Vermont, and persons representing the City Council. Terms of appointment shall be for two years except during the initial appointment when the Council will evenly divide terms for one and two years. In the event that the district is not continued, all terms will expire at the conclusion of the then current fiscal year.~~

- (a) The City Council will have authority over the activities and use of funds within the District. The Council may designate an individual, committee or organization to make recommendations for the use of the District's funds and/or manage implementation of those funds.
- (b) The ~~Committee~~ Council's designee shall prepare an annual work plan and budget, and shall present the same to the City Council on or about ~~July 1~~ April 1 of each year ~~or other date established by the Council~~, for the Council's consideration and approval.
- (c) The Council's designee shall conduct at least one public hearing about the proposed use of the funds prior to presentation of the budget to the Council.

Sec. 16-206. USE OF PROCEEDS

All sums collected under this Article shall be deposited and maintained as a restricted fund balance consistent with funds that are mandated for a specific purpose by Montpelier voters and shall be expended only for improvements within the Downtown Improvement District and for the promotion and marketing thereof. Expenditures, grants and transfers from such account shall be approved by the City Council.

Sec's. 16-207 to 16-299. Reserved.

Voter approved at March 5, 2013 Annual City Meeting.
Voter approved at March 4, 2014 Annual City Meeting

Enacted May 22, 2013. Date of Publication: 5/30/13. Effective Date: 6/5/13.

ARTICLE IV. FIREWORKS.

Sec. 5-500. DEFINITIONS.

The term “fireworks” means any combustible or explosive composition, or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, including blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, balloons that are propelled by explosives, firecrackers, torpedoes, sky rockets, Roman candles, cherry bombs, or other ~~fireworks~~ items of like construction and any ~~fireworks~~ such items containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except sparklers. The term “fireworks” does not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing 0.25 grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper caps that contain less than 0.2 grains.

Sec. 5-501. FIREWORKS SAFETY.

No person shall ~~recklessly~~ endanger the life, health, safety, or well-being of any person or property by the ignition, discharge, or use of consumer fireworks.

Sec. 5-502. REGULATIONS FOR DISPLAY OF CLASS “C” FIREWORKS.

- 1) Fireworks shall not be discharged within one hundred fifty feet (150') of any building, street, or public area unless directly supervised by a licensed, insured person.
- 2) Fireworks shall not be discharged in such a manner so that debris can land on another person's property.
- 3) Any person using fireworks shall be at least twenty-one (21) years old.
- 4) All fireworks displays shall be completed prior to 10:00 P.M.

- 5) A Fireworks Display Permit must be filed at least fifteen (15) days in advance of the display.
- 6) An on-site inspection by the Fire Department shall be completed before a permit is issued.

Sec. 5-503. PENALTY.

A violation of this ordinance may result in the immediate termination of the event. A civil penalty of up to \$500.00 and the loss of privilege for future permits may be imposed as well.

REFERENCE: Vermont Statutes, T.20, Internal Security and Public Safety,
Chapter 177, Sub-Chapter 3: Fireworks.

Sec. 5-504 to 5-599. Reserved.

Enacted ...

Agenda item for the City Council Meeting.

I Gary Schy request the following be placed on the agenda of the City Council Meeting held on May 28th, 2014;

"Shall the City Council vote to authorize an exploratory committee to study the need for a "Citizens Oversight Board". Such Board would be designed similar to existing Boards in United States cities. The purpose of such Board would be to oversee the activities of all city employees, departments, agents, contractors, etc. The Board would only respond to citizen complaints to investigate such complaints, and to follow up with conclusions, and recommendations. At the citizens request their name can remain anonymous, available to be seen by the Board and City Council Members. A catalog of all complaints will be maintained in which the names of those complained about would also not be made public. The Board would have an investigative budget, and access to the city lawyer. The Board and the city lawyers sole responsibility would be to protect and serve the rights of the citizenry. Its function would include recommendations to remove any city employee found to be violating the rights of any citizen."

Under current conditions the Montpelier Police Department operates with impunity. There is little or no oversight. Recourse for a citizen who has been abuse by the Police is through a private lawyer, which would cost tens of thousands of dollars, well out of the reach of almost every citizen. Citizens who complain now are known by the Police and fear retribution. Much abuse has gone on and is currently going on in our community, and it would be naïve to think that we alone have no corruption in our city.

Also Public records are routinely withheld from the public, in violation of State and Federal open record laws. There is currently a lawsuit now against the City of Montpelier for this very reason.

Let us have the courage to discuss and recognize problems that exist and have the courage to try to do something about it.

Thank you.

Repectfully

A handwritten signature in blue ink, appearing to read "Gary Schy", written in a cursive style.

Gary Schy

4/18/14

Memorandum

To: Montpelier City Council, Mayor John Hollar and Bill Fraser

From: Rick DeAngelis, Town Service Officer

Date: March 5, 2014

Re: Report on homelessness

This memo is in anticipation of my presentation to you on homelessness in Montpelier and Central Vermont. Homelessness in our area and in all of Vermont is a distressing problem that appears to be worsening. I think it's important for you to be kept aware of how this problem is impacting the community and what's being done to help.

The Town Service Officer is an appointed volunteer position that I have filled since 2008. My responsibility is to help individuals in need of emergency services such as housing, food or transportation. The position has evolved in recent years so that authorization of emergency services takes place entirely through the Vermont Agency of Human Services and its contracted providers. Therefore, I direct most of my energies helping to coordinate area services and to advocate for those who are homeless in the area. Toward that end, I serve as the Chairperson of the Washington County Continuum of Care for Homelessness Services.

In my presentation, I hope to address the questions listed below and others you may have:

How many people are homeless in Central Vermont and in Montpelier?

What are the causes of homelessness?

What services are most essential to addressing the needs?

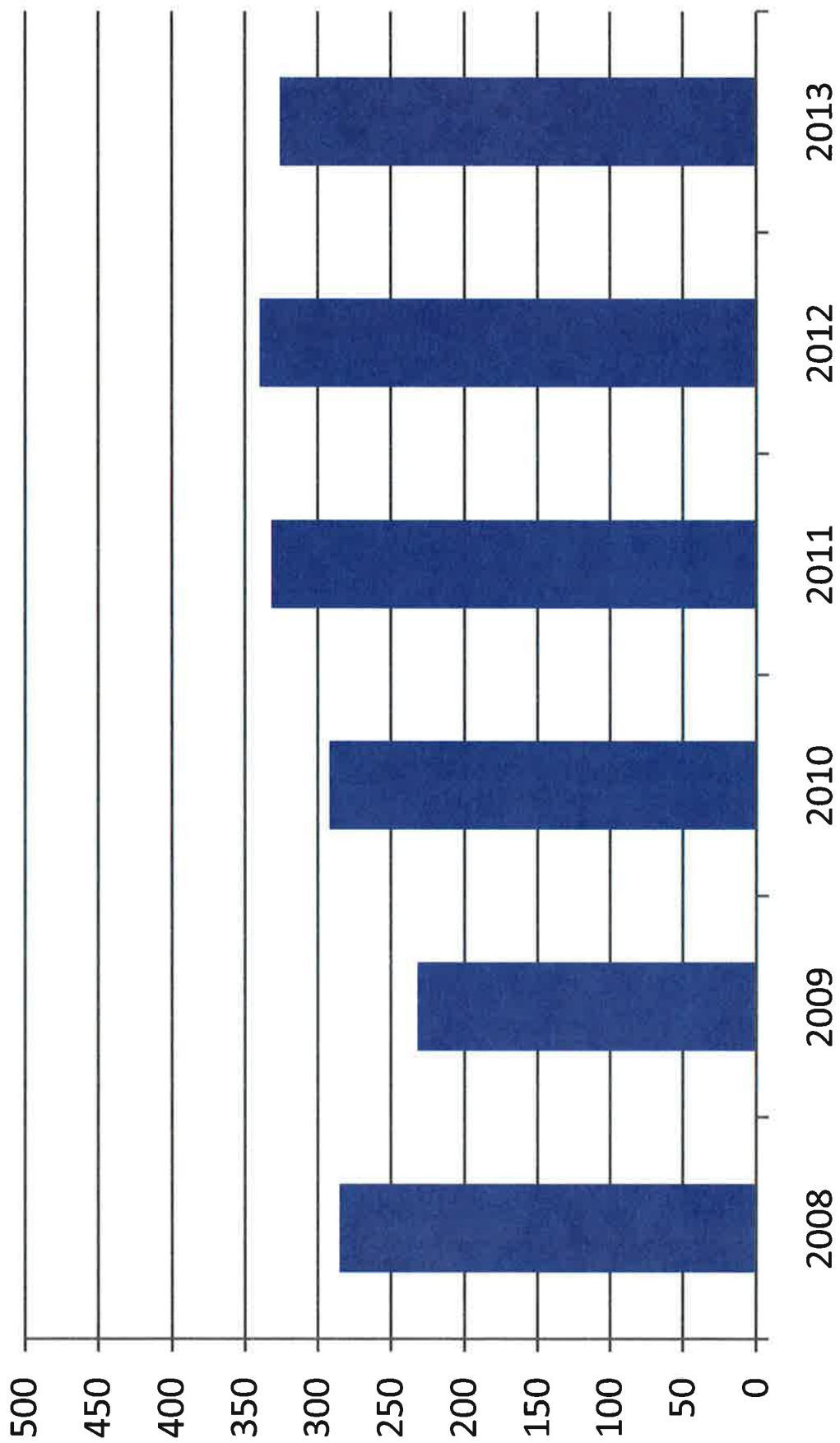
What can the City or its citizens do to help?

For your consideration I'm enclosing several charts and documents that I'll refer to in my presentation and which serve as background on the problem. They are:

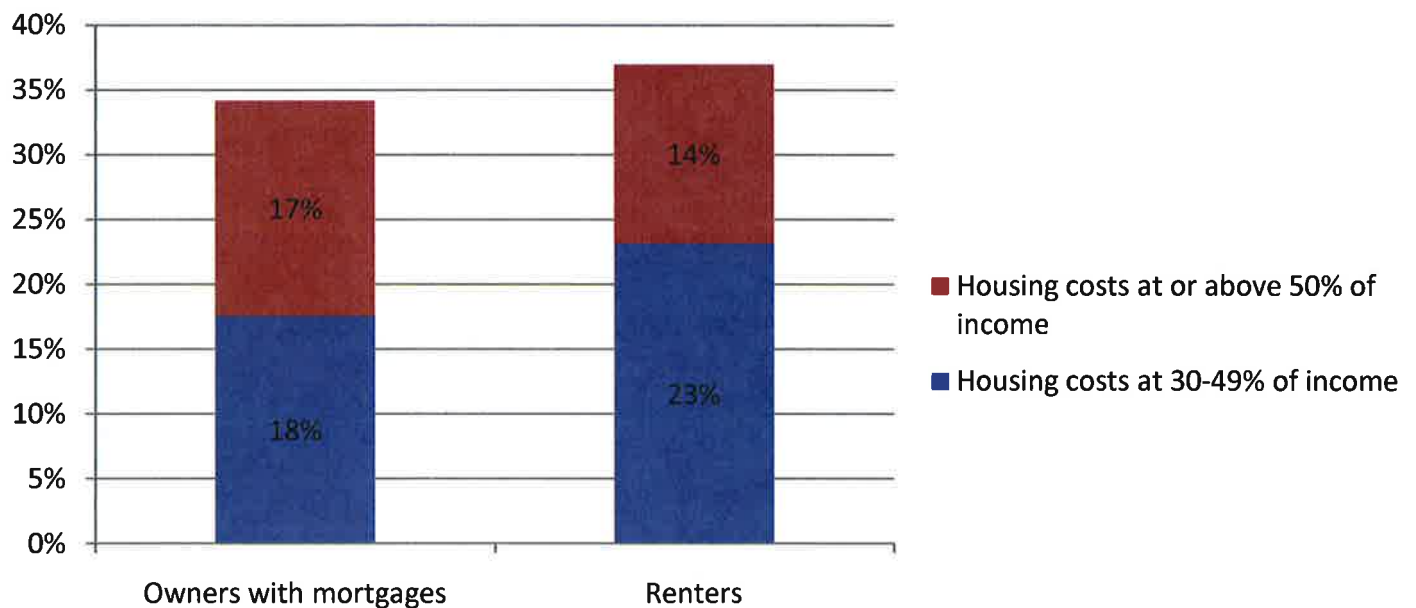
- Number of persons utilizing emergency shelter in Central Vermont;
- Affordable housing indicators for Montpelier;
- Washington County Survivors Guide.

Thanks. I'm looking forward to meeting with you.

Persons Utilizing Emergency Shelters in Central Vermont



Over a third of all mortgaged owners and renters are "cost-burdened" by their housing



Source: Estimates from U.S. Census Bureau, American Community Survey 2007-2011.

Central Vermont Survivor's Guide

Food Shelves & Kitchens

BARRE

Barre Baptist Fellowship Kitchen	476-5676
Central VT Community Action Council	479-1053
Hedding United Methodist Church	476-8156
Salvation Army Friendly Kitchen	476-5301
St. Monica's Church Food Shelf	479-3253
VT Food Bank	476-3341

MONTPELIER

Montpelier Food Pantry	229-9158
Christ Church Food Shelf	223-3631
Montpelier Senior Meals	229-9232

Soup Kitchens & Community Meals

BARRE

Mon, Wed, Fri: 12:00 - 1:00 PM

Salvation Army Friendly Kitchen, 25 Keith Avenue

Lunch & Breakfast: Tues & Thurs: 7:00 AM - 1:00 PM

Breakfast: Mon, Wed, Fri: 7:00 - 10:00 AM

Open Door Fellowship, Barre Baptist, 84 Summer Street

Fridays: 5:30 - 6:30 PM

Hedding United Methodist Church, 40 Washington Street

Saturdays: 7:30 - 9:00 AM

Barre Congregational Church, 35 Church Street

Third Sunday each month: 7:30 - 9:30 AM

First Presbyterian Church, 78 Summer St.

MARSHFIELD

Wednesdays: 6:00 - 7:00 PM

Marshfield Comm. Supper, Old School House Common

MONTPELIER

Mondays: 11:00 AM - 1:00 PM

Stone Soup, Unitarian Church, 130 Main Street

Tuesdays: 11:30 AM - 1:00 PM

Bethany Bowl, Bethany Church, 115 Main Street

Wednesdays: 11:30 AM - 1:00 PM

Full Ladle, Christ Episcopal Church, 64 State Street

Thursdays: 11:30 AM - 1:00 PM

And the second Saturday of the month

Comm. Meal, Trinity United Methodist Church, 137 Main

Fridays: 11:30 AM - 1:00 PM

St. Augustine Church, 16 Barre Street

Fridays: 5:00 PM Community Dinner

Another Way Drop-In Center, 125 Barre Street

Last Saturday of the month: 5:00 - 6:30 PM

Community Supper: Christ Episcopal Church, 64 State Street

Last Sunday of the month: 4:30 - 5:30 PM

Community Meal, Bethany Church, 115 Main Street

VERSHIRE

Third Thurs: 5:30 - 6:30 PM Soup Night

First Wed: 12:00 - 1:00 PM Senior Lunch

Orr House, Route 113

WORCESTER

Wednesdays: 12:00 - 1:00 PM

Worcester Comm. Kitchen, Town Hall, Route 12 in Village

Medical Help & Services

Central VT Medical Center	371-4100
The Health Center, Plainfield	454-8336
People's Health & Wellness Clinic	479-1229

Planned Parenthood

476-6696

Mental Health Services

Central VT Medical Center	371-4100
Nat'l Alliance on Mentally Illness - VT	244-1396
NAMI-VT	1-800-639-6480
VT Assoc of Mntl Hlth & Addiction Recovery	223-6263
Washington County Mental Health	229-0591

Transportation Services

Green Mountain Transit Agency (GMTA)	223-7287
	1-866-864-0211
A to B Taxi-Barre	479-1717
C&L Taxi-Warren	496-4056
K.C. Taxi-Berlin	476-0882
Payless Taxi-Barre	476-4097
Twin City Taxi-Montpelier	522-0181

Community Housing/Shelter

Alyssum (specialized respite)	767-6000
CIRCLE (Battered Women's Services)	1-877-543-9498
Good Samaritan Haven	479-2294
Home Share Now	479-8549
Rental Opportunity Center	479-2294
(Good Samaritan Haven)	
Tuesdays from 10:00 am to 12:00 noon	
Pathways to Housing	1-888-492-8218
Safe Haven (specialized)	728-5233
Safe Passage (specialized)	479-5577
Veteran's Place	485-8874
Wash Co Youth Service Bureau (youth)	229-9151

Substance Abuse Services & Supports

Counseling and Supports

Alcoholics Anonymous	229-5100
Brattleboro Retreat - Starting Now	1-800-738-7328
Central VT Substance Abuse Services	223-4156
(also contact for individual counselors)	
Friends of Recovery - VT	229-6103
Narcotics Anonymous	862-4516
Quitting Time	223-4156
Turning Point Recovery Center	479-7373

Substance Abuse Residential/Transitional Housing

Act One/Bridge Program	488-6425
Aerie House (Women)	748-8997
Brattleboro Retreat	1-800-738-7328
Conifer Park	1-800-989-6446
Covered Bridge Therapeutic Cmty (Men)	748-6948
The Lighthouse	371-4061
Maple Leaf Farm	899-2911
	1-800-254-5659
Phoenix House Brattleboro Center	257-1147
Serenity House/Grace House	446-2640
Teen Challenge (Men)	635-7029
Valley Vista (Adult Females)	222-5201
Valley Vista (Youth)	222-5201
Willow Grove (Women)	281-7076

Warm Shelter

MONTPELIER

Thursdays: 9:00 AM - 4:00 PM

Trinity United Methodist Church, 137 Main St.

Seasonal Warming/Resource Centers

BARRE

Monday: Good Shepherd Episcopal—Mornings
Tuesday: Barre Congregational—Mornings
Wednesday: First Presbyterian—Mornings
Friday: Barre Universalist—Mornings

Other Shelter locations: 2-1-1

shelter

Meals

ARTICLE IV. FIREWORKS.

Sec. 5-400. DEFINITIONS.

The term “fireworks” means any combustible or explosive composition, or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, including blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, balloons that are propelled by explosives, firecrackers, torpedoes, sky rockets, Roman candles, cherry bombs, or other items of like construction and any such items containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except sparklers. The term “fireworks” does not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing 0.25 grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper caps that contain less than 0.2 grains.

Sec. 5-401. FIREWORKS SAFETY.

No person shall endanger the life, health, or safety of any person or property by the ignition, discharge, or use of consumer fireworks.

Sec. 5-402. REGULATIONS FOR DISPLAY OF CONSUMER FIREWORKS.

- 1) Fireworks shall not be discharged within one hundred fifty feet (150') of any building, street, or public area unless directly supervised by a person holding a permit issued pursuant to 20 V.S.A. §3132(c).
- 2) Fireworks shall not be discharged in such a manner so that debris can land on another person's property.
- 3) Any person using fireworks shall be at least twenty-one (21) years old.
- 4) All fireworks displays shall be completed prior to 10:00 P.M.
- 5) A Fireworks Display Permit application must be filed at least fifteen (15) days in advance of the display.

- 6) An on-site inspection by the Fire Department shall be completed before a permit is issued.

Sec. 5-403. PENALTY.

A violation of this ordinance may result in an Administrative Order for the immediate termination of the event. A civil penalty of up to \$500.00 and the loss of privilege for future permits may also be imposed..

REFERENCE: Vermont Statutes, T.20, Internal Security and Public Safety,
Chapter 177, Sub-Chapter 3: Fireworks.

Sec. 5-404 to 5-499. Reserved.

Enacted May 28, 2014 Date of Publication: . Effective Date: .



Proposal for use of DID Funds FY 15

Budget Overview

Marketing and Promotions

Branding & Marketing	\$18,000
Visitor's Website	\$15,000
Community and Arts Grants	\$9,000

Streetscape

Wayfinding Signage	\$10,000
Holiday / Winter Decorations	\$10,000
Street Furniture	\$8,000
Downtown Plantings	\$5,000

Total Expense: \$75,000

Budget Detail -- Marketing and Promotions

Marketing Strategy Implementation: DID funds from FY 14 are being used for partial funding of a Branding Identity Project. (Other funders / partners in this project are the City of Montpelier and the State of Vermont.) The result of this project (ETA fall of 2014), will be branding assets (including a City of Montpelier logo and slogan) and recommendations for marketing strategies. Based on these, we will develop and distribute branded materials that inform and attract travelers to Montpelier. These materials may include, but are not limited to: tri-fold maps/brochures, welcome packets, quarterly calendar announcements, video, radio, or digital productions. These will be focused around events that attract visitors to downtown and enhance the quality of life in Montpelier, such as the Green Mountain Film Festival, the Capitol City Farmers Market, Lost Nation theater events, etc.

Branding & Marketing

Contracted Services including graphic design	\$9,250
Media Purchases	\$7,250
Administration	\$1,500
Branding & Marketing total:	\$18,000

Visitor's Website (Phase 1): Using the branding assets and accompanying market analysis, we will issue an RFP to create a tourism website that will promote as many of our community sectors as possible: the arts, hospitality, retail, services, and leisure, among others. We anticipate that funds from FY 15 will pay for planning and design with a limited use launch. Funding in subsequent years may fund feature enhancements such as an events calendar featuring events from local arts and venues; itinerary planning for local attractions; tour scheduling; and a video about downtown Montpelier. This will be a publicly-issued RFP that will request the development of a self-sustaining model.

Visitor's Website (Phase 1)

Contracted Services	\$16,500, to include:	
	Project Manager	\$3,500
	Designer	\$5,000
	Developer	\$5,000
Technology Costs	\$1,500	
Visitor's Website (Phase 1) total:	\$15,000	

Community and Arts Grant Program: RFPs will be issued and funding will be granted to individuals and/or entities for development and implementation of a program, festival, installation, or event that promotes and/or enhances the vibrancy of downtown Montpelier. This funding could allow for the implementation of events such as Bike Town that are beyond the current capacity of Montpelier Alive's volunteer committees. Guidelines for awarding these grants will be developed to align with the funding priorities set out in the DID Guidelines created by the City Council.

Community and Arts Grants

Grant funds:	\$8,500
Administration:	\$500
Community and Arts Grants total:	\$9,000

Budget Detail -- Streetscape

Wayfinding Signage (Phase 1): The creative assets from the Montpelier Branding project will be used to design and construct signage for downtown and the gateways into downtown. These signs will lead travelers into the historic/business district, towards points of interest, to inform them of the amenities, assets, and activities currently available in the City. Funding in FY 15 will be used for phase 1 of this project: planning, design and some limited purchase. Additional signs will be purchased in subsequent years as funding is made available. Projects may include a mix of permanent signs ("Welcome to Montpelier"), and changeable temporary signs (event announcements). Planning, design, and installation will be done with assistance from Montpelier Alive's Design Committee, in cooperation with the Department of Public Works and The State of Vermont.

Wayfinding Signage (Phase 1)

Contracted Services:	\$8,500
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(Allocations will depend on responses to RFP. Funds may be used as matching funds for grants)

Administration:	\$1,500
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(This administrative cost will be supplemented by donated services and volunteer labor from members of Montpelier Alive's Design Committee)

Wayfinding Signage (Phase1) total: \$10,000

Winter / Holiday Decorations: DID funds from FY 14 were used to replace the holiday lights suspended over the intersection of State and Main and to purchase and install fresh holiday garland, and re-usable wreaths, and lights. Funds in FY 15 will be used to purchase and install additional lights and garland to decorate a larger area of the Designated Downtown. Funding in subsequent years will lead to a transitional decorating scheme in the post-holiday season to continue welcoming visitors through the dark months of winter. This project will be led by the Montpelier Business Association, in cooperation with the City of Montpelier's Department of Public Works, the Montpelier Fire Department and private contractors as necessary.

Holiday / Winter Decorations

Purchase	\$7,000
Contracted Services	\$3,000

(Contracted services include installation and removal of tree, lights, and garland and will be supplemented by Montpelier Alive volunteer labor)

Holiday / Winter Decorations: \$10,000

Street Furniture (Spring / Summer / Fall): Add new walk-up tables, bistro tables, and/or benches at existing and newly identified sites, so that the majority of the Designated Downtown has appropriate and accommodating resting and gathering areas. Replace or rehabilitate worn benches.

Street Furniture

Purchase Walk-up Tables and/or Bistro Tables	\$5,000
Purchase materials to fix existing benches	\$1,500
Labor	\$1,500 (Paid labor is for replacement / rehabilitation of broken or worn bench slats. Paid labor will be supplemented with donated services and volunteer labor from Montpelier Alive)
Street Furniture:	\$8,000

Downtown Plantings (Summer): Hanging flower baskets will be introduced in FY 15. This will require the purchase and installation of hardware on light poles at the corner of State and Main Streets. These baskets, which are expected to make a dramatic visual impression, will require daily watering in peak summer weather. Hanging baskets will be in addition to the existing 50 new planters were purchased with DID funds in FY 14 and were installed and maintained for the 2013 growing season will be again for the 2014 season. Funding in FY 15 will allow for these planters to continue to be planted and maintained for the 2015 season. In addition, we will seek opportunities to expand downtown plantings while keeping the planting program sustainable.

Downtown Plantings

Purchase of flowers and hardware	\$4,000
Installation / Planting	\$0 (Montpelier Alive volunteer labor)
Watering & Maintenance	\$1,000 (Paid labor will be supplemented with volunteer labor from Montpelier Alive)
Downtown Plantings:	\$5,000



To: Montpelier City Council

From: Montpelier Pedestrian Committee (Chris Andresen, Anne Ferguson, Eve Jacobs-Carnahan, Jim McQueston, Michael Philbrick, John Snell, Harris Webster)

Date: May 23, 2014

Re: Application for Walk Friendly Community Recognition

The City Council created the Pedestrian Committee about one year ago. One of the charges from the Council was for the Committee to prepare an application for Montpelier to be recognized as a Walk Friendly Community. The final draft of that application is enclosed for the Council's approval.

As you can see, it required an extensive review of the city from the perspective of a pedestrian. The application delves into the quantity and quality of sidewalks and crosswalks, the safety of walking in our city, the enforcement of rules affecting pedestrians, programs to encourage walking, and more. VISTA member Hannah Reckow went above and beyond our expectations in gathering the information needed to complete the application.

In particular, we'd like to call you attention to the second item under Question 4 of the Planning section of the application. It asks about the role played by the City's Pedestrian Committee in the process of reviewing ongoing projects.

Our response was aspirational in nature. While the Committee's involvement has been minimal as it came together in its first year, we are optimistic that the Council, having created a Pedestrian Committee, will decide to use it as a resource to obtain public input on the pedestrian issues in this City of ours.

We believe that if the Council, through its actions, demonstrates that the Pedestrian Committee has a role to play in providing input when relevant decisions are to be made, then the Pedestrian Committee will be viewed by the administration, and by the community as a whole, as a significant player in creating a positive walking environment. And we believe that a positive walking environment is what the designation of a Walk Friendly Community is really all about.



Chris Andresen, Committee Chair



Walk Friendly Communities

Last updated 05/22/2014

Print This Page

Community Profile

This section is intended to provide applicants with a chance to describe their communities. Having an understanding of the geographic, demographic, and economic make up of the community can help explain the challenges and opportunities that the community faces when planning for walking.

Contact Information

Name of Community:

Mayor or Top Official:

Mayor's Phone:

Community Contact Name:

Position/Employer:

Contact Address:

Address (line 2):

City:

State:

Zip code:

Phone/Fax:

Email:

Web site:

Pedestrian Coordinator & Government Staff

List your official pedestrian coordinator or pedestrian issues contact person on government staff, and identify his/her department.

Contact Person:

Contact Person Dept:

How many hours are spent per year in this capacity?

Is this person also the bicycle coordinator?

☒ Yes ☐ No

List all other government staff or contractors whose primary duties are devoted to walkability and pedestrian safety issues:

Do you have a Pedestrian Advisory Committee, Ped/Bike Council or other venue for citizen input?

☒ Yes ☐ No

If yes, please provide the name of the Chair and their contact information:

Do you have an independent pedestrian advocacy organization?

☒ Yes ☐ No

If yes, please provide the name and contact information:

Has your mayor signed the International Charter for Walking or a similar pledge to improve the conditions for walking in your community?

☐ Yes ☒ No

If yes, please provide details:

Community Profile

Population: Area of municipality: Population Density: Park Land: **Age Distribution: [?]**under 20: age 20–64: age 65–84: Over 85: *Last updated 05/22/2014*

Status of Walking

.....

This assessment tool seeks to learn how *much* people are walking and how *safe* they are when they are doing so. Therefore, the outcomes that are most significant for the purposes of this tool are the numbers of walkers and the number of pedestrian crashes. Walk Friendly Communities is looking for communities that have created environments in which many people walk *and* pedestrian crash rates are low, or those communities that are making significant progress towards those ends. These two questions focus on these specific outcomes, while other questions in this survey address what measures are used by communities to facilitate walking and improve safety.

Question 1

.....

According to the 2000 Census, what percentage of residents used the following modes for their commute to work?

Walking: Bicycling:

Public transit: Single-occupant vehicles: Carpool:

Please also provide the latest walking percentage of commuting to work from the 3-year estimates of the American Community Survey:

Walking 2006-2008: Walking 2008-2010: Public transit 2006-2008: Public transit 2008-2010:

If your community conducts its own travel counts, please include a link, attachment or description of those count results:

Web Link:

File Upload:

 No file chosen

Count Results Description:

Question 2

How many pedestrian/motor vehicle crashes were reported in each of the last five years; and how many of these crashes resulted in injuries and fatalities?

Number of Pedestrian Motor Vehicle Crashes — 2013: Number of Pedestrian Motor Vehicle Crashes — 2012: Number of Pedestrian Motor Vehicle Crashes — 2011: Number of Pedestrian Motor Vehicle Crashes — 2010: Number of Pedestrian Motor Vehicle Crashes — 2009:

Number of Pedestrian Injuries — 2013:

Number of Pedestrian Injuries — 2012:

Number of Pedestrian Injuries — 2011:

Number of Pedestrian Injuries — 2010:

Number of Pedestrian Injuries — 2009:

Number of Pedestrian Fatalities — 2013:

Number of Pedestrian Fatalities — 2012:

Number of Pedestrian Fatalities — 2011:

Number of Pedestrian Fatalities — 2010:

Number of Pedestrian Fatalities — 2009:

Question 3

What long-term trends in walking volumes and pedestrian/motor vehicle crashes has your community observed?

In the last ten years, Montpelier has seen an increase in both walking volumes and transit use. Fortunately, this increase in pedestrians has been accompanied by a decrease in pedestrian and motor vehicle crashes and resulting pedestrian injuries.

Last updated 05/22/2014

Planning

Pedestrian issues are addressed at many different levels of planning, ranging from neighborhood plans to city, county, state, and federal policies and plans. A comprehensive pedestrian plan should address all five Es (education, encouragement, enforcement, engineering and evaluation) along with public involvement. With thorough planning, a community can become proactive rather than reactive in addressing issues of pedestrian accessibility, safety, and aesthetics. Planning involves soliciting public input, collecting information about current and future conditions, and considering what policies, plans, programs and resources a municipality will require to meet your community's needs.

Question 1

Has your community adopted a pedestrian plan or pedestrian safety action plan?

☐ Yes

How are pedestrian issues captured in other plans (e.g. the comprehensive plan, Transportation Improvement Program, etc.)?

The 2010 Master Plan incorporates pedestrian issues in several of its transportation goals: "By 2040, the number of Montpelier residents who commute by walking or bicycling increases by 40 percent." (p137) "Montpelier maintains safe, quality roadways, sidewalks, and bike paths." (p141)

To achieve these goals, the Master Plan highlights strategies that include prioritizing sidewalks and ADA compliance for snow removal and maintenance, sidewalk extensions, traffic calming tactics, and adoption of a Complete Streets policy.

Pedestrian issues are framed as interwoven with other alternative transportation goals and a necessary step towards providing equitable access to community services and improved quality of life for all Montpelier residents.

The 2010 Master Plan can be accessed online at:

<http://www.montpelier-vt.org/upload/pages/406/files/complete-master-plan-2010-09-08-adopted.pdf>

Question 2

Has your community adopted an ADA Transition Plan for the public right of way?

☒ Yes

If so, please provide a link or attachment of the plan.

Link to action plan:

Not available

Action plan file upload:

Choose File No file chosen

If yes, what year was it adopted?

1992

Has the ADA Transition Plan been updated?

☐ Yes ☒ No

If yes, what year?

Does the ADA Transition Plan address curb ramps and sidewalks?

☒ Yes ☐ No

Explain:

The 1992 Transition Plan and all work on an update thus far has addressed curb ramps and sidewalks, including issues of location and slope. Routine maintenance by the Department of Public Works also addresses curb ramps and sidewalks.

Does the ADA Transition Plan address street crossings and signals?

☒ Yes ☐ No

Explain:

Location and length of street crossing and signals were included in the original 1992 Transition Plan and all work towards an update since then, including routine construction work of the Department of Public Works.

Who is responsible for the implementation of the ADA Transition Plan?

Department of Public Works

Is your transition plan being implemented?

☐ Yes ☒ No

Explain:

Over the past 14 years, the ADA Committee has held monthly meetings towards an ADA Transition Plan update. However, due to limited internal resources, this process has been delayed and staff has recommended seeking a consultant to organize the completion of the work.

In 2010, the city issued a "Proclamation of Recommitment to Full Implementation of the ADA" (available online at: <http://www.montpelier-vt.org/upload/pages/424/files/proclamations-of-recommitment.pdf>). Since then, a full sidewalk inventory has been completed. The next steps include an analysis of data, developing modification and repair strategies with cost estimates, prioritization, and a schedule for budgeting and planning purposes.

How is the ADA Transition Plan work funded?

In the past, the ADA Transition Plan work has been funded by the Capital Improvement Program budget.

There are state roads in most communities. Has your state DOT adopted an ADA Transition Plan?

☒ **Yes**

Is the state DOT transition plan being implemented?

☐ Yes ☒ No

Explain:

The Vermont Agency of Transportation (VTrans) is in the process of updating their 1995 Transition Plan (available at <http://www.aot.state.vt.us/CivilRights/Documents/ADATransitionPlanMay1995.pdf>).

An update of the progress (available at <http://www.aot.state.vt.us/civilrights/Documents/2012TransitionPlanUpdateDRAFT1.pdf>) describes the history of the plan and progress since its adoption. Briefly, these include the development and adoption of a Pedestrian and Bicycle Facility

Planning and Design Manual in 2002, the addition of Accessible Pedestrian Signals to the agency's required Standard Specifications for Construction in 2006, and a 2009 project to identify and evaluate all state-owned curb ramps and schedule necessary maintenance.

Question 3

Has your community adopted a Complete Streets policy or ordinance?

☒ **Yes**

If yes, please provide a link or attachment of the document.

Link to document:

<http://www.leg.state.vt.us/docs/2012/Acts/A>

Document upload:

No file chosen

Who is responsible for the implementation of the Complete Streets Ordinance?

Department of Public Works

How is Complete Streets work funded? (i.e., is it routinely funded as part of the project, funded with other set-aside funds, etc.?)

Complete Streets work are routinely funded as part of the project. Depending on the project, work is funded with annual Public Works road maintenance funds, Capital Improvement Project funds, or other grants received (such as VTrans grants). Work is implemented either as maintenance is needed or as development projects are pursued.

What challenges and barriers does your community face in implementing the Complete Streets policy?

While Montpelier certainly benefits from its small pre-automobile downtown core, size constraints are a major barrier to implementing Complete Streets projects. This places a barrier on the designs available in making Montpelier streets Complete Streets, especially in the shorter-term.

Identify three recent examples of how your Complete Streets policy was implemented (particularly at roadway widening projects):

Project 1:

State Street - This main thoroughfare (on which the Vermont State House and other government buildings are located) will be repaved in 2015. The State is interested in pursuing reverse angle parking, a safer alternative to traditional angle parking. The Bicycle Advisory Committee is also interested in introducing a bike lane in this project. While designs are not finalized yet, the inclusion of more modes on one of Montpelier's core streets makes it an important Complete Streets project in the near future.

Project 2:

Berlin Street - This recent repaving project added a bike lane to a high traffic road that previously had no bicycle accommodations. This project also included fixed signs marking the presence of the lane. Berlin Street is an important

route in commuting in and out of Montpelier, especially connecting to the nearby towns of Berlin and Barre.

Project 3:

Because compliance with the Complete Streets statute is required throughout Vermont, many other smaller Complete Streets projects happen with routine maintenance that the Department of Public Works completes throughout the year.

Question 4

Please briefly describe how public input is used in the municipality's planning process. Mention the role that citizen participation, advisory board review, and/or the municipality's pedestrian/bicycle advisory council play in the process. How do you assure that individuals with disabilities are included in the public input process?

The 2010 Master Plan enVision Montpelier process was centered around public input. It was an opportunity for Montpelier's residents to 'enVision' a future for their city. The plan is divided into categories by topic, and regular public input meetings were held for each section during an 'information gathering' phase. This is in addition to monthly stakeholder meetings. Several meetings were also held during a 'prioritization' phase, and individuals could also share their priorities through an online survey. In total, over 400 community members participated in the writing of the Master Plan.

This level of public participation was a natural choice for Montpelier. Residents are forward-thinking, passionate about the city matters, and frequently attend city meetings.

Provide any relevant links or attachments that indicate the formal and informal public participation and advocacy efforts in your community (i.e., a link to the pedestrian and bicycle advisory board website, if it exists, or documented guidelines for public participation in the planning process).

Website link:

<http://www.montpelier-vt.org/group/409/Pec>

Please briefly describe the role that citizen participation, advisory board review, and/or the municipality's pedestrian/bicycle advisory council play in the process of reviewing ongoing projects and development.

Both Montpelier's Pedestrian and Bicycle Advisory Committees provide input on municipal projects in conjunction with the Department of Public Works. Input is solicited in the initial conception of projects and the review of design details by City Council. From these meetings, the committees may also form their official recommendations to City Council for consideration. All city meetings are open to the public for comment.

Please briefly describe how you assure that specific populations (like individuals with disabilities or low incomes) are included in the public input process.

Montpelier Pedestrian Advisory Committee meetings are held regularly at a set time and location. The location is a wheelchair accessible building right in the center of town. These meetings are always open to the public, and time is given for public comment.

Please briefly describe how your community works with coalitions, advocates, and other departments and agencies to ensure that pedestrians are considered in all projects and documents.

A big player in pedestrian advocacy is Montpelier Alive, a non-profit devoted to the vibrancy of public life in Montpelier. Over the past several years, Montpelier Alive has given input and obtained funding for benches, flower planters, and trash receptacles to serve pedestrians downtown. It is currently working on experiments with temporary parklets (mini-parks, often over parking spaces) that would create more seating and gathering places adjacent to sidewalks.

Participation file upload:

No file chosen

Question 5

Does the city have a policy requiring sidewalks on both sides of arterial streets?

☐ Yes ☒ No

On both sides of collector streets?

☐ Yes ☒ No

Sidewalk policy link:

Specifically 703.B; <http://www.montpelier-vt.gov/DocumentCenter/View/11111>

Sidewalk funding and installation: (if applicable, please provide a link or attachment of the relevant ordinance or policy)

Sidewalk funds link:

N/A

Sidewalk funds file upload:

No file chosen

Does the city require sidewalks to be constructed or upgraded with all (or the vast majority of) new private development?

☒ Yes ☐ No

Explain:

Sidewalks are required to accompany all streets, and all new developments must provide for pedestrian circulation. This includes providing "circulation within a development between buildings and parking areas, to common areas within a development, to adjacent properties, and to schools, parks, shopping areas, transportation and other community facilities."

Question 6

Has your community established a connectivity policy, pedestrian-friendly block length standards and connectivity standards for new developments, or convenient pedestrian access requirements?

☒ Yes

If yes, please provide a link or attachment of the policy or ordinance.

Link to document:

<http://www.montpelier-vt.org/upload/groups>

Document upload:

Choose File No file chosen

If yes, please provide information on the coverage area of this policy (e.g. downtown, certain districts, entire city):

Pedestrian access is required throughout Montpelier 'wherever necessary'. Such facilities must be provide for in lot layouts, site designs, and site elements. Pedestrian facilities must be located to provide circulation within a development between buildings and parking areas, to common areas within a development, to adjacent properties, and to schools, parks, shopping areas, transportation and other community facilities.

(Relevant article: 703.A.)

If applicable, please discribe an example of a project that restored or improved the street grid.

N/A

Question 7

Do you have a trails plan?

☒ Yes ☐ No

How many miles of trails (paved/hard surface/natural) currently exist in your community?

16

How many miles of trails are included in your current planning documents?

16

Please describe destinations (schools, shopping, offices, etc.) that are accessible by trail in your community:

Montpelier's trails are accessible at the Vermont State House and surrounding tourist destinations. The Vermont State House complex is very close to downtown restaurants, shopping, movie theaters, churches, and many workplaces.

Trails continue through Hubbard Park, which includes over 190 acres, 10 miles of cross country skiing and hiking trails, a soccer and ball field, a small pond, a sledding hill, and an observation tower. These trails connect to the Recreation Fields and North Branch Nature Center, which include tennis courts and green space. Montpelier's trails continue onward to East Montpelier's extensive trail system to the north.

Please provide a link or attachment of relevant plan, if available.

Link to document:

The Natural Environment section of the 201

Trail plan document upload:

Choose File No file chosen

Is it routine policy to build trails and paths with all new and major re-developments?

☒ Yes ☐ No

Is it required through zoning regulations?

☒ Yes ☐ No

Are incentives provided to encourage trail construction?

☒ Yes ☐ No

If so please provide a link or attachment of the policy or ordinance.

Link to trail incentive:

<http://www.montpelier-vt.org/upload/groups>

Incentive file upload:

Choose File No file chosen

Question 8

Is your community served by public transportation?

☒ **Yes**

If yes, please list the agencies and whether they are city, regional, or both.

GMTA - regional

The GMTA system in Central Vermont currently serves all of Washington County plus three towns in Orange County – Orange, Washington, and Williamstown - including Montpelier. A range of GMTA services work to meet the diverse needs of the traveling public. These include year-round local routes that serve trips for all purposes, commuter routes that operate primarily during peak periods, seasonal routes that mainly serve skiers in the Mad River Valley and in Stowe, shuttle routes and other demand response services oriented toward seniors, people with disabilities and others who have limited transportation alternatives, and lastly a network of volunteer drivers.

Rural Community Transportation - regional

Rural Community Transportation is a non-profit transportation brokerage that especially serves the 'North East Kingdom'. The Montpelier to St. Johnsbury line is a crucial link to rural Vermont. All bus stops are wheel-chair accessible.

Amtrak - regional

Amtrak provides trains to destinations such as Burlington, Montreal, Boston, and New Haven.

Greyhound - regional

Greyhound bus service has routes and stops all over the northeast. Regular buses connect Montpelier to a number of

destinations including Burlington (downtown and Airport), Boston, and Montreal.

Please provide the following performance indicators and details to indicate how well your community is served by public transportation.

Percent of population living within a quarter mile of a bus stop or 1/2 mile of a rail station:

Greater than 60'

Hours of operation for transit service:

Weekday: 6 AM - 6 PM

Saturday: 8 AM - 6 AM

Sunday: none

Average off-peak headway on bus routes: 60

Average peak period bus headway 30

Average off-peak headway on train routes: 10 AM, 730 PM

Average peak period headway on train routes: 10 AM, 730 PM

Percent of bus stops that are wheelchair accessible:

100

What route planning and trip information is provided for transit passengers (e.g. real-time arrival information, online trip planning, etc.)?

GMTA trip information is published and available in a free brochure around town. Trip information, including locations, times, and maps, are also available on the GMTA website. The website is synced with Google Transit for online trip planning.

Rural Community Transportation, Amtrak, and Greyhound schedules are available online.

Please describe your transit stop improvement process including information on bus stop location guidance and the use of safety and accessibility audits, crash data, and boarding/alighting data.

Because of Montpelier's small size, there hasn't been a need for major bus stop improvement in past years. The only recent improvement on bus stops was at the Shaw's Supermarket GMTA stop on Main Street where solar lighting was added as part of the City's street light improvement process.

The flexibility of lines helps to meet the needs of Montpelier users. The Montpelier Circulator is a free GMTA bus line that will deviate from its route if a user calls in advance. This allows greater safety and accessibility to the line on those instances when the established stops do not meet the needs of its users.

Question 9

Which of the following approaches does your community use when planning for parking? Please provide a link or attachment of relevant ordinance or policy and describe when and where these strategies are used. (check all that apply)

☐ Maximum parking standards or absence of minimum parking standard

☒ Parking location requirements (i.e., parking below, beside, or behind a building; allowing on-street parking to meet minimum parking requirements)

Link to location requirements:

<http://www.montpelier-vt.org/upload/groups>

File upload:

No file chosen

Description of requirements (including when and where these are used):

Whenever possible, the Development Review Board is required to encourage parking and loading areas to be located in side and rear yards. In the Central Business and Residential Districts, no part of the front yard setback can be used for parking or loading space. In cases where side yards are non-conforming, this still applies. For cases where a non-residential district abuts a residential district, the parking and loading spaces must be no closer than 15 feet to abutting residential district. These spaces must also be screened and landscaped.

(Relevant articles: 707.B. ; 707.C.)

☒ Surface lot size and design requirements, including pedestrian and vehicle separation, locating lots to the side or behind businesses, alternative use of parking lot, landscaping, etc.

Link to size/design requirements:

<http://www.montpelier-vt.org/upload/groups>

File upload:

No file chosen

Description of requirements (including when and where these are used):

Landscaping requirements for parking lots containing ten or more spaces includes planting at least one tree per eight spaces.

Parking areas (as well as loading docks, service entrances, dumpsters, propane tanks, open storage areas, exposed machinery and waste disposal areas) must be screened from adjacent land use and public streets. The screening must be at least five feet wide and can consist of densely planted landscaping, fencing, and land forms.

(Relevant article: 708.D.)

☒ Shared parking allowances

Definition: Shared parking lots can reduce the total number of parking spaces needed in a particular area by coordinating peak parking demand times between different buildings and different uses. For instance, an office building might be able to share a parking lot with a restaurant that operates only in the evenings, as the former would use the lot during the day and the latter would use it at night.

Link to allowances:

<http://www.montpelier-vt.org/upload/groups>

File upload:

Choose File No file chosen

Description of allowances (including when and where these are used):

In calculating the number of parking spaces needed to satisfy the parking requirements where multiple separate uses occupy one property, spaces may be counted toward satisfying the parking requirement for more than one use if it can be shown that the spaces will be used at different times and will still meet expected peak parking demand for project.

(Relevant article: 705.I.)

☐ Priced public parking

☐ Parking cashout incentives

Definition: Parking cashout is a financial incentive in which employees who do not drive and park at work receive a subsidy that approximates the cost employers bear to provide free parking to employees.

☒ Remote parking and/or park and ride

Link to remote parking:

N/A

File upload:

Choose File No file chosen

Description of remote parking (including when and where these are used):

Several remote parking lots are located on the way from I-89 into Montpelier. These include a lot on Memorial Drive next to the Department of Labor and a lot at the National Life building which houses National Life and other State agencies. These lots provide parking for Montpelier's two biggest employers.

Remote parking is also available on Stone Cutters' Way. This provides parking for downtown access that is not directly in the downtown district.

☐ Other (please describe)

Question 10

Approximately what percentage of development in the last five years has been infill?

Planning does n

How many LEED-ND projects have been developed (or are pre-qualified) in your community (just LEED for Neighborhood Development not all LEED designations)?

0

What measures does your community use to encourage dense, mixed-use development? (check all that apply)

☒ Secondary or accessory dwelling units are permitted

Definition: These units are self-contained apartments on an owner occupied single-family lots.

Link to measure:

File upload: No file chosen

Description of measure (including where it is permitted):

Accessory units are permitted within an owner occupied single-family dwelling or within an existing accessory structure as an efficiency or one-bedroom apartment if there are facilities for sleeping, food preparations, sanitation, parking, and waste water processing capacity for both units. The total habitable floor area may not exceed 40 percent of the single-family dwelling.

(Relevant article: 605.D.)

☐ Retail/commercial uses are required on the ground floor of residential buildings in mixed use corridors or districts

☒ Density bonuses to developers are provided for providing amenities that enhance walkability and livability

Definition: Density bonuses are used by local governments to allow a developer to build at a higher density than zoning permits in exchange for providing affordable residences or walk-friendly amenities.

Link to measure:

File upload:

No file chosen

Description of measure (including where it is permitted):

If that a developer can prove that a 'cluster development' would result in a more desirable environment than would be possible through conventional subdivision and that the development will be designed in harmony with the natural environment, a density bonus may be permitted.

(Relevant article: 713.E)

☐ Form-based or design-based codes are used

Definition: These codes are an alternative to conventional zoning that can be used to ensure a walk friendly environment by regulating the form, scale and massing of buildings rather than the use. They are typically presented with both diagrams and words.

☐ Neighborhood school siting policies

What other incentives are provided for infill developments? (please describe):

N/A

Please describe the planning efforts in your community to preserve and strengthen your urban structure. Examples could include revitalization efforts of your downtown and other historic areas or infill and intensification efforts in centers, nodes, districts, and along corridors.

Montpelier is working to build more pedestrian friendly development. One important example is the One Taylor Street development. This project (which is still in the public input stage) would take a one acre parking lot along the Winooski River and develop a multi-modal transit center in its place. While the design process is not complete, the project represents a promise by the City to create a transportation node for the city that could accommodate more diverse (and pedestrian) modes of travel. The project also will include completing the east/west multi-use paths across town, which would connect two sections of the Cross Vermont Trail from the Recreational Center to U32 High School. Other design ideas have included better landscaping and river access, public art, and a space for an outdoor market.

Question 11

In the following fields, please select and briefly describe any urban design features or pedestrian amenities that your community uses or requires to create a comfortable and attractive walking environment.

☒ Lighting:

In 2012-13 most streetlights in the city were converted to LED lights. A survey by the Street Light Committee, appointed by the City Council, was conducted to optimize light levels for safety, improve energy efficiency, and reduce night-sky light pollution. Light levels at all intersections throughout the city were intentionally set to accommodate the needs of both vehicular traffic and pedestrian crossing. As a result, lighting levels were increased at all crosswalks in the downtown district to improve pedestrian visibility.

☒ Trees and plantings:

Montpelier has a standing committee, the Tree Board, appointed by City Council that is responsible for all trees on City property, including public right of way. Trees are planted throughout the city, including downtown and residential districts. In the downtown district they are protected by iron grates and guards. Montpelier is proud to have been a Tree City USA for the past 12 years!

In recent years, Montpelier Alive has procured planters in front of the post office. Planters also exist by City Hall

and the police station.

☒ Street furniture:

The City has a number of benches in the downtown district that are located around key public services, including the Kellogg Hubbard Library and the post office. The Kellogg Hubbard Library has a small plaza which includes stone street furniture.

Montpelier's centrally located City Hall includes an open semi-circular plaza. This space includes attractive pavers, two plantings, and many places to sit. Several cafes and coffee shops in the downtown district also provide outdoor seating to customers during the summer months.

Seating also exists along the Winooski River at a Peace Park. Benches, picnic tables, and a small mosaic are accessible by the multi-use trail system.

☒ Community identifiers (e.g. gateways, banners, public art):

The State House complex forms a 'gateway' into the city. The sidewalk, extensive lawn, and steps up to the State House are open to the public and provide a warm weather pedestrian destination.

Numerous other examples of public art act as community identifiers. These include the Capital Stationer's mural by the Fire Station on Main Street and a series of bicycle themed statues around town. (Locations include the Court House, National Life, the Main Street roundabout, and along Stone Cutters' Way.)

The Winooski and North Branch Rivers are Montpelier's biggest natural community identifiers. These rivers create the need for bridges, for both cars and pedestrians, which serve as excellent community identifiers. Particularly, the bridges over the North Branch River make those portions of Main and Langdon Streets unique. For example, the Main Street bridge over the North Branch River is a popular place to sit with a cup of coffee and people-watch.

☒ Other features and amenities (e.g. facade design requirements, public restrooms, pavement design):

The city's zoning ordinance requires new commercial and mixed-use developments in the downtown to include a facade articulation: clearly delineated upper and lower facades, display windows on street-level facade and regularly spaced windows on upper levels, a recessed entryway, and decorative trim and ornamental molding, etc.

Public restrooms are available in City Center on Main Street, Kellogg Hubbard Library, City Hall, and the State House.

Artistic banners on light posts in the downtown core are changed periodically. They occasionally advertise upcoming events, such as the Green Mountain Film Festival.

Please provide a link or attachment of the ordinance or policy that addresses these features.

Link:

<http://www.montpelier-vt.org/upload/groups>

File Upload:

 No file chosen

Question 12

Please briefly describe any other planning policies related to promoting or enhancing walking in your community.

N/A

Last updated 05/22/2014

Education & Encouragement

Education and encouragement are primary components in creating a successful walk friendly community. This section seeks information about the programs, policies and strategies your community uses to inform, inspire, motivate or reward walkers and other users of the public right of way. It also asks the question "Do your efforts result in a safe walking environment?" Effective pedestrian safety education begins at an early age, is age-specific, and continues through the years across all modes (i.e., motorists educated about pedestrian safety contribute to a safer, more pleasant walking environment for pedestrians; this environment enables and encourages more people to walk).

Encouragement programs can be fun and inclusive in seeking to establish good habits or change unhealthy or unsafe habits. The education and encouragement strategies listed below are common to many walkable communities. If your community uses other strategies to educate the public and encourage walking, please describe them as well.

Question 1

Please describe any Safe Routes to School (SRTS) programming being implemented in your community in the space provided below.

Check any of the following activities that are part of your SRTS programs and include information about the nature, scope, and results of these activities (as well as any others not listed below) in your description.

☒ Walk to School Day/Week

Definition: Walk to School Day is an international event that takes place annually in October. Schools from all over the country plan special activities to encourage students to walk to school. This special event can be a great way to start a Safe Routes to School program.

Description:

Union Elementary School participates in Walk to School Day in October. Students who are not able to walk to school are encouraged to 'walk at school' by using a walking course around the school building. Somewhat less focus is paid to this fall event than Walking Wednesdays or Walk & Roll Month (more details below).

☒ Walking Wednesdays or other walking events

Definition: Some schools and communities promote walking to school by having regular Walking Wednesday events in which parents, teachers, and students may meet up near the school campus and walk to school together.

Description:

Walking Wednesdays are held through the winter at Union Elementary. Full school participation is encouraged through friendly competition for the "Golden Sneaker" trophy. Dedication to promoting walking is school-wide, and principal often leads walking group.

Montpelier schools also observe two other annual events centered around walking and alternative transportation:

Walk & Roll Day (part of Walk & Roll Month) is a day in May where students are encouraged to walk or ride their bicycle to school. The event is advertised in a series of promos and announced by a mayoral proclamation. Students are met with a greeting table, incentive items, and local 'celebrities'. Vermont's Governor has joined the activities in 2003 and 2009. Union Elementary School participates every year.

Way to Go Week occurs in May of each year. All of Montpelier schools support this statewide initiative in alternative transportation encouragement, promoting walking and cycling for CO2 reduction. Union Elementary School, Main Street Middle School, and Montpelier High School participate in Way to Go Week through friendly competition between the schools.

☒ Walkability audits or SRTS maps

Definition: By auditing and assessing walking routes and creating maps indicating the safest routes to school, communities can help educate students and families about the best routes to take.

Description:

An audit of walking routes to Montpelier Schools was conducted in 2008. It assessed routes to Union Elementary and Main Street Middle school and identified barriers to the safest routes. From this information, the Vermont Safe Routes to School Resource Center created maps to illustrate the safest routes which are used in SRTS activities and planning

☒ Walking School Bus

Definition: From saferoutesinfo.org : A group of children that walk or bicycle to school together accompanied by one or more adults.

Description:

Walking school bus routes to and from various neighborhoods have been used since 2007, depending on volunteer availability.

☐ Student safety patrol

Definition: From saferoutesinfo.org: Student safety patrols enhance enforcement of drop-off and pick-up procedures at school by increasing safety for students and traffic flow efficiency for parents. Such efforts allow students to participate in promoting traffic safety where they learn skills they can use in their everyday lives.

☒ Tracking system to count the number of children walking to school

Description:

Classroom counts occur twice during the year when promotional activities are taking place and twice when they are not. (The same is done for bicycling.)

The Safe Routes to School program has tracked the modes students use to get to school frequently for Union Elementary. Results show that just under 30% of students walk in the morning and close to 50% walk home in the afternoon.

☒ Other (please describe)

Description:

Walksmart curriculum, which focuses on pedestrian education, has been taught to all kindergarten and 1st graders annually since 2008. Physical Education teachers are now trained in this curriculum. This includes using an 'activity log' for students where they record their walking and other physical activity. Union Elementary has a "walk at school" track that can be used by all students, especially those who cannot walk to school. In the winter, PE classes continue walking promotion through activities like snowshoeing.

Montpelier schools were among the first in Vermont to start Safe Routes to Schools programming. In 2013, Montpelier received the Vermont SRTS most innovative programming award. Montpelier programs have been recognized by the national SRTS center and written up in their e-news as an example of successful programming.

Please estimate the number of schools in your communities that participate in the following:

Ongoing SRTS program:

Special walk to school events only:

No walk to school or SRTS activities:

Total number of elementary and middle schools in your community:

Please provide the following information for the Safe Routes to School contact person in your community:

Contact Person and Title:

Chris Henessey, Principal
Marie Jennings, PE teacher

Contact Person Department:

Union Elementary School

How many hours are spent per year in this capacity?

Please describe your most recent Safe Routes to School grants:

Unfortunately, there are no remaining Safe Routes to School grants in VT. We are sustaining effort through volunteers

and dedication of principal and PE teachers.

Question 2

Please describe any education and training programs related to pedestrian education, safety, or design for staff in your municipality. Please include in this description the nature, frequency, scope, number of attendees, and results of these programs.

Engineering:

Engineering staff regularly have access to training on pedestrian safety and design. At least one member of the Department of Public Works attends training on designing pedestrian facilities each year. In 2014, this number has increased to three staff members, who attended a one-day training on Complete Streets requirements and design opportunities.

Planning:

Planning staff have access to various voluntary training opportunities that include pedestrian issues. Recently, the Assistant Zoning administrator attended a day-long workshop held by the Central Vermont Regional Planning Commission which included the requirements of Complete Streets as a topic.

Law enforcement:

The Vermont Bicycle and Pedestrian Coalition provides annual training for law enforcement in Washington County regarding pedestrian and bicycle related laws and education. They provide the same training to each Police Academy in Vermont.

School staff:

School staff, particularly Physical Education teachers, receive a one-day training with the Walksmart curriculum. This includes information on the benefits of walking and how to encourage physical activity in the classroom.

Public officials:

None

Other:

Question 3

Please check and briefly describe any education or encouragement campaigns that are implemented in your community regarding the following topics. Include information about the target audience, techniques used (e.g., posters, workshops, etc.), frequency, scope, and results of the programs. Please mention what measures your community has taken to make sure that education and encouragement campaigns are inclusive of all populations. Also mention your community partnerships (such as Public Health & Planning partnerships) that collaborate on these efforts. Provide any relevant links and attachments to help illustrate these descriptions, if available.

☐ Public service announcements☒ Public health campaigns related to walking

Link to relevant material:

<http://healthvermont.gov/fitandhealthy.aspx>

Description:

Fit and Healthy Vermont:

The Vermont Department of Health runs a state-wide public health initiative related to walking called Fit and Healthy Vermonters. Part of that is Vermont Ventures, where participants can earn 'points' for each outdoor place and activity they do. With it's central location and access to nearby state parks, Montpelier residents have ample opportunity to participate.

Walk and Roll Month:

Walk and Roll Month is a month-long event held in May by the Bicycle and Pedestrian Advisory Committees, who usually receives help from Montpelier Alive. The campaign includes events that encourage people of all abilities and interests to get out on their bikes and the city's sidewalks - commuters, recreational walkers, family bicyclists. Events have included: Walk and Bike at Lunch, Family Bike Safety Clinic and Ride, a Bike to Brunch series, a Tree Walk, and a Walking Scavenger Hunt.

☒ Walk to work events

Link to relevant material:

<http://waytogovt.org/>

Description:

Residents of Montpelier participate in Way to Go! week, a state-wide initiative to save fossil fuels in your daily commute. Individuals or organizations pledge their participation to win prizes. Montpelier's schools have participated in the past. It is the second week of May, and is usually incorporated into Montpelier's Walk and Roll Month events.

☒ Other (please describe):

Link to relevant material:

Description:

Thanks to a vibrant city life Montpelier is host to many festivals and events. Many of these events encourage walking, whether to support a cause or simply by improving pedestrian life. Some are oriented around fitness, others encourage walking through celebrating local talent in the streets. Repeating events include:

Art Walk, annual (<http://montpelieralive.org/artwalk>)

Poem City, annual (<http://www.montpelieralive.org/poemcity>)

Corporate Cup Challenge, annual (<https://www.vcccsar.org/>)

Multiple Sclerosis Walk, annual (http://walkmam.nationalmssociety.org/site/TR?fr_id=23546&pg=entry)

March for Babies/March of Dimes Walk, annual (http://www.marchofdimes.com/vermont/events/10220_3134383436.html)

Walk for Animals, annual (<http://cvhumane.com/uncategorized/walk-for-animals/>)
 Capitol City Stampede (can be walked), annual (<http://www.cvrunters.org/stampede/>)
 Paul Mailman 10 Miler (can be walked), annual (<http://cvrunners.org/tenmiler/index.html>)
 American Cancer Society Relay for Life, annual (http://main.acsevents.org/site/TR?pg=entry&fr_id=59785)
 July 3 festival (1 mile run or walk) , annual (<http://www.onionriver.com/9th-annual-montpelier-mile/>)
 Walk to End Child Abuse, annual (<http://www.pcavt.org/index.php?id=384>)
 CROP Hunger Walk, annual (http://hunger.cwsglobal.org/site/TR/2013FallCROPHungerWalk/TR-Fall2013?pg=entry&fr_id=17990)
 New Years Eve run, annual (<http://cvrunners.org/newyearseve/index.html>)
 Onion River Sports road races (<http://www.cvrunters.org/racesrs.html>)
 Fashion Week, annual (<https://www.facebook.com/pages/Montpelier-Fashion-Show/311415943660>)
 All Species Day Parade, annual (<http://www.alltogethernowvt.org/seasonal-celebrations/all-species-day>)

Question 4

Please check and briefly describe any walking tours, guides, or maps that are available (on-line or printed) in your community. If available, please provide a link, attachment, or pictures of wayfinding devices and/or plans, maps, or brochures for these walking tours.

- ☒ Walking maps (e.g., neighborhood maps, school route maps, city-wide maps, trails and greenways, etc.)

Link to relevant material:

http://www.montpelieralive.org/Maps_Walki

Description:

Information is available on Central Vermont Chamber of Commerce website for several self-guided historical walking tours. These include the State Street Tour, the Main Street Tour, and the College Street Tour.

Interactive maps and self guided walking tours are also available on the Montpelier Alive website. Map topics include Downtown Businesses and Attractions, Historic Montpelier, Hubbard Park and North Branch Park, and Google Pedometer which lets viewers map distances of possible walking routes.

Walking tours through VT Archaeology Month have taken place in the past.

Pedestrian Advisory Committee member Harris Webster hosts "Walks with Harris", weekly gentle walking tours from the Senior Activity Center.

North Branch Nature Center hosts a number of educational walks. Topics have included Botany Walks, Bird Walks, Weed Walks, Nature Walks, Wildflower Walks, and Butterfly Walks. These happen seasonally and depend on expertise and interest of NBNC staff and volunteers.

- ☒ Wayfinding and route signs for pedestrians

Link to relevant material:

http://www.crossvermont.org/our_trail/inde

Description:

Wayfinding signs for the Cross Vermont Trail are located near the segment of the route that goes through Montpelier.

Question 5

Please briefly describe any ciclovía/Sunday Parkways/open streets or similar events in your community. Include information about the target audience, nature, frequency, scope, and results of these events. Provide any relevant links and attachments, if available.

Montpelier hosts a number of open streets events:

The Capital City Farmers' Market occurs from 9-1 on each Saturday, May through October. A parking lot on State Street is used for the market space. Besides many local produce vendors, the market includes prepared food vendors, art vendors, and live music. It is a popular place to take your family and dog to get lunch on Saturday. Between October and May, the market is held indoors at the Vermont College of Fine Arts, a short walk from downtown.

Montpelier Fashion Week is an annual event that celebrates local fashion - both from local stores and of residents. In the family friendly event, a downtown street is closed to traffic to set up a stage and seating.

This year, Montpelier will be starting a new seasonal event, Park in the Street. Each season, a portion of State Street will be closed to vehicles and local vendors and artists will take place in an open market. This will also be an opportunity for local student and professional designers to build experimental parklets.

Question 6

Please briefly describe any other education or encouragement programs affecting walking in your community.

N/A

Last updated 05/22/2014

Engineering

Designing, engineering, operating, and maintaining quality roadways and pedestrian facilities is a critical element in producing a Walk Friendly Community. Designers and engineers have a diverse array of design elements and ever-developing technologies at their disposal that provide a safer, inviting, and more accessible street for pedestrians. These benefits aren't limited to pedestrians. By accommodating pedestrians in all roadway designs, roads become safer for all users. Therefore, it should be essential that pedestrian engineering and design tools are used throughout your community, including sidewalk accommodations and standards, crossings and intersections, traffic calming, trail design, and newer, innovative treatments.

Question 1

Which of the following standards, if any, are included in your municipality's sidewalk design specifications? Please provide a link or attachment of the municipality's sidewalk design standard specifications.

- ☒ Sidewalks at least 5' wide in residential areas, 10' – 30' in commercial zones
- ☐ Required buffer zone between sidewalk and street
- ☒ Level and continuous sidewalks at driveways so that driveways do not look like

roadways

Sidewalk design link:

Sidewalk design file upload:

No file chosen

Question 2

Estimate the percent of arterial and non-arterial streets that have sidewalks on both sides of the road, one side of the road, or have paved shoulders (minimum of 4 ft) in your community.

Sidewalks on both sides — Arterials:

Sidewalks on both sides — Non-Arterials:

Sidewalks on one side - Arterials:

Sidewalks on one side - Non-Arterials:

Paved shoulders $\geq$ 4' — Arterials:

Paved shoulders $\geq$ 4' — Non-Arterials:

Please enter the following information about your road network:

What is the mileage of your total road network?

How many miles of sidewalks are in your pedestrian master plan?

How many miles of new sidewalk did you construct last year?

How many miles of new sidewalk did you construct in the last three years?

How many miles of new sidewalk do you plan to construct in the next three years?

Question 3

Describe the following inventories and update processes for your community.

Sidewalk inventory:

The Engineering department has a GPS inventory of all City sidewalks. These inventories are used to evaluate the City's ADA compliance.

Curb ramp inventory:

Curb ramp locations are included in the GPS sidewalk inventory and are currently being reevaluated for ADA compliance.

Please describe your community's sidewalk retrofit policy to fill gaps, repair sidewalks, and provide new sidewalks as needed.

Montpelier has a Capital Improvement Plan with an annual budget of \$1.7 million, \$300,000 of which went to sidewalk reconstruction in 2013. This is in addition to the annual sidewalk maintenance budget of \$20,000. The City also recently received a grant from the state Agency of Transportation to build 1/2 mile of new sidewalks to address pedestrian demands on 3 arterial roads.

What is the annual line item for sidewalk maintenance in your community's budget?

20,000

Estimate the percent of intersections that have ADA accessible ramps on all four corners.

95

Estimate the percent of sidewalks that need to be repaired or replaced.

20

Does your community have a program to install curb ramps?

☒ Yes

How many ramps are installed per year? 5 - 10

How many ramp installations are planned for next year? 20

Does your community have a program to repair and replace broken sidewalks?

☒ Yes

How many locations (or linear feet) were fixed last year? 3500'

How many repairs are planned for next year? 300-400'

Is there a method for residents to report missing or broken sidewalks and curb ramps?

☒ Yes

Please explain the report process (e.g., on-line complaint form):

Residents can report broken sidewalks and a need for maintenance by contacting the Director of Public Works directly by email or in person. Contact information is readily available on the City's website.

Additionally, the Pedestrian Advisory Committee is always open to input about maintenance needs. Contact information for

committee members is posted on the City's website and the Committee's monthly meetings are open to the public.

Question 4

Please indicate the number of bridges or overpasses in your community and how many of those provide for pedestrians through shoulders, sidewalks, or multiuse paths.

Number of Bridges (excluding freeways):

Number of Bridges with pedestrian provisions
on at least one side:

Number of Pedestrian overpasses (or
bridges):

Number of Pedestrian underpasses:

Identify the last three bridges built (or major reconstruction) in your community, and do the bridges provide pedestrian provisions on at least one side?

Bridge Number 1

Taylor Street Bridge - sidewalk on one side

Bridge Number 2

Langdon Street Bridge - sidewalk on both sides

Bridge Number 3

Pioneer Street Bridge - sidewalk on both sides

Identify bridges currently under design. Do the bridges provide pedestrian provisions on at least one side?

Cummings Street Bridge - No provisions, but a separate pedestrian bridge exists to connect this route

Question 5

Does your community maintain a pedestrian signalling system?

☒ Yes

Please briefly describe initiatives your community has taken to ensure or improve pedestrian access, safety and convenience at signalized intersections. Provide a link or attachment of the relevant policy or ordinance, if available.

Description:

All but two of our signalized intersections use exclusive pedestrian phasing. Three high pedestrian intersections prohibit right turn during the pedestrian phase. These intersections use blank out or fixed 'No Turn on Red' signs.

Link to policy or ordinance:

Upload policy or ordinance:

Do you provide pedestrian recall (pedestrians receiving a walk signal during every phase without using a push button) in high pedestrian corridors?

☒ Yes ☐ No

If yes, when and where?

Two signals use concurrent pedestrian phase (not actuated) in high pedestrian areas. The five other walk signals have lower levels of pedestrians and require the user to push a button.

Please describe any passive pedestrian detection (e.g. video, microwave) in your community.

None

Approximately what percentage of intersections have accessible pedestrians signals with audible walk indications?

57

Approximately what percentage of intersections have pushbutton-integrated accessible pedestrians signals with audible and vibrotactile indications?

57

What is the average walk speed used to determine signal timing?

3.5

Do you use right-turn-on-red restrictions? If yes, when and where?

Yes, right-turn-on-red is restricted during exclusive pedestrian phases with either fixed signs or electronic blank out. This is at 3 of 7 intersections.

Do you use Leading Pedestrian Intervals? If yes, when and where?

No

What is your maximum cycle length in your downtown?

145 seconds

What is your maximum cycle length in your community?

145 seconds

What speed is traffic progress for in downtown?

25 mph

What is the longest pedestrian crossing that you have?

Berlin St at 80 ft (4 lanes) and 26 seconds

What is the policy on displaying Walk signals (e.g. > 12 seconds or 25% of cycle length)?

Per MUTCD guidance, Montpelier walk signals are least 7 second walk interval followed by pedestrian clearance time.

What percentage of intersections have countdown signals?

43

Question 6

Please briefly describe initiatives your community has taken to ensure or improve pedestrian access, safety and convenience at crosswalks. In your description please address the following questions. Provide a link or attachment of the relevant policy or ordinance, if available.

Description:

The City's Traffic Committee includes the Police Chief, the Fire Chief, the Director and Assistant Director of Public Works. The committee's work includes providing for a safe and accessible walking environment.

The City is also undertaking the creation of a Bicycle and Pedestrian Master Plan. This document will include a comprehensive inventory and highlight projects, among other things.

Link to policy or ordinance:

Upload policy or ordinance:

Choose File No file chosen

How are marked crosswalk locations selected?

Crosswalk are placed in locations with significant foot traffic, such as those near a 'pedestrian draw'. To ensure safety, crosswalk locations are also reviewed for the sight distances for stopping.

What is your standard crosswalk marking type (e.g., parallel lines, ladder style, high visibility, etc.)?

Mostly parallel lines, some ladder style

Please describe your crosswalk inventory and update process:

The City's 130 crosswalks are repainted annually as needed. Public Works is in the process of transitioning from paint to more durable markings.

Are crosswalk markings regularly maintained?

☒ Yes ☐ No

Describe:

Most of the crosswalk maintenance is done by the Department of Public Works, with the exception of arterial roads which

are contracted out to get quicker service.

☐ Are in-road stop/yield signs used?

Are advance stop/yield lines placed at multilane uncontrolled marked crosswalks in order to reduce multiple threat crashes?

☐ Yes ☐ No

Describe:

Are there other pedestrian safety practices being used at crosswalks?

As Public Works incorporates the advisory committees into the development of pedestrian facilities, more potential solutions are being considered (pedestrian push signals, using flags or visibility, etc.).

Are pedestrian hybrid beacons and rectangular rapid flash beacons used? Please describe when and where (e.g. in close proximity to schools, bus stops, trail crossings, etc.):

Not currently, but they are being considered for high-profile, high-conflict areas.

Question 7

Does your community design and build its own roadways?

☒ Yes

What geometric features are being used to ensure or improve pedestrian access, safety and convenience? In your description please address the following questions. Provide a link or attachment of the relevant policy or ordinance, if available.

Are median crossing/refuge islands used? Is there a standard or typical roadway that these are used on? How many have been installed in the last three years (on new roadways or retrofits)? Are any more planned?

Link to island policy:

Description:

We only use crossing refuge islands or medians at our two signalized roundabouts.

Do you routinely install curb extensions? How many have been installed in the last three years? Are any more planned?

Link to curb extension policy:

<http://vtransengineering.vermont.gov/sites/c>

Description:

Yes, but none have been installed in the last three years. Four curb extensions are planned for next year along

State Street.

All crosswalks have curb ramps and high pedestrian areas (downtown and high density residential areas) are ADA compliant. We also began installing crosswalk bulb-outs in the 1990s at uncontrolled downtown intersections (where on-street parking is permitted) and at the middle school as part of a Safe Routes to Schools project in 2012.

What is the standard curb radius (10',15',20',25',30',35') for local, collector, and arterial streets?

Link to curb radius policy:

<http://www.montpeliervt.org/upload/groups/>

Description:

A 30' minimum curb radius is used except in high pedestrian/low truck locations where smaller radii are used. The DPW verifies the appropriate use of radii by utilizing appropriate design templates.

What other geometric design features are implemented for pedestrian safety?

Link to other design features:

<http://healthvermont.gov/family/fit/documen>

Description:

The Department of Public Works incorporates all aspects of Complete Streets into road construction work. This includes design features in the Vermont Complete Streets guide.

Has your community taken initiatives to increase safety for people crossing the street at bus stops that are not located at signalized intersections?

Link to bus stop policy:

Description:

N/A

Bus stops are located near crosswalks intentionally.

Please describe your community's use of multi-modal level of service in the 2010 Highway Capacity Manual. Please include information on standards, goals, and the hierarchy of pedestrian/transit/bicycle/vehicular LOS used to evaluate and design streets and intersections in your community.

Montpelier does not use the 2010 Highway Capacity Manual or LOS tools to evaluate intersections as of yet.

Question 8

Please briefly describe your community's traffic calming practices and/or policies and cite any relevant examples. Traffic calming practices may include road diets, lane diets (reduction in lane width) or streets with a pedestrian focus. Provide any relevant links or attachments, if available.

Description of practices:

Montpelier uses curb bulb-outs at crosswalks, as well as tables and bumps in low-speed residential neighborhoods.

Link to calming practices document:

Please describe any recent road diets:

The future repaving of State Street will include bike sharrows or lane, a switch to angled parking, and no change on sidewalk width.

Please describe your traffic calming methods including typical treatments and site selection and prioritization:

Traffic calming methods include use of bulb-outs (which reduce the distance for pedestrians to cross and increase visibility). Sites are selected for traffic calming in Montpelier by proximity to schools and high residential areas.

What is the maximum speed limit at traffic signals in your community?

The maximum speed limit at traffic signals in Montpelier is 35 mph.

Do you have school zones and reduced speed limits? Please describe:

School zones are marked by signs and have reduced speed limits to 25 mph.

What is the posted speed of the majority of the arterial roads in your community?

Speed limits on Montpelier's roads are approximately 60% 35 mph and 40% 25 mph.

Question 9

Please briefly describe any other engineering projects or policies affecting walking in your community.

N/A

Last updated 05/22/2014

Enforcement

In many communities, enforcement is often neglected as a technique for making communities safer for walking. Communities that have created comfortable walking environments through engineering improvements or urban design features may still have safety concerns if traffic laws are not properly understood or adequately enforced. Enforcement activities work best when implemented in conjunction with education and awareness activities. Therefore, well-implemented enforcement campaigns will include public education campaigns, law enforcement officer training, and strategic law enforcement and ticketing strategies. A successful enforcement program will usually require the involvement of community members, law

enforcement officials, city council members, and the media.

Question 1

Does your community have a traffic safety division/unit within the Police Department?

☐ Yes ☒ No

Does your community have police patrols on foot or bike? If so, please describe (include the number of officers that are bike patrol certified).

The Montpelier Police Department uses regular foot patrols in downtown area during the day and night, as well as regular bicycle patrols in downtown area during the day and night in Spring, Summer and Fall. There is one full time certified bike patrol officer and three part time certified bike patrol officers.

Please estimate the number of patrol officers and amount of time that is devoted to responsibilities concerning pedestrian laws and safety:

Between 1 and 4 officers conduct motor vehicle enforcement daily and include pedestrian concerns, such as crosswalk violations and pedestrians walking in the roadway. These officers also address parking issues such as obstructed crosswalks, vehicles parked on sidewalks and too close to intersections. We have a full time, non sworn parking division that also enforces these violations during business hours on weekdays. Over 1700 motor vehicle stops were conducted in 2013 by Montpelier police officers.

Question 2

Does your community use targeted enforcement programs to ensure the safety and security of pedestrians in crosswalks and on city streets, trails, and walkways? Indicate which of these elements, if any, are part of the enforcement program.

☒ Yes

Indicate which of these elements, if any, are part of the enforcement program.

- ☐ Targeted pedestrian crossing operations (e.g., use of plain-clothed "decoy pedestrian" officers to enforce motorist yielding laws):

Definition: From walkinginfo.org: These are well-prepared and coordinated operations designed to warn motorists that the yield-to-pedestrian laws will be enforced at target locations. Officers prepare a site by establishing the safe stopping distance to a crosswalk, with a 10 mi/h over the speed limit leeway. Cones are set out in that location. An officer in plain clothes steps into the crosswalk just before a vehicle passes the cone. If the motorist doesn't yield, either a warning or a citation is given, based on the severity of the incident.

- ☒ Media campaigns regarding enforcement

Please media activities and frequency:

Pamphlets on bicycle and pedestrian safety and laws are available at the Police Department. The Montpelier Police Department Facebook page also regularly posts on these topics.

- ☒ Speed feedback signs

Please describe the frequency of use (include how sites are selected):

There are two permanent electronic signs around Main Street Middle School on busy roadway near school grounds. There is also a mobile radar trailer placed in high violation areas, in response to citizen complaints or officer observations

☒ DUI Checkpoint operations

Please describe the extent and frequency of operations (include how sites are selected):

The Montpelier Police Department has a DUI grant allowing officers to participate in DUI checkpoints several times a year and conduct DUI patrols monthly.

☒ Targeted speed enforcement

Please describe the extent and frequency of operations (include how sites are selected):

The Montpelier Police Department conducts regular enforcement of speed in high violation areas, including congested high traffic residential areas and school crossings.

☒ Progressive ticketing

Definition: From walkinginfo.org: Progressive ticketing is a method for introducing ticketing through a three-staged process: educating, warning, and ticketing.

Please describe when and why progressive ticketing processes are deployed:

Officers focus on education versus penalization and belittlement by explaining logic of importance in obeying traffic laws. Officers typically focus on visibility in high violation areas, large numbers of car stops with written warnings issued to promote education and visibility with tickets written for egregious offenses and repeat offenders.

☐ Emergency call boxes☐ Other

Question 3

Please list the number of citations given for the following infractions:

Failure to yield to pedestrians:

30

Parking on sidewalks or too close to intersections or crosswalk:

54

☐ Does your community use photo enforcement technology that targets speeding and/or red light running?

Question 4

Please briefly describe your community's policies and practices regarding the use of adult crossing guards at elementary and middle schools. Include any information about the criteria for placement of adult crossing guards, training programs, crossing procedures, crossing guard signs and equipment, and law enforcement strategies at crossing guard locations.

Our crossing guard policies and practices consist of providing a crossing guard at five major intersections around Montpelier. All these intersections have a heavy amount of walking traffic in the morning and afternoons that consists of elementary and middle-school age children. These five locations are at Liberty and Main Street (in front of the middle school), Park Ave. and Loomis Street (in front of the elementary school), School Street and Main Street, Elm Street and

Spring Street and East State Street and Hubbard Street.

We tend to place the crossing guards who exhibit certain strengths, such as perseverance and comfort with possible confrontation, at the intersections with the most car traffic. Our crossing procedures include training the guards to wait for a group of children to gather, go out into the intersection with the stop sign, wait for cars to stop on both sides of the crosswalk and then signal the kids to cross. We provide cones for crossing guards who work the most difficult intersections and have bi-monthly meetings to discuss any issues that may arise. There have been times when we've needed to discuss continuing traffic problems with the police and they have occasionally made their presence know at the problematic areas around town.

As far as safety equipment is concerned, we provide each of our guards with a reflective vest, reflective winter jacket, bright winter hat, stop sign and reflective traffic cones if needed.

Provide a link or attachment of any relevant policies, if available.

Link:

N/A

File upload:

Choose File No file chosen

Question 5

Do police work regularly with traffic engineers and planners to review sites in need of safety improvement for motorists and pedestrians?

☒ Yes

Describe:

An officer is a member of both pedestrian and bicycle advisory committees that meet regularly with city planning and engineering staff.

Does your community use crash and/or fatality data to identify problem areas and potential solutions?

☒ Yes ☐ No

Describe:

All crash information is submitted to the Vermont Dept. of Motor Vehicles who applies this to planning and funding to prevent crashes in problem areas.

Does your community use a Data-Driven Approach to Crime and Traffic Safety (DDACTS) to understand the overlap between hi-crime and traffic safety concerns?

☐ Yes ☒ No

If so, describe any DDACTS training you have undertaken and/or the process you use to prioritize traffic safety in relation to other police interests:

Question 6

Please describe any other ways that your community's police department addresses the pedestrian concerns in your community.

N/A

Last updated 05/22/2014

Evaluation

By incorporating planning, education, encouragement, engineering, and enforcement countermeasures, a community can have a direct impact on pedestrian safety and walkability. Evaluation of the pedestrian environment and behavior plays a crucial role in problem identification and countermeasure selection. In order to truly understand local pedestrian needs and safety issues, a community should utilize effective evaluation strategies.

Question 1

Does your community have an ongoing pedestrian counting and/or survey program that allows for long-term trend analysis of walking trips?

☒ Yes

Please describe (including first year of program, frequency, number of sites, etc.):

The Vermont Agency of Transportation (VTrans) has installed two pedestrian counters on Main and State Streets. Data from these counters is used by VTrans, and the Central Vermont Regional Planning Commission has access to this information as well.

The Vermont Agency of Transportation has been working on developing a more comprehensive long-term pedestrian and bicycle trip and facility counting program. Currently, VTrans uses data from the 2009 National Household Traffic Survey for their trend analysis of walking trips.

Question 2

Has your community used any of the following tools to evaluate major pedestrian areas (town centers, major activity areas, routes to school, etc.) in order to identify problem areas and potential solutions?

☒ Walkability Checklists (please describe when and where):

Montpelier uses the ADA review criteria as a walkability checklist. These include many of the physical accessibility aspects of walkability.

☐ Pedestrian Intersection Safety Index (please describe when and where):

- ☐ Pedestrian Level of Service (LOS) (please describe when and where):

- ☐ Pedestrian Road Safety Audit Guidelines and Prompt Lists (please describe when and where):

- ☐ Health Impact Assessment (please describe when and where):

- ☐ Smart Growth Scorecards (please describe when and where):

- ☐ Web-based or smartphone applications for resident feedback and input(please describe):

- ☐ Other Evaluation Tools:

Please describe:

Question 3

Does your community routinely conduct pre/post evaluations of road projects and traffic calming with respect to pedestrian crashes, volumes and motor vehicle speeds?

☒ Yes ☐ No

If yes, please explain when this is typically done and provide a recent example:

The Central Vermont Regional Planning Commission completes studies for the Regional Transportation Plan every five years which analyze long term trends in transportation safety.

However, because of Montpelier's size, the city does not pursue many major road projects each year. Furthermore, with a low-speed downtown core and low levels of pedestrian crashes, not many pre/post evaluations are conducted of individual projects.

Question 4

Using **Walk Score**, please type in the address for your City Hall and provide the following information:

City Hall Walk Score:

City Hall Transit Score:

Top 10% Walk Score for your community:

(located at the bottom of the Walk Score web page)

Average Walk Score for your community:

(located at the bottom of the Walk Score web page)

Please provide the **Overall Sprawl Score** for your community's metropolitan region:

Question 5

Please describe any other ways that your community evaluates pedestrian accommodation, walking rates, and pedestrian safety.

Last updated 05/22/2014

Additional Questions

Question 1

What are the three primary reasons your city deserves to be designated as a Walk Friendly Community?

Montpelier is a city that walks! We're always amazed at how many people can be seen walking around town all year long, at all times of the day, for many different reasons. As Vermont's capital, Montpelier draws a much bigger daytime population than it houses. (The daytime population is almost triple the residential population!) The city also serves as a cultural hub for the surrounding area, notably expanding the pedestrian population enjoying the numerous events hosted here. We feel that a Walk Friendly Designation will be an acknowledgement of Montpelier as a proven pedestrian draw.

Second, the residents of Montpelier recognize that improvements are needed and are willing to work and promote

implementation of them. A designation as a Walk Friendly Community would be a great tool to this end especially when combined with the spirit of public input that exists in Montpelier.

Finally, we are committed to making the city more livable and recognize that walking is essential to who we are; we want to take advantage of the pedestrian-friendly atmosphere that exists in our downtown by promoting the people-size scale of our city and sharing our love of community.

Question 2

What are the three aspects of your community most in need of improvement in order to accommodate pedestrians?

In Vermont, winter maintenance is crucial to accommodating pedestrians. Montpelier could improve the level of service in clearing of sidewalks in the winter.

In a similar vein, Vermont winter is hard on the roads. Improving the post-winter maintenance of sidewalks and crosswalk markings would greatly improve the City's accommodation of pedestrians.

Along with maintaining infrastructure, the quality of pedestrian life could benefit from the development of a comprehensive plan to enhance and encourage the pedestrian experience throughout the city.

Question 3

How can your community leverage its designation as a Walk Friendly Community to increase the number of people walking and make walking safer?

Montpelier plans on using a Walk Friendly designation to draw attention to pedestrian issues in the City and to initiate discussion about those issues. Ideally, this will lead to more planning projects that improve conditions for walking. By drawing attention to pedestrian issues both inside and outside of City Hall, a Walk Friendly Communities designation could help the City, businesses, and residents make substantial choices around pedestrian issues.

Walk Friendly Communities is sponsored by FedEx and the U.S. Department of Transportation Federal Highway Administration. The program is maintained by the UNC Highway Safety Research Center's Pedestrian and Bicycle Information Center, with support from a variety of national partners.

Pedestrian and Bicycle Information Center

Contact Information

www.walkinginfo.org

www.bicyclinginfo.org

www.pedbikeinfo.org