CITY OF MONTPELIER MONTPELIER, VERMONT

Agenda for City Council Meeting
Thursday, January 26, 2012
07:00 P.M.

1) Call to Order by the Mayor

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2) 12-024. Meeting with Attorney Robert Fletcher, regarding a mediation session for National Life's property value appeal.

   a) Possible Executive Session in accordance with Title I, VSA §313, Executive Sessions, (a) (1) "Contracts, labor relations agreements with employees, arbitration, mediation, grievances, civil actions, or prosecutions by the state, where premature general public knowledge would clearly place the state, municipality or other public body, or person involved at a substantial disadvantage. 7:00 P.M. TELEVISED PORTION OF MEETING BEGINS ?

3) 12-025. General Business and Appearances

4) 12-026. Consideration of the Consent Agenda:

   a) Consideration of the minutes from the December 21st, 2011 (evening) City Council Meeting.

   b) Acting as the Liquor Control Commission, City Council Members may now consider the following permits:

      1) Ratification of the issuance of a Catering Permit to Yebba, Inc., d/b/a The Abbey Pub & Restaurant, for an afternoon Reception

that was held from 3:00 to 6:00 P.M. on Wednesday, January 11th, 2012 in the State House Food Court.

c) Approval of Payroll and Bills

5) <u>12-027. Setting of "approximate times" for the following agenda items.</u>

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6) <u>12-028. Appointments to Montpelier's Business Loan Fund Committee.</u>

a) Both Kim Phalen's and Stephan Klein's terms expire this month. Staff advertised and received the following responses: Kim and Steve are seeking reappointment; Kimberly Cheney also submitted a letter of interest.

b) Recommendation: Discuss the committee's membership; appointments.

7) <u>12-029. Conduct Second Public Hearing on Proposed FY13 Municipal Budget.</u>

a) The City Manager presented a series of budget alternatives on December 7th, 2011.

b) The Council conducted budget workshops on December 7th, December 14th, December 21st, 2011; and January 4th, 2012.

c) The First Public Hearing was held on January 11th.

d) The proposed FY13 General Fund budget is $10,929,853 which is 0.6% increase from FY12. When combined with the proposed Recreation Budget, the budget requires 0.8 cent (0.84%) increase in the municipal tax rate and includes a bond for infrastructure improvements and equipment purchase. The budget also contemplates ballot items in the amount of $140,175 which would require an additional 1.7 cents on the tax rate.

e) Recommendation: Conduct Second Public Hearing. Adopt final city Council budget for presentation to voters on March 6th.

7) <u>12-029. Conduct Second Public Hearing on Proposed FY13 Municipal Budget.</u>

10) <u>12-032. Conduct a Public Hearing to consider proposed amendments to the City's Charter.</u>

a) The following articles are being considered for inclusion on the Warning for the City Meeting scheduled to be held on March 6, 2012:

b) ARTICLE 10. Shall the city amend Title XII - Section 2 of the city charter to allow for the assessment of a 1% local sales tax as per amendment language filed with the City Clerk on January 4, 2012? 20% of revenues received will be dedicated for business development and/or business promotion. 80% of all revenues received will be dedicated to offset property tax revenue. (Requested by the City Council)

c) ARTICLE 11. Shall the city amend Title XII - Section 2 of the city charter to allow for the assessment of 1% local rooms, meals and alcohol taxes as per amendment language filed with the City Clerk on January 4, 2012? 100% of revenues received will be dedicated for infrastructure improvements and maintenance. (Requested by the City Council)

d) ARTICLE 12. Shall the city amend Title V - Sections 1 and 3 and adding a new section 4 of the city charter (and renumber remaining sections accordingly) to change the signature requirement for legally binding petitions from 5% of registered voters to 10% of registered voters as per amendment language filed with the City Clerk on January 4, 2012? (Requested by the City Council)

e) Recommendation: Conduct the Public Hearing; choose whether to include these items on the March 6th ballot.

8) <u>12-030. Conduct a Public Hearing to consider the following Article and its inclusion on the Warning for the City's March 6th Annual Meeting.</u>

a) ARTICLE 9. Shall the voters authorize the City Council to borrow a sum not to exceed $870,000 for infrastructure improvements and equipment purchase? If approved, bonds for these capital items would be issued for a term of 20 years. With a 20 year bond, approximately $23,500 would be required for the first year interest payment and approximately $74,300 for the second year principal and interest payment and future payments declining each year as the principal is repaid. (Requested by the City

Council)

b) Recommendation: Conduct the Public Hearing; direction to staff.

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11) 12-033. Receive, review and approve any Petitions filed for inclusion on the March 6th, 2012 Annual City Meeting Warning.

12) 12-034. Conduct Second Public Hearing on Warning for the March 6, 2012 Annual City Meeting.

a) Council conducted the First Public Hearing on January 11th, 2012; this hearing is the deadline for all petitioned ballot items.

b) Recommendation: Conduct the Public Hearing; approve final warning for presentation to voters.

13) 12-035. Status Review of Major Projects.

a) Council has requested regular progress reports regarding major projects.

b) Reports have been prepared indicating project budgets, sources of funding, expenses to date, and anticipated project schedules. These will be updated quarterly.

c) Recommendation: Discussion, accept reports.

14) 12-036. Reports by City Council

15) 12-037. Mayor's Report

16) 12-038. Report by the City Clerk-Treasurer

16) 12-038. Report by the City Clerk-Treasurer

17) 12-039. Status Reports by the City Manager

18) 12-040. Agenda Reports by the City Manager

Adjournment

Adjournment

Office of the City Manager
City Hall - 39 Main Street, Montpelier, VT 05602
(802) 223-9502

January 5, 2012

The Times-Argus
Att: Classifieds

Please include this ad with City of Montpelier notices on Monday, January 9th, and Monday, January 16th, 2012.

MONTPELIER BUSINESS LOAN FUND COMMITTEE
VACANCIES

The City of Montpelier is seeking individuals interested in serving on the Montpelier Loan Fund Committee. The Montpelier Loan Fund Committee assists Montpelier's Community Development Agency in the administration of several different loan programs. Two seats are vacant as of January 10th, 2012; these are both 3-year terms which will expire in January, 2015. Persons knowledgeable in the areas of banking, law, financial management, business management, or other related fields are encouraged to submit a letter of interest and/or a resume by noon on Thursday, January 19th. The Council will make these appointments at their January 26th meeting; applicants are encouraged to attend. All meeting rooms and facilities in City Hall are handicapped accessible. Questions should be directed to the Department of Planning and Development: 223-9506.

William J. Fraser
City Manager

MONTPELIER BUSINESS LOAN FUND COMMITTEE

	Effective Date	Expiration Date
Kim Phalen	1/08/03	1/08/05
15 Colonial Drive	1/12/05	1/12/07
(O) 371-5162 … Ext. 5367	1/10/07	1/10/09
(H) 229-5425	1/07/09	1/10/12
kphalen@vsecu.com	(3-yr. term)	
Claude Stone	1/12/05	1/12/07
68 Spring Hollow Lane	1/10/07	1/10/09
(Cell) 279-7700	1/07/09	1/10/11
(H) 223-2689	1/12/11	1/12/13
claude@morsefarm.com	(2-yr. term)	
Stephan A. Klein	1/08/03	1/08/05
167 Chestnut Hill Road	1/12/05	1/12/07
(O) 828-2295	1/10/07	1/10/09
(H) 229-2773	1/07/09	1/10/12
FAX: 828-2483	(3-yr. term)	
Sklein@leg.state.vt.us		
Beth Boutin	1/10/07	1/10/09
104 East State Street	1/07/09	1/10/11
(O) 828-2998	1/12/11	1/12/13
(FAX) 828-2928	(2-yr. term)	
(H) 229-0626		
Beth.Boutin@state.vt.us		
Jo Ann Corski Gibbons	9/22/10	9/22/13
35 Woodcrest Road	(3-yr. term)	
BaronJD1@myfairpoint.net		

All members were reappointed on January 7th, 2009; Council only asked that Planning Director, Gwen Hallsmith, work with the Committee to stagger their terms to 1-2-3 year terms to avoid them all expiring at the same time.

CITY OF MONTPELIER
MONTPELIER, VERMONT

Resolution to Formalize the Montpelier Loan Fund Committee

WHEREAS, the City of Montpelier, through its Planning and Development Office and Community Development Agency, has developed and administered a variety of loan programs such as for flood relief, downtown business assistance, and economic development;

WHEREAS, these loans were evaluated and executed with the assistance and oversight of a loan committee comprised of professionals knowledgeable in the areas of banking, law, financial management, and/or business management;

WHEREAS, the City, through its Planning and Development Office and Community Development Agency, continues to develop and administer such loan programs, with the continued guidance and oversight by a loan committee; and

WHEREAS, the present membership has served on the committee diligently and with full authorization from the City to carry out their duties;

NOW, THEREFORE, BE IT RESOLVED that this loan committee shall now be known as the Montpelier Loan Fund Committee (MLFC), which shall have the following authorities and duties:

(1) To evaluate the financial soundness of prospective borrowers relating to the above programs, including loan security, credit history, and other measures to provide reasonable assurance that the loan funds can be paid back in full;

(2) To determine that the distribution of loan funds will meet program objectives;

(3) To recommend whether a loan application be approved or denied;

(4) To determine the collateral the City will receive as security for repayment of loans;

(5) To establish general terms and conditions of each loan; and

(6) To negotiate or renegotiate terms and conditions of loan repayments.

BE IT FURTHER RESOLVED that

(1) the membership of the MLFC shall be comprised of not less than four members who are knowledgeable in the areas of banking, law, financial management, business management, or other related fields;

(2) once appointed by the City Council, terms shall be for two years;

(3) for the purpose of staggering the terms of future appointments, members who currently serve on the committee are hereby appointed to serve the following terms: Larry Mires 1 yr., Chris MacGregor 2 yrs., Kim Phalen 3 yrs., and Phil Zalinger 4 yrs.; and

(4) the payment of loans recommended for approval must be authorized by the City Council.

Adopted this 26th day of July, 1995.

Ann E. Cummings, Mayor

Council Members:

Thomas E. Carey

Marjorie Power

CITY SEAL:

Sandy Pitonyak

From: Kim Phalen [kphalen@vsecu.com]
Sent: Wednesday, January 04, 2012 1:17 PM
To: Sandy Pitonyak; Sklein@leg.state.vt.us
Subject: RE: Business Loan Fund Committee

I'll re-up.

Thanks.

From: Sandy Pitonyak [mailto:SPitonyak@montpelier-vt.org]
Sent: Wednesday, January 04, 2012 1:14 PM
To: Kim Phalen; Sklein@leg.state.vt.us
Subject: Business Loan Fund Committee

The expiration of your terms slipped by me ... January 10th. See attached ad. I am advertising to fill these vacancies on January 26th.

If you would like to be reappointed, can you please just send me an e-mail to that effect? Thank you!

Sandy Pitonyak

Administrative Assistant to the City Manager
City Hall - 39 Main Street
Montpelier, VT 05602
Telephone: (802) 223-9502
FAX: (802) 223-9519
spitonyak@montpelier-vt.org

Sandy Pitonyak

From: Steve Klein [sklein@leg.state.vt.us]
Sent: Wednesday, January 04, 2012 1:18 PM
To: Kim Phalen; Sandy Pitonyak
Subject: RE: Business Loan Fund Committee

I also would re-up
thanks
>>> "Kim Phalen" <kphalen@vsecu.com> 1/4/2012 1:16 PM >>>
I'll re-up.

Thanks.

From: Sandy Pitonyak [mailto:SPitonyak@montpelier-vt.org]
Sent: Wednesday, January 04, 2012 1:14 PM
To: Kim Phalen; Sklein@leg.state.vt.us
Subject: Business Loan Fund Committee

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Sandy Pitonyak

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LAW OFFICES

CHENEY, BROCK & SAUDEK, P.C.

159 State Street
Montpelier, Vermont 05602

TELEPHONE 802-223-4000 - FAX 802-229-0370
www.cbs-law.com

KIMBERLY B. CHENEY
RICHARD LINTON BROCK
RICHARD H. SAUDEK
DAVID L. GRAYCK ‡

JAMES S. BROCK 1913 ~ 2000

‡ ALSO ADMITTED IN NH

HEATHER N. JARVIS
THOMAS DAWSON BROCK ‡‡

CHRISTOPHER J. SMART, COUNSEL

‡‡ ALSO ADMITTED IN NY

January 10, 2012

William J. Fraser, City Manager
City Hall
39 Main Street
Montpelier, VT 05602

Re: Montpelier Loan Fund Committee

Dear Bill:

I would like to be considered for an appointment on this committee. I enclose my resume.

Thank your for your attention.

Sincerely yours,

Kimberly B. Cheney

Enclosure

KIMBERLY B. CHENEY, ESQ.
Cheney, Brock & Saudek, P.C.
159 State Street
Montpelier, VT 05602
(802) 223-4000
www.cbs-law.com

Current Employment:	Shareholder/partner in Cheney, Brock & Saudek, P.C. a law firm in Montpelier, Vermont, since 1977, engaging in general law practice, with emphasis on civil and criminal trials, and labor relations.
Education:	Yale University, New Haven, CT., BA 1957, Yale Law School, LLB, 1964 (Class Rank 21/166)
Work History:	1958 - 1961 U.S. Navy Lt., Operations Officer LST: Fleet Advisor Korean Navy.
1964 - 1967	Associate; Gumbart, Corbin, Tyler & Cooper, New Haven, CT.
1967 - 1968	Vermont Assistant Attorney General, General Counsel for Vermont Department of Education
1968 - 1972	Washington County State's Attorney
1972 - 1975	Vermont Attorney General.
1975 - 1977	Solo Practice of Law, Montpelier, Vt.
1977-Present	Partner, Cheney, Brock & Saudek, P.C.
Other Activities	
1973 - 1978	Chairman, Committee to Advise Vermont Supreme Court on Rules of Criminal Procedure
1978-1986	Chairman, Vermont Labor Relations Board
1979-1982	Member, Montpelier School Board
1981-1986	Vermont Family Proceeding Advisory Committee (Divorce law reform)
1987	Chairman, Interim Advisory Committee to Vermont Supreme Court on Rules for Family Practice

1990-1996	Co-Chair, Vermont Adoption Reform Commission
1988-Present	Panelist New York Public Employment Relations Board. Arbitration and teacher mediation
1980-2011	American Arbitration Association, Arbitrator (Labor Relations)
1981- 2007	Member, Vermont Advisory Committee to United States Civil Rights Commission. 1987-2007, Chair, 1996 to 2001
2002 - Present	Director, Vermont State Employees Credit Union
2004-2010	Board of Directors, Washington Electric Cooperative

Professional Associations:

Vermont Bar Association

Vermont Trial Lawyer's Association

Vermont Employment Lawyers Association

Vermont Criminal Defense Lawyers Association

Publications:

Safeguarding Legal Rights in Providing Protective Services. 13 Children 89 (1966)

A Public Employees Board for State Employees Rights Grievances - Excluding Private Arbitration. Why Not? Association of Labor Relations Agencies Proceedings. 1980

The 1986 Divorce Revolution, (With Trine C. Bech) Vermont Bar Journal, Aug 1966.

Family Law: Curtailing Judicial Discretion Vermont Bar Journal, Aug 1990

Author: Joint Custody: The Parents' Best Interests ARE the CHILD'S BEST INTERESTS, Vermont Bar Journal, Dec 2001

Author: Labor and Employment Law in Vermont, Butterworth Legal Publishers, 368 pages (1994);

Vermont Legislative bills including State Education Law, State Access to Public Documents Law, Criminal Code, Divorce, Child Support, Adoption.

Opinions, Vermont Labor Relations Board (Vols. 1 to 9) 1978 - 1986 see www.cbs-law.com

Newspaper Column The Washington World Berlin Vt. collected at www.CheneyColumn.com

Other:

Elected Chairman, New England Attorney Generals Association 1974 (Rudman, New Hampshire; Killian, Connecticut; Isreal, Rhode Island)

Biography: Who's Who in America 1974-Present

Biography: The Best Lawyers in America (Labor Law) Woodward White, Inc. (1983)

American Arbitration Association, Whitney North Seymour, Sr. Medal (1988) Outstanding Contribution to use of Arbitration

Admitted to Practice in the following Courts:

1964	Connecticut Supreme Court
1965	U.S. Court of Appeals 2nd Circuit
1967	Vermont Supreme Court
1971	United States Supreme Court
1974	U.S. Court of Appeals D.C. Circuit
1974	U.S. District Court, State of Vermont
1978	U.S. Court of Military Review

KIMBERLY B. CHENEY'S litigation practice includes Personal Injury, Family Law, Criminal Law, Civil Rights, and Professional Regulation. He advises individuals and corporations in the field of labor management relations.

Proposed Charter Changes

Approved by City Council on January 4, 2012 to be filed with City Clerk

Public Hearing to be held on Thursday, January 26, 2012.

Artic1e 1: Shall the voters amend the Charter of the City of Montpelier to allow for a local sales tax as follows?

Add New Section:

Title XII -Section 2:

(a) Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:

(b) The City Council will assess a sales tax of one percent; with the provision that 20% of revenues received from the sales tax will be dedicated for business development and/or business promotion.

(c) Any tax imposed under the authority of this section shall be collected and administered by the Vermont department of taxes, in accordance with state law governing such state tax or taxes; provided however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont sales tax using a destination basis for taxation.

(d) Of the taxes reported under this section, 70 percent shall be paid to the City of Montpelier for calendar years thereafter. Such revenues may be expended by the City of Montpelier for municipal services *only* and not for educational expenditures. The remaining amount of the taxes reported shall be remitted monthly to the state treasurer for deposit in the PILOT special fund established in Sec. 89 of No. 60 of the Acts of 1997. Taxes due to the City of Montpelier under this section shall be paid by the State on a quarterly basis.

Existing Sections 2 through 10 shall be renumbered as Sections 3 through 11.

Ballot Article 2: Shall the voters amend the Charter of the City of Montpelier to allow for a local rooms/meals and alcohol taxes as follows?

Add New Section:

Title XII -Section 2:

(a) Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:

(b) The City Council will assess rooms, meals and alcohol taxes of one percent; with the provision that 100% of revenues received from the rooms, meals and alcohol taxes will be dedicated for infrastructure improvements and maintenance.

(c) Any tax imposed under the authority of this section shall be collected and administered by the Vermont department of taxes, in accordance with state law governing such state tax or taxes.

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Section5-501. City Meetings.

(a) On the first Tuesday of March in each year, a meeting of legal voters of said city shall be held as designated on the warnings for such meeting, at a place or places to be appointed by the city council of said city, and a warning shall be posted in at least three public places within the limits of said city, and at least twelve days previous thereto, which warning shall be signed by the city clerk, or, in case of the city clerk's failure, by the mayor, provided that, if the annual meeting shall fail to be held for want of warning before mentioned, or for any other cause, the city shall not be thereby prejudiced, and the several officers hereinafter mentioned may, at any time thereafter, be elected at a special meeting, called for that purpose, as hereafter provided: and provided further, that any business required by this charter or the general law to be transacted at the annual city meeting may be transacted at such special meeting.

(b) The warning for annual and special city meetings shall, by separate articles, specifically indicate the business to be transacted, to include the offices and the question to be voted upon. The warning also shall contain any legally binding article or articles requested by ten percent (10%) of the registered voters of the city or any non legally binding article or articles requested by five percent (5%) of the registered voters of the city and filed with the city clerk not less than **40** days before the day of the meeting.

(c) A vote taken at an annual or special meeting shall remain in effect unless rescinded or amended.

Section 5-503. Special city meeting.

The city clerk when directed by the city council, or [when requested in writing] upon written application by [five] ten percent (10%) of the legal voters of said city to do so, shall call a special meeting of the boters of the city in the same manner as is provided for the calling of the annual meeting; in case of the failure of the city clerk to call such special meeting as aforesaid, that duty shall be performed by the mayor, except that special meetings to authorize public improvements and the incurring of debt to pay for the same shall be warned as hereinafter provided in Subchapter 11. The city council shall call such special meeting withing **60** days of the date the application is received by the city clerk. The city council may rescind the call of a special meeting initiated by it, but not a special meeting called on application of ten percent of the registered voters.

Section5-513 Reconsideration and Rescission

(a) Action taken on a warned article at an annual or special meeting may be submitted to the voters at a subsequent annual or special meeting on motion of the city council or pursuant to a petition requesting reconsideration or rescission signed by not less than ten percent (10%) of the registered voters and filed with the city clerk within **30** days following the date of the annual or special meeting at which such action was taken.

(b) A majority vote in favor of reconsideration or recission shall not be effective unless the number of votes in favor of reconsideration or rescission exceeds two-thirds of the number of votes cast for the prevailing side at the original meeting.

CITY OF MONTPELIER
MONTPELIER, VERMONT

Agenda for SPECIAL City Council Meeting
City Council Chambers, City Hall
Thursday, January 26, 2012

THIS MEETING IS BEING HELD ON A THURSDAY DUE TO THE STATUTORY REQUIREMENT THAT ACTION, ON SOME OF THE FOLLOWING AGENDA ITEMS, IS REQUIRED 40 DAYS PRIOR TO TOWN MEETING

6:00 P.M.

1) Call to Order by the Mayor

2) 12-024. Meeting with Attorney Robert Fletcher, regarding a mediation session for National Life's property value appeal.

   a) Possible Executive Session in accordance with Title I, VSA §313, Executive Sessions, (a) (1) "*Contracts, labor relations agreements with employees, arbitration, mediation, grievances, civil actions, or prosecutions by the state, where premature general public knowledge would clearly place the state, municipality or other public body, or person involved at a substantial disadvantage.*

7:00 P.M. ***TELEVISED PORTION OF MEETING BEGINS …***

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15) 12-037. Mayor's Report

16) 12-038. Report by the City Clerk-Treasurer

17) 12-039. Status Reports by the City Manager

18) 12-040. Agenda Reports by the City Manager

Adjournment

On Wednesday evening, December 21, 2011, the City Council Members met in the Council Chamber.

Present: Mayor Hooper; Council Members Golonka, Hooper, Jarvis, Timpone and Weiss; also City Manager Fraser. Council Member Sherman arrived at 7:00 P.M.

Call to Order by the Mayor:

Mayor Hooper called the meeting to order at 6:35 P.M.

11-320. General Business and Appearances

None.

11-321. Consideration of the Consent Agenda:

a) Summary Budget Reports by Department for General Fund and Detailed Budget Status Reports for General Fund, Water Fund, Sewer Fund, Cemetery Fund, Parks Fund, Parking Fund and Senior Center for a 4-month period beginning July 1, 2011 and ending October 3, 2011.

b) Consideration of becoming the Liquor Control Commission for the purpose of acting on the following:

   1. None as of "press time"

c) Payroll and Bills

Payroll Warrant dated December 8, 2011, in the amount of $129,331.90 and $27,126.05.
General Fund Warrant dated December 14, 2011, in the amount of $343,450.19 and $636,967.14.
Payroll Warrant dated December 22, 2011, in the amount of $120,093.37 and $25,711.40.

Motion was made by Council Member Weiss, seconded by Council Member Hooper to approve the consent agenda. The vote was 5-0, motion carried unanimously.

11-322. Setting of "approximate times" for the following agenda items.

The Council reviewed the agenda and set times for each item.

11-323. Update from representatives of the Wood Art Gallery on the Gallery's collection as it was bequeathed by Thomas W. Wood.

Representatives of the Wood Art Gallery were not available this evening. Motion was made by Council Member Jarvis, seconded by Council Member Weiss to table this agenda item until January 4th. The vote was 5-0, motion carried unanimously.

11-324. Complete review of Operating Budgets for Administration, Fire and Police Departments.

Finance Management & Administrative Services:

City Manager Fraser reviewed a working organization chart for the City of Montpelier which is what the budget is basically based on with possible modifications on job tasks and duties. She had the elected clerk position budgeted salary range of $50,000 to $55,000. The council sets the compensation for the clerk.

Finance Director Gallup provided a handout with some of the city clerk duties and responsibilities. She had the elected clerk position budgeted salary range of $50,000 to $55,000. She had the clerk's office portion in the budget for one full time elected clerk and 1 full time assistant clerk. That is what the MATRIX report recommended.

Finance Director Gallup provided a memorandum on the Finance Department reviewing the financial management, administrative services and technological services.

Council Member Weiss asked if in their deliberations the Council should consider transition money. It's a brand new clerk in a very complicated job. Should they ask somebody who has experience to stay on for a couple of weeks or month to help with that transition?

Finance Director Gallup said Charlotte and she have a plan. Charlotte is staying on full-time through the end of the fiscal year and she will be very busy training and continuing her treasurer duties. They have had a reduction in force because of that situation.

Finance Director Gallup noted that the FY11 Financial Statements were prepared in house and is at the CPA level of record production required for the audit. A new goal is to reorganize the Finance Department to include the Treasurer's responsibilities. We are planning on January 1, 2012 to begin reassigning responsibilities in preparation of transitioning the Treasurer's duties to the Finance Department.

Council Member Weiss asked if there is enough physical space.

Finance Director Gallup said they are doing job responsibilities first and once the tasks are reassigned and they know who is doing what, they can decide where the employee should be located. There are spaces in City Hall that need to be developed.

She reviewed the budget document with the council. The Finance Office budget is up $144,000 due to the reorganization with the Treasurer's duties. It includes $20,000 for human resources consulting services that are part of the matrix plan. The finance staff increases from 3.6 FTEs to 6.8 FTEs.

Finance Director Gallup continued by reviewing the duties of the three staff members presently in her department.

Council Member Weiss said he understands that Human Resources is often a full time position. He asked if the City's HR person has enough time to adequately do the job.

City Manager Fraser explained that basic HR functions are handled adequately, but the City feels they need more work in the more advanced HR functions. The City has gotten advice from the League of Cities of Towns. They cannot add this position now, but perhaps over time it will be possible. In the budget is a fee for the consulting from the League to assist with those things and to update policies, procedures, practices and provide internal training.

Discussion followed on the billing done at the Fire Department. The long term plan was to shift that billing and collection to the finance department.

Finance Director Gallup went on to review the performance measurements for the finance department and technology.

Assessor's Office

City Manager Fraser said the Assessor is basically the same operation they have had, a contract Assessor with a full time Assistant. Reappraisal costs are no longer there. The level of service remains the same. A copy of the performance indicators is attached to the minutes.

Police Department:

Referencing Proposed Budget p. 15-31. Police Chief Facos handed out a sample schedule for January/February to give Council a visual of how resources are allocated with 17 officers. Cleveland is out until February with a broken foot. Overall statistics are similar to last year. Big change this year is drug activity. Drug arrests are up and at a record high. Vermont is seeing armed robberies on the rise and are becoming common. The Montpelier Police Department has been involved with the Bureau of Alcohol, Firearms and Tobacco and referred several cases to the U.S. Attorney's Office.

Police Chief Facos said two significant challenges in 2011 to the City of Montpelier included the May and August flooding events which tested the staff's capacity and capability. The department received two lifesaving commendations. In the proposed budget there are increases to salary to beef up the middle range to retain experienced police officers. There are 17 positions. A Cops Grant is partially paying for one position and the City will assume payment for this position in the future.

Police Chief Facos noted a substantial change in Police Tuition and Fitness Testing and said this reflects a reallocation of the payment of physical fitness reimbursements. He went on to say the School Resource Officer is eligible to retire next November, but is planning on leaving at the end of the school year in June of 2013.

Police Chief Facos reviewed Police communications, dispatch and regionalization of communications and contractual dispatching services. The city of Montpeoier presently dispatches for the Capital West users group which is made up of sixteen towns.

Discussion followed on staffing of the three shifts, prioritizing responses and investigations. Overtime use was discussed. Overtime was used for shift coverage, court appearances and mandatory training.

Police Chief Facos reviewed the parking budget. There are three new parking vending machines which take credit cards and are solar powered. He believes when the city accepts credit cards to pay tickets that revenue will go up.

Finance Director Gallup noted that the holiday parking had been taken out of the budget.

Council Member Jarvis asked him to provide information on how schedules, prioritizing responses and investigations would change if an officier was cut.

Fire & Ambulance Department:

Fire Chief Gowans said Montpelier serves Worcester, Middlesex and part of Moretown (about 350 residents). The contracts that just went out include a 3.5% increase and a 3.5% increase for next year. Out of the actual operating budget, 26% is from ambulance revenue and 74% is from property taxes. The ambulance revenues are looking stronger than anticipated.

Response times were reviewed. Based on past and current numbers, it is expected that call volumes will increase in the next few years. One hundred percent of the City's firefighters are certified at the level of Firefighter Level 1 and EMT. Fifty-six percent are or will have training to become Firefighter Level 2, the highest level of fire certification in the state. Eighty-three percent are certified at the EMT intermediate level.

The budget starts on page 21, includes a slight dip in wages and salaries. Based on a MATRIX recommendation, a couple positions were not filled or modified. The budget proposal includes a $757 increase over last year.

Mutual aid was discussed at length.

Council Member Sherman asked why two vehicles go on a call.

Fire Chief Gowans explained with two vehicles and three people, one person could be free to go to another call, if necessary. It does happen when the second vehicle has been a "break away" vehicle to go to the next call directly from the scene.

The City has three on-call firefighters. They look every day for call fire fighter.

Emergency Management and the river gauges were discussed.

Tim Heney asked about the option in the budget process and if the Council had looked at the budget at 3% or 5% below last year's budget and what would that scenario look like?

Fire Chief Gowans said that would mean cutting equipment and personnel. .

Mayor Hooper explained that the reduction of one firefighter was contemplated, but it is very far down on the list of possible cuts. The budget information gathering stage has been a 5-6 meeting process.

Peter Nielsen reminded the Council of the letter that was submitted asking the Council to take a look at the 3% reduction from the municipal budget last year and what are essential services with the Police, Fire and Department of Public Works. When most of the cuts Fraser recommended came from outside of the essential services, it didn't give the opportunity to look at what would cuts look like department by department for essential services?

Council Member Jarvis explained City Manager Fraser protected the core services and then looked at possible cuts.

City Manager Fraser had a list of scenarios of very deep cuts, including eliminating two firefighters. The options are there for people to talk about.

Mayor Hooper reminded the audience that the Council met last week to discuss their definition of core services and agreed that included police and fire services.

Fire Chief Gowans said they had a presentation of staffing levels and would like to make the presentation at a future meeting.

11-325. Consideration of amendments to the City's Charter which would change the percentage of registered voters needed from 5% to 10% for petitions requesting that articles be placed on City Meeting Warnings (§5-501); for a Special City Meeting to be called or rescinded (§5-503); and for the reconsideration or rescission of action taken on a warned article at an Annual or Special Meeting (§5-513).

Council Member Golonka said this is his request because he believes it is difficult to manage a ballot with 30 or so items. He thinks 10% is a more meaningful number, or Council could waive that requirement at their discretion.

Council Member Sherman asked about which groups would need to gather 10%, not 5%, effective 2013. Five percent would be approximately 325 that would increase to 650.

Council Member Weiss noted the impetus for the possible charter change is to reduce the list of items on the ballot that voters are asked to approve.

City Manager Fraser said technically the only items that need to be on the ballot are ones that relate to the business of city government, but this has been a gray area when non-financially related issues are requested to be on the ballot. He went on to explained because this is a charter change, it would have to be warned, have hearings, be approved by the legislature and go into effect the following election.

Motion was made by Council Member Golonka to direct the City Manager to file this language with the City Clerk and set a public hearing. The motion was seconded by Council Member Timpone.

Discussion: Question was raised to ask VLCT to see what other communities have done this. Council Member Weiss suggested for financial matters it be 10%, but for matters relating to City government it stays at 5%. Golonka noted person or group could ask Council for a waiver.

City Manager Fraser suggested getting more information and options for the next Council meeting because once the paperwork has been submitted, a change cannot be made.

Council Member Golonka and Timpone withdrew the motion.

11-326. Consideration of two amendements to the City's Charter to allow for the collection of a local options tax.

a) A rooms/meals/alcohol tax which would be dedicated to infrastructure improvements.

b) A sales tax, a portion of which would go to property tax reduction and a portion to supporting economic development.

a) Recommendation: Review and discuss information; vote as to whether or not Council wishes to pursue.

Mayor Hooper explained the Council packet included language for the amendement is different than what is on the agenda – the rooms/meals/alcohol tax would be 100% dedicated to infrastructure improvements and maintenance and separately a 20% portion of the 1% sales tax would be allocated to support economic development and business promotion.

Discussion about whether these figures would be outside or inside of budgeted income, whether this is binding, and the allocations and language.

Public comments:

Bill Snyder, a local business retailer, spoke to the Council about his concerns. He said adding taxing local retailers gives a disadvantage compared to internet retailers and box stores. He cautioned that unless Council members are living the life of a local retailer, they could not understand the impact this additional tax would have on local retailers' businesses and ability to compete in the marketplace. He suggested the Council put this issue on hold until the economy gets better.

Phil Dodd said that Burlington and other towns have gone to local tax options and that non-Montpelier folks work, shop and travel here. He has been looking at this issue for a long time. He thinks rooms and meals is a stronger argument than sales but they both should be on the ballot. Twenty years ago Burlington was the only one who had these taxes and since then all of these other towns are going this route. It is a way for towns to task others to help pay for their services. There are residents from other towns coming to Montpelier and using its services. More than half the accidents in Montpelier are nonresidents. This is one way we could bring in some revenue. He is fully supportive of putting some of this money back into the business community to help promote those businesses. The language talks about dedicating funds for economic development and/or business promotion. He understands economic development might include downtown housing and he isn't sure that is what we should be doing with this money that is raised from businesses in town.

Bob Gross spoke to the local options tax. As a consumer he wouldn't have any problem paying 50 cents more on a toy he bought. The last time he bought mail order he purchased some tires and had to pay sales tax. The businesses in town and the people who come to the businesses cost the taxpayers in Montpelier money. The City of Burlington assesses business property at 120 percent of fair market value and the City of Burlington has a 2 percent meals tax and a sales tax. There is another way if we need to raise money because it costs us more when outsiders come into town in addition to the sales tax. If the city is raising its revenue it should also reduce the tax rate.

George Malek from the Central Vermont Chamber of Commerce said they have had this discussion before and not much has changed. We have a state program that protects the property tax payer and caps property taxes with income sensitivity. It is incredibly inefficient in this environment to use the local options tax as a means of raising money. When we tax through local options the state takes 30 percent. If the city raised property taxes by $750,000 the state would take a minimum of $150,000. The difference is taking from the market in one case $1 million of purchasing power and taking $600,000 out of the market; that is a significant difference of 40 percent.

Peter Neilsen said he has been a big supporter of local options taxes because they begin to shift the thinking of Montpelier just working on Montpelier's issues and has some creative solutions to acting as a regional hub. We aren't taxing the same community. When you raise money from property taxes you are raising it from approximately 2,000 tax paying entities and when you put a 1 percent tax on the $100 million spent in Montpelier you are taxing a much larger population. The savings on the average home is about $222. With consumer habits people won't be concerned about one percent.

Mayor Hooper said they need to be thinking about the timing and will have it on the agenda again on January 4th. There was a suggestion for a change in the language making it business development instead of economic development.

Council Member Weiss said the only language that would satisfy him is if 100 percent of every dollar collected goes into infrastructure which is the greatest need the city has.

Council Member Jarvis said if they want to insure another revenue stream of local options then you want to do what you can to make that event which is to promote Montpelier as a place to spend your money. Most of us have come to the conclusion that it is time to acknowledge local options because the residents are seeing the budget as killing us. Do we raise the additional money for infrastructure on residents or try to spread it around?

Council Member Golonka reminded the Council they are talking about putting it on the agenda. He doesn't have a problem with the language.

Motion was made by Council Member Golonka, seconded by Council Member Timpone to place the amendment on the agenda. The vote was 5-1, with Council Member Weiss voting against the motion.

11-327. Consideration of the oversight of the Recreation Department.

a) Council Member Tom Golonka asked that this be included on this evening's agenda; he is concerned about the finance piece in the short term

b) Based on the MATRIX Report, the current desire of the City Council to explore potential synergies between multiple city departments, the aging demographics of the town as well as our fiduciary responsibility as the legislative body of the community, the following motion is proposed:

   1) In accordance with Title VIII, Section 7, of the Montpelier City Charter, we hereby request the City Manager to resume oversight and control, in concert with this body, of the Recreation Department effective July 1, 2012.

c) Recommendation: Discussion; possible direction to staff.

Council Member Golonka said we have a city shared responsibility over the Recreation Department and it is a large budget. Each year we have delegated authority to the School Board and we should have a discussion about the city's role.

Council Member Hooper said he inquired if there was a line item transfer between the Recreation Department and the school for maintenance of fields, etc. They didn't so it seems there isn't the financial oversight being recommended in the charter.

Council Member Timpone said she would like the process to be to form a committee with the Recreation Department, Recreation Board, School Board, City Council and city staff. It would be beneficial for the Council in making decisions in the future.

Brian Murphy from the Recreation Board said the idea of having a committee is a fine idea and the thinks the other board members would support that. The item he doesn't like that is lingering out there is the idea they aren't providing fiduciary responsibility. What is implied is there is no oversight. The budget this year was only 1.8 percent higher than it was in 2007. This year they are cutting the budget by 5 percent.

Council Member Golonka added that the City Council has the responsibility ultimately over any of these departments. He feels the Council hasn't been doing their job.

Mayor Hooper said she doesn't think there is a foregone conclusion as to the outcome of this with the exception of the City Council being better informed.

Council Member Golonka moved that a subcommittee to explore the options with two Council Members, two School Board Members and two Recreation Board Member with city staff to coordinate this and come back to the Council with a report. Council Member Timpone seconded the motion.

Council Member Weiss indicated he wanted to serve on the committee.

Mayor Hooper called for a vote on the motion. The vote was 6-0, motion carried unanimously.

11-329 Reports by City Council.
11-330. Mayor's Report.
11-331. Report by the City Clerk-Treasurer.
11-332. Status Report by the City Manager .
11-333. Agenda Reports by the City Manager.

There was no action on the above items.

11-328. Update on District Heat with possible voting on agreements with the State.

a) City officials have been negotiating an energy purchase agreement and a procurement agreement with the State Department of Buildings and General Services for the District Heat Project.

b) Manager will update Council on status of negotiations.

c) If tentative agreements have been reached in advance, possible draft agreements will be presented to the Council for consideration.

d) Recommendation: Receive up0date; review documents, if available; take action as necessary.

City Manager Fraser reported the city and state have been working diligently on three separate agreements with the main one being called a master power purchase agreement which lays out the business arrangement between the city and the state. The second is a procurement agreement which talks about the city transfer of $1 million of heat to the state for what it buys. The third is the recipient agreement which talks about how the federal grant which comes through the city and pays the state to manage and handle. Most of the real work has been done on the power purchase agreement. There is a summary of the elements of the agreement. He explained the parts of the agreement to the

Council as well as how the metering will work. He should be in the position to have a full contract to the Council by the end of the week.

Attorney Dick Saudek asked the Council if they were going to go into Executive Session.

Mayor Hooper said the Council needs to be briefed on the elements of the negotiation.

Upon a motion duly made by Council Member Sherman, seconded by Council Member Weiss the Council went into Executive Session at 11:06 P.M., in accordance with Title I § 313(a) (1) to consider contracts where premature general public knowledge would clearly place the municipality at a substantial disadvantage. Attorney Saudek was invited to attend. The vote was 6-0, motion carried unanimously.

Present: Mayor Hooper; Council Member Jarvis, Timpone, Golonka, Hooper, Weiss and Sherman; also City Manager Fraser and Attorney Saudek.

After proper motion the council came out of executive session in accordance with Title I, Section 313(a)(1) where premature general public knowledge would clearly place the municipality at a substantial disadvantage.

Adjournment:

After proper motion the council meeting was adjourned.

Transcribed by Joan Clack and Patricia Tedesco

Attest: ________________________________

Charlotte L. Hoyt, City Clerk

CITY OF MONTPELIER
MONTPELIER, VERMONT

NECESSITY RESOLUTION CERTIFICATE

RESOLVED, that the public interest and necessity demand that certain infrastructure improvements be made, viz. street improvements including retaining walls, storm drains, culverts and street rehabilitation, fire truck purchase, facilities repairs, and ADA renovations at an estimated aggregate cost of Eight Hundred Seventy Thousand Dollars ($870,000);

BE IT FURTHER RESOLVED, that the cost of completing said public improvements, after application of funds available from the United States of America and/or the State of Vermont, will be too great to be paid out of the ordinary annual income and revenue of the City of Montpelier; and,

BE IT FURTHER RESOLVED, that a proposal for issuance of general obligation bonds or notes of the City of Montpelier, in an amount not to exceed Eight Hundred Seventy Thousand Dollars ($870,000), to pay for cost of said improvements should be submitted to the legal voters of the City at the annual meeting thereof to be duly held on March 6, 2012; and

BE IT FURTHER RESOLVED, that all acts relating to the proposition of incurring indebtedness and the issuance of general obligation bonds or notes of the City of Montpelier for the purpose of financing such improvements, as well as the construction, maintenance and operation of such improvements within the corporate limits of the City, be in accordance with the provisions of No. M-9 of the Acts of 1987, as amended, and Chapter 53 of Title 24, Vermont Statutes Annotated, and the Charter of the City of Montpelier.

Dated January 25, 2012

ATTEST: ____________________________
City Clerk

Received for record and recorded this 26th day of January, 2012 in the records of the City of Montpelier.

____
Charlotte L. Hoyt, City Clerk
City of Montpelier

City of Montpelier, Vermont

Finance Department

TO: City Council Members
William Fraser, City Manager

FROM: Sandy Gallup, Finance Director

DATE: January 20, 2012

SUBJECT: Quarterly Capital Project Summary Reports – December 31, 2011

Beginning December 31, 2011, the finance staff, along with project managers will be preparing quarterly reports to present to the City Manager and City Council for all major capital projects.

I am attaching Quarterly Capital Project Summary Reports – December 31, 2011 for the following major capital projects:

Flood Related Projects:
Spring 2011 Flood Damage Street, Cemetery and Park Repairs $1,038,649
FEMA Flood Mitigation Project – Opening Channels $595,841
Army Corps Flood Mitigation Study $835,750

Building Construction:
58 Barre Street Renovation-City Portion-Senior Center $1,820,248

Downtown & Transportation Improvements:
Carr Lot Project $6,347,696

Energy-related Projects:
District Heat Project $20,375,000

Summary reports for the Regional Bike Path and Hurricane Irene Flood Damage will be completed soon.

Please review this project information and let me know if you have questions or suggestions regarding the content of these quarterly reports.

QUARTERLY PROJECT SUMMARY

PROJECT: Spring Flood 2011

QUARTERLY REPORT DATE: 31-Dec-11

	PROJECT	Quarter Revenue	Project-to-Date Revenue	Balance to Receive
Sources of Funds:				
Federal:				
Federal Highway	$ 678,493.75			$ 678,493.75
City portion of Federal Highway	$ 20,295.86			$ 20,295.86
Federal Highway Other	$ 11,782.20			$ 11,782.20
FEMA (75%)	$ 246,057.00	$ 218,201.08	$ 218,201.08	$ 27,855.92
ERAF (15% of FEMA total)	$ 49,211.40			$ 49,211.40
City portion of FEMA	$ 32,808.60	$ 32,808.60	$ 32,808.60	$ -
Other:				
Total Revenue	$ 1,038,648.81	$ 251,009.68	$ 251,009.68	$ 787,639.13
		Quarter	Project-to Date	Balance to
Uses of Funds:		Expenditures	Expenditures	Spend
Spent in January	$ 165,285.34		$ -	$ 165,285.34
Used through expenses and contractors 12/31/2011	$ 589,526.03	$ 277,424.96	$ 589,526.03	$ -
Estimate:Finish FEMA projects	$ 38,043.28		$ -	$ 38,043.28
Estimate: Gallison Hill	$ 58,911.00		$ -	$ 58,911.00
Estimate: River Street 1	$ 82,530.00		$ -	$ 82,530.00
Estimate: River St. 2	$ 2,724.00		$ -	$ 2,724.00
				$ -
City-Labor OT FEMA	$ 38,613.16			$ 38,613.16
City- Equipment USE FEMA	$ 30,703.25			$ 30,703.25
City - Labor Reg FEMA	$ 32,312.75			$ 32,312.75
Total Expenditures	$ 1,038,648.81	$ 277,424.96	$ 589,526.03	$ 449,122.78
Revenue less Expenditures	$ -	$ (26,415.28)	$ (338,516.35)	$ 338,516.35

Total Cost: Total cost is projected. We are still waiting on Federal Highway pieces. The estimate for Federal Highway is $710,571.81. Part of this is 100% funded and part is 80% funded. Of the $710,571.81 is is believed that $593,853.48 will be 100% funded. The remainder $116,718.33 will most likely be 80% funded with the City's portion being 20%. Of the $116,718.33, $11,782.20 is from other funds leaving a balance of $104,936.13. Of the $104,936.13, $84,640.27 will be funded by Federal Highway and the remaining $20,295.86 will be the responsibility of the City (Local Share). These are ESTIMATES as the projects are still ongoing.

**PLEASE NOTE THAT THE FHWA EMERNGENCY RELIEF IS A REIMBURSEMENT PROGRAM WITH PAYMENT BASED ON ACTUAL COSTS EXPENDED AND DOCUMENTED BY THE TOWN.

Project Timeline: See attached sheets for the Federal Highway Projects.

Narrative of Project Status: See attached sheets for the Federal Highway Projects.

Next Steps for the following quarter: See attached sheets for the Federal Highway Projects.

Signed: [illegible] Date: 1/20/12

Project Manager

I:\CIP Reports\FEMA Flood Mlt QTRLY SUMMARY REPORT 12312011 FORM

QUARTERLY PROJECT SUMMARY					
PROJECT:	**FEMA FLOOD MITIGATION PROJECT - Opening Channels**				
QUARTERLY REPORT DATE:	**12/31/2011 Accrual Basis - Includes Jan payments for Dec work**				
	PROJECT BUDGET		Quarter Revenue	Project-to-Date Revenue	Balance to Receive
Sources of Funds:					
Federal: Thru VT Dept of Public Safety	$ 449,756.00		$ -	$ -	$ 449,756.00
FEMA_DR-1698-001					$ -
State:					$ -
					$ -
Local: needs to be 25% local match (20% can be in-kind)					
Bond Proceeds					$ -
CIP Allocation FY11	$ 50,000.00			$ 50,000.00	$ -
FY12 Granite St Culvert	$ 20,000.00			$ 20,000.00	$ -
FY12 CSO Linings	$ 10,000.00			$ 10,000.00	$ -
FY11 Sidewalk Enhancement	$ 32,000.00			$ 32,000.00	$ -
Previous yr River Walk	$ 31,500.00			$ 31,500.00	$ -
					$ -
In-kind (Kurt's Time)					$ -
Other:					$ -
Previous Ice Jam Grant Balance	$ 2,585.00			$ 2,585.00	$ -
Total Revenue	$ 595,841.00		$ -	$ 146,085.00	$ 449,756.00
			Quarter Expenditures	Project-to Date Expenditures	Balance to Spend
Uses of Funds:					
Construction Contract -J. Hutchins	$ 561,261.00		$ 367,601.00	$ 367,601.00	$ 193,660.00
Note: Contract to be reduced by Balancing Change Order					
Engineering	$ 32,692.00		$ 1,262.35	$ 26,934.35	$ 5,757.65
Testing	$ 1,108.00		$ 765.55	$ 765.55	$ 342.45
Soil Borings	$ 780.00			$ 780.00	
Total Expenditures	$ 595,841.00		$ 369,628.90	$ 396,080.90	$ 199,760.10
Revenue less Expenditures	$ -		$ (369,628.90)	$ (249,995.90)	$ 249,995.90

Project Timeline:
Estimated Final Completion - February 29, 2012
95% Complete

Narrative of Project Status:
All piping is complete and the pump station building is 80% complete. The pumps have been ordered and are anticipated to arrive on Feb 25, 2012.
The contractor will be prepared to operate the system with temporary pumps by January 30, 2012, if determined necessary by the City of Montpelier.

Next Steps for the following quarter:
Submit reimbursement request to VEM
Complete permanent pump installation

Signed: Kurt Motyka Date: 1/20/12

Project Manager

QUARTERLY PROJECT SUMMARY

PROJECT: Army Corps Flood Mitigation

QUARTERLY REPORT DATE: 31-Dec-12

	PROJECT BUDGET	Quarter Revenue	Project-to-Date Revenue	Balance to Receive
Sources of Funds:				
Federal:				
State:	$ 417,875.00	$ 10,754.25	$ 34,906.55	$ 382,968.45
Local:				
Bond Proceeds				
CIP Allocation	$ 417,875.00	$ 10,754.25	$ 34,906.55	$ 382,968.45
Other:				
Total Revenue	$ 835,750.00	$ 21,508.50	$ 69,813.10	$ 765,936.90
		Quarter Expenditures	Project-to Date Expenditures	Balance to Spend
Uses of Funds:				
Dubois & King (Risk Mngmt Study)	$ 480,070.00	$ 21,508.50	$ 80,412.00	$ 399,658.00
U.S. Army Corps of Engineers, New York District	$ 355,680.00			$ 355,680.00
Total Expenditures	$ 835,750.00	$ 21,508.50	$ 80,412.00	$ 755,338.00
Revenue less Expenditures	$ -	$ -	$ (10,598.90)	$ 10,598.90

Total Project Cost: The total project cost is $1,671,500.00 with $837,500.00 being the responsibility of the Army Corps of Engineers. This Project Summary Sheet will reflect the State and City portion of $837,500.00.

Project Timeline:

Narrative of Project Status: Hydrology and Hydraulic work, including HEC-RAS hindcasting is complete. Updated HEC-RAS models have been submitted to the Army Corps of Engineers and CRREL for review and use in ice modeling

Next Steps for the following quar Schedule and conduct a Project Scoping / Plan Formulation meeting between stateholders to identify and discuss alternative flood control mitigation measures and begin advancing the engineering evaluation of these measures.

Signed: Date: 1/19/2012

Project Manager

QUARTERLY PROJECT SUMMARY

PROJECT: 58 Barre Street Renovation Project → City Portion

QUARTERLY REPORT DATE: 31-Dec-11

	PROJECT BUDGET	Quarter Revenue	Project-to-Date Revenue	Balance to Receive
Sources of Funds:				
Federal:				
ARRA Grant-Roof	$ 20,000.00			$ 20,000.00
State:				$ -
VCDP Grant	$ 300,000.00			$ 300,000.00
VCDP Planning Grant	$ 17,500.00		$ 17,500.00	$ -
Other:				$ -
Efficiency Vermont Grant	$ 5,758.00			$ 5,758.00
IN Kind VCDP Admin	$ 8,500.00			$ 8,500.00
Insurance Proceeds	$ 851,640.00		$ 849,460.91	$ 2,179.09
CDF RLF	$ 25,200.00		$ 25,200.00	$ -
Transfer from Comm Dev-RLF	$ 174,850.00			$ 174,850.00
Transfer from Capital Campaign	$ 200,000.00			$ 200,000.00
Seniors Endowment Fund	$ 216,800.00		$ 16,721.79	$ 200,078.21
Total Revenue	$ 1,820,248.00	$ -	$ 908,882.70	$ 911,365.30

	PROJECT BUDGET	Quarter Expenditures	Project-to Date Expenditures	Balance to Spend
Uses of Funds:				
Construction	$ 1,445,929.00	$ 456,895.00	$ 612,206.00	$ 833,723.00
Construction Contingency	$ 1,000.00			$ 1,000.00
Legal-Title & Recording	$ 123,536.00			$ 123,536.00
Asbstos Abatement	$ 14,483.00	$ 160.00	$ 6,003.56	$ 8,479.44
Architect Services	$ 105,000.00	$ 8,287.89	$ 94,366.10	$ 10,633.90
Legal & Accountigh	$ 10,000.00			$ 10,000.00
Commissioning (CX ASSOC)	$ 10,800.00	$ 1,462.48	$ 6,819.92	$ 3,980.08
Permits/Fees	$ 12,000.00			$ 12,000.00
Clerk/Owner's Rep	$ 10,000.00	$ 2,375.00	$ 5,800.00	$ 4,200.00
Testing	$ 3,000.00	$ 3,013.91	$ 3,577.21	$ (577.21)
Construction Insurance	$ 6,000.00		$ 6,031.75	$ (31.75)
Soft Cost Contingency	$ 10,000.00			$ 10,000.00
VCDP Admin	$ 8,500.00			$ 8,500.00
Historic Consultant	$ 500.00			$ 500.00
Planning Phase Exp	$ 59,500.00		$ 43,336.48	$ 16,163.52
Playground				$ -
Total Expenditures	$ 1,820,248.00	$ 472,194.28	$ 778,141.02	$ 1,042,106.98
Revenue less Expenditures	$ -	$ (472,194.28)	$ 130,741.68	$ (130,741.68)

Project Timeline:
May 10th is the projected date for subtantial completion

Narrative of Project Status:
Project is 42% complete as of Dec 31, 2011.

Next Steps for the following quarter:
Stay on track with project timeline. Clerk of the Works monitors and verifies progress.

Signed: Date:

Project Manager

QUARTERLY PROJECT SUMMARY

PROJECT: CARR LOT PROJECT

QUARTERLY REPORT DATE: 31-Dec-11

	PROJECT BUDGET	Quarter Revenue	Project-to-Date Revenue	Balance to Receive
Sources of Funds:				
Federal:				
Pedestrian Path & Bridge Path	$ 4,020,245.00	$ 47,608.94	$ 194,468.00	$ 3,825,777.00
Multi-Modal Facility Cost	$ 1,346,762.00	$ 8,808.06	$ 73,965.20	$ 1,272,796.80
Local:				
Pedestrian Path & Bridge Path	$ 643,999.00	$ 11,902.23	$ 23,046.87	$ 620,952.13
Multi-Modal Facility Cost	$ 336,690.00	$ 2,202.01	$ 2,202.01	$ 334,487.99
Other:				
Total Revenue	$ 6,347,696.00	$ 70,521.24	$ 293,682.08	$ 6,054,013.92
		Quarter Expenditures	Project-to Date Expenditures	Balance to Spend
Uses of Funds:				
Montpelier STP MMTC (3)/STP EH07 (15)	$ 4,664,244.00	$ 5,907.40	$ 217,514.87	$ 4,446,729.13
(SEE attached sheet for breakdown)				
Multi-Modal Transit Center/FTA	$ 1,683,452.00		$ 76,167.21	$ 1,607,284.79
(SEE attached sheet for breakdown)				
Total Expenditures	$ 6,347,696.00	$ 5,907.40	$ 293,682.08	$ 6,054,013.92
Revenue less Expenditures	$ -	$ 64,613.84	$ -	$ -

Project Timeline: This project has been slowly ongoing but has some new projected dates for deadlines. It is estimated that the final design engineering will be completed by 12/15/2012. The real estate acquisition is expected to be completed by 05/15/2012. As far assite development and construction of the first floor is concerned the RFP/IFB is expected to be completed by 9/1/2012 and the contract should be awarded by 11/1/2012 with an estimated completion date of 9/30/2013. The contingency of the transit center construction cost is estimated to be completed by 11/30/2013.This project will continue to proceed and the estimated dates of completion listed above could change due to unforeseen circumstances.

Next Steps for the following quarter: There will be a full update on this project at the February 8th, 2012 Council Meeting.

NOTE: The Local Bond on this project is $800,000.00 and according to the budget above the City's allocated portion is $980,689.00.This issue is being monitored and it is expected that certain parts of the project will indeed come in lower than budgeted.

Signed: Date:

Project Manager

QUARTERLY PROJECT SUMMARY

PROJECT: DISTRICT ENERGY **CASH BASIS**

QUARTERLY REPORT DATE: 12/31/2011 - Includes all expenses paid to 12/31 & Grant revenue Rec'd on Jan 11,2012

	PROJECT BUDGET	Quarter Revenue	Project-to-Date Revenue	Balance to Receive
Sources of Funds:				
Federal: City portion	$ 4,751,336.00	$ 92,326.48	$ 358,098.04	$ 4,393,237.96
State of VT portion	$ 3,248,664.00	$ 95,417.25	$ 95,417.25	$ 3,153,246.75
State:				
State Share - Plant	$ 8,200,000.00			
CEDF Grant - Planning	$ 75,000.00	$ -	$ 75,000.00	$ -
CEDF Grant	$ 1,000,000.00			
Local:				
Bond Proceeds	$ 2,350,000.00	$ -	$ 350,000.00	$ 2,000,000.00
CEDF Loan-Deferred	$ 750,000.00			
Other:				
Total Revenue	$ 20,375,000.00	$ 187,743.73	$ 878,515.29	$ 9,546,484.71
Uses of Funds:		Quarter Expenditures	Project-to Date Expenditures	Balance to Spend
Heat Plant - City	$ 1,077,000.00	$ 92,326.48	$ 358,098.04	$ 718,901.96
Distribution System - City	$ 4,866,000.00	$ -	$ -	$ 4,866,000.00
Heat Plant - State	$ 14,007,000.00	$ 95,417.25	$ 95,417.25	$ 13,911,582.75
CEDF Grant expenses	$ 75,000.00	$ -	$ 75,000.00	$ -
Bond Expenses - Grant Match	$ 350,000.00	$ 48,818.33	$ 212,573.64	$ 137,426.36
Total Expenditures	$ 20,375,000.00	$ 236,562.06	$ 741,088.93	$ 19,633,911.07
Revenue less Expenditures	$ -	$ (48,818.33)	$ 137,426.36	

Project Timeline:
Expected Operational by Sept 2013

Narrative of Project Status:
The City needs to reach agreement with the State of all contraacatual issues (approved Jan 18, 2012)

Next Steps for the following quarter:
State: re-bid the boilers and complete design on the heating plant
City: Obtain preliminary designs and cost estimates from Hallam, make decisions about Union Schoo and develop formal business plan for the district heat utility.

Signed: Date:

Project Manager

CITY MEETING WARNING
FOR
MARCH 6, 2012

The legal voters of the City of Montpelier, in City Meeting in Montpelier, in the County of Washington and the State of Vermont, are hereby warned to meet in the City Hall Auditorium, in said Montpelier, on the first Tuesday in March, March 6, 2012, at seven o'clock in the forenoon, and there and then to cast their ballot for the election of officers, matters that by law must be determined by ballot, and other matters as directed by the Council. The polls will be opened at 7:00 A.M. and shall be closed and the voting machine sealed at 7:00 P.M.

ARTICLE 1. To elect a mayor for a term of two years; a city clerk for a term of three years; one commissioner for the Green Mount Cemetery for a term of five years; one park commissioner for a term of five years; two school commissioners, each for a term of three years; one council member from each district, for a term of two years.

ARTICLE 2. Shall the voters appropriate the sum of $6,904,043 for the payment of debts and current expenses of the City for carrying out any of the purposes of the Charter, plus payment of all state and county taxes and obligations imposed upon the City by law to finance the fiscal year July 1, 2012 to June 30, 2013? (Requested by the City Council)

ARTICLE 3. Shall the voters appropriate the sum of $16,153,790 necessary for the support of the public school system for the fiscal year July 1, 2012 to June 30, 2013? (Local budget of $15,724,940 plus grant budget of $428,850, for a total school budget of $16,153,790.) (Requested by the School Board)

ARTICLE 4. Shall the voters appropriate the sum of $575,230 for the support of the Recreation Department for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the School Board)

ARTICLE 5. Shall the voters appropriate the sum of $3,000 as compensation to the Mayor for services for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the City Council)

ARTICLE 6. Shall the voters appropriate the sum of $7,200 ($1,200 each) as compensation to the Council Members for their services for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the City Council)

ARTICLE 7. Shall the voters appropriate the sum of $7,300 (Chair $1,300; others $1,000 each) as compensation to the School Commissioners for their services for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the School Board)

ARTICLE 8. Shall the voters authorize the Board of School commissioners to hold any audited fund balances as of June 30, 2012 in a reserve fund to be expended under the control and direction of the Board of School Commissioners for the purpose of operating the school? (Requested by the School Board)

ARTICLE 9. Shall the voters authorize the City Council to borrow a sum not to exceed $870,000 for street improvements including retaining walls, storm drains, culverts and street rehabilitation, fire truck purchase, facilities repairs, American Disabilities Act improvements,? If approved bonds for these capital items would be issued for a term of 20 years. With a 20 year bond, approximately $23,500 would be required for the first year interest payment and approximately $74,300 for the second year principal and interest payment and future payments declining each year as the principal is repaid. (Requested by the City Council)

ARTICLE 10. Shall the city amend Title XII – Section 2 of the city charter to allow for the assessment of a 1% local sales tax as per amendment language filed with the City Clerk on January 4, 2012? 20% of revenues received will be dedicated for business development and/or business promotion. 80% of all revenues received will be dedicated to offset property tax revenue. (Requested by the City Council)

ARTICLE 11. Shall the city amend Title XII – Section 2 of the city charter to allow for the assessment of 1% local rooms, meals and alcohol taxes as per amendment language filed with the City Clerk on January 4, 2012? 100% of revenues received will be dedicated for infrastructure improvements and maintenance. (Requested by the City Council)

ARTICLE 12. Shall the city amend Title V – Sections 1 and 3 and adding a new section 4 of the city charter (and renumber remaining sections accordingly) to change the signature requirement for legally binding petitions from 5% of registered voters to 10% of registered voters as per amendment language filed with the City Clerk on January 4, 2012? (Requested by the City Council)

ARTICLE 13. Shall the city continue to pursue the formation of a regional public safety (police, fire, EMS, dispatch) authority with the City of Barre, and the Towns of Barre and Berlin? (advisory only)

ARTICLE 14. Shall the voters appropriate the sum of $41,000 to be placed in a special revenue account under the name of the Montpelier Housing Trust Fund? Such account, including interest and earnings thereon, shall be used exclusively by the City to award grants and loans to appropriate non-profit organizations to preserve, construct and rehabilitate dwelling units affordable to households with incomes less than or equal to 80% of median income (with a priority for homeownership units) and which are subject to covenants or restrictions that preserve their affordability for a minimum of 15 years. (Requested by the City Council)

ARTICLE 15. To see if the voters will vote the sum of $293,975 to be used by the Kellogg-Hubbard Library for the fiscal year July 1, 2012 to June 30, 2013. (This amount is in addition to the $43,937.70 for the library bond payment included in the City General Fund Budget, Article 2.)

ARTICLE 16. Shall the voters appropriate the sum of $3,075 to be used by the CIRCLE (formally Battered Women's Services Shelter) for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 17. Shall the voters appropriate the sum of $2,000 to be used by the Central Vermont Community Action Council for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 18. Shall the voters appropriate the sum of $6,000 to be used by the Central Vermont Adult Basic Education for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 19. Shall the voters appropriate the sum of $5,000 to be used by the Central Vermont Community Land Trust for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 20. Shall the voters appropriate the sum of $5,000 to be used by the Central Vermont Council on Aging for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 21. Shall the voters appropriate the sum of $18,000 to be used by the Central Vermont Home Health and Hospice for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 22. Shall the voters appropriated the sum of $6,000 to be used by Community Connections for programs at Union Elementary, Main Street Middle School and Montpelier High School for the fiscal year July 1, 2012 to June 30, 2013.

ARTICLE 23. Shall the voters appropriate the sum of $3,500 to be used by the Family Center of Washington County for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 24. Shall the voters appropriate the sum of $2,500 to be used by the Friends of the North Branch Nature Center for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 25. Shall the voters appropriate the sum of $500 to be used by the Friends of the Winooski River for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 26. Shall the voters appropriate the sum of $400 to be used by the Good Beginnings of Central Vermont for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 27. Shall the voters appropriate the sum of $1,500 to be used by the Green Mountain Youth Symphony for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 28. Shall the voters appropriate the sum of $5,000 to be used by the Montpelier Home Delivery Program (Meals on Wheels) for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 29. Shall the voters appropriate the sum of $1,500 to be used by the Montpelier Veterans Council for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 30. Shall the voters appropriate the sum of $1,250 to be used by the People's Health & Wellness Clinic for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 31. Shall the voters appropriate the sum of $2,000 to be used by the Project Independence-Adult Day Service for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 32. Shall the voters appropriate the sum of $3,000 to be used by the Retired & Senior Volunteer Program for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 33. Shall the voters appropriate the sum of $2,000 to be used by the Sexual Assault Crisis Team of Washington County for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 34. Shall the voters appropriate the sum of $500 to be used by the Vermont Association for the Blind & Visually Impaired for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 35. Shall the voters appropriate the sum of $5,000 to be used by the Vermont Center for Independent Living for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 36. Shall the voters appropriate the sum of $5,000 to be used by the Washington County Youth Service Bureau for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 37. Shall the voters appropriate the sum of $15,000 to be used by the Washington County Basement Teen Center for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 38. Shall the voters appropriate the sum of $1,950 to be used by the Washington County Diversion Program for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 39. Shall the voters appropriate the sum of $3,500 to be used by the Youth Programs of Lost Nation Theater for the fiscal year July 1, 2012 to June 30, 2013?

Dated this __ day of January, 2012

Signed:

____
Mary S. Hooper, Mayor

Members of the City Council:

______________________________ ______________________________

______________________________ ______________________________

______________________________ ______________________________

CITY SEAL: ATTEST:

Charlotte L. Hoyt, City Clerk

Sandy Pitonyak

To: L-Council
Subject: Catering Permit Application

... from Yebba, Inc., d/b/a The Abbey Pub & Restaurant, for an afternoon Reception from 3:00 to 6:00 P.M. on Wednesday, January 11th, 2012 in the State House Food Court.

From: Tom Golonka [tomgolonka@comcast.net]
Sent: Monday, January 09, 2012 11:09 AM
To: Sandy Pitonyak; L-Council
Subject: Re: Catering Permit Application

OK with me.
Tom

From: Angela Timpone [angelatimpone@gmail.com]
Sent: Monday, January 09, 2012 9:35 AM
To: Sandy Pitonyak
Cc: L-Council
Subject: Re: Catering Permit Application

Fine with me.

From: Timothy Andrew Hooper
Sent: Monday, January 09, 2012 12:14 PM
To: Sandy Pitonyak
Cc: L-Council
Subject: Re: Catering Permit Application

Yup. Fine with me.

From: Nancy Sherman [nsherman@cvcoa.org]
Sent: Monday, January 09, 2012 3:32 PM
To: Sandy Pitonyak; L-Council
Subject: RE: Catering Permit Application

I support granting this petition
-Nancy

From: Sarah Jarvis [sarahvermont@yahoo.com]
Sent: Monday, January 09, 2012 8:22 PM
To: Sandy Pitonyak
Cc: L-Council
Subject: Re: Catering Permit Application

I approve.
~ Sarah

Request to Cater Malt and Vinous Beverages & Spirituous Liquors

Caterer's Permit Number 2019-01

APPROVED	DISAPPROVED Date:
Reason:	
(for department use only)	

To: Board of Selectmen/Alderman at catered location and Vermont Liquor Control Board.

From: Licensee name: Yebba Inc

d/b/a: The Abbey Pub & Restaurant

Street: 6212 VT Rt. 105 Town/City: Enosburg Falls, VT 05450

Contact name and phone number: Jenn Carey 802-933-4747 x 25

Email or Fax # jenn@abbeygroup.net

BE SURE TO READ INSTRUCTIONS BELOW, BEFORE COMPLETING APPLICATION.

(Each catered affair must have a recommendation from the local Board of Selectman or Alderman acting in their capacity as local control commissioners and must have the approval of the State Liquor Control Board.)

Please answer the following questions:

1. Describe type of party to be catered: Afternoon reception in the food court at the capitol.
2. Location of catered party (street, town or city; if no address, describe location): 115 State Street, Montpelier, VT Capitol Food Court
3. Date of catered party (not more than five days, unless specifically authorized: 1-11-12
4. Hours of operation: Beginning 1500 hrs. Ending 1800 hrs. No. of Persons 50

Signed: Jennifer Carey (caterer) Date: 1-6-12

We recommend: approval disapproved

If you recommend disapproval, please state reason(s): ____________________

____

Town/City Clerk's signature Of CATERED location. Town/City Fax Number or email address: ____________ Date

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SUBMIT AT LEAST 5 DAYS PRIOR TO DATE OF FUNCTION

Submit to Town/City Clerk for recommendation.

Town/City Clerk will email, fax or mail to Vermont Liquor Control Board, 13 Green Mountain Drive, Montpelier, VT 05602 email address: { HYPERLINK "mailto:DLC-Licensing@state.vt.us" } Fax number is 802-828-1031

LIQUOR CONTROL BOARD'S PROCEDURAL REQUIREMENTS FOR CATERER'S PERMIT HOLDERS:

1. All liquor control laws and regulations that apply to 1st and 3rd class licenses also apply to caterer's permits.
2. Before a catered event is approved in any open area, the following requirements must be fulfilled:
   a) A defined area, for serving and consumption of alcohol beverages, designated with physical barriers.
   b) Separate toilet and lavatory facilities available for both men and women.