



**CITY OF MONTPELIER
MONTPELIER, VERMONT**

Agenda for City Council Meeting

City Council Chambers, City Hall

Wednesday, August 24, 2011

7:00 P.M.

- 1) Call to Order by the Mayor
- 2) 11-201. General Business and Appearances
- 3) 11-202. Consideration of the Consent Agenda:
 - a) Consideration of Minutes from the August 10th, 2011 City Council Meeting. 
 - b) Consideration of a request from Roland and Brenda Pepin for a waiver of the City's Noise Ordinance for their son's outdoor wedding on Saturday, October 8th, 2011. Dancing will take place in their barn following the reception; the barn doors and windows will be closed, but the Pepin family feels safer getting the waiver. They have spoken with neighbors, and they have no objections to this request. 
 - c) Consideration of authorizing the Department of Public Works to award the contract to the lowest responsible bidder, J. Hutchins, Inc. of Richmond, Vermont, in the amount of \$658,962 for the FEMA Flood Mitigation Project and authorizing the City Manager to execute the contract documents with the understanding that a change order will be immediately issued to reduce the project by \$100,000 of the amount stated above. 
 - d) Consideration of awarding a contract for Bituminous Concrete Paving - FY2012: The Public Works Department mailed bid invitations to area contractors and also advertised in the newspaper for the scheduled

summer paving work. Bids were opened on Wednesday, August 17, 2011. A total of four sealed and competitive unit price bids were received and publicly opened. In addition to paving, the bid items include in-place pavement recycling, excavation, sidewalk and curbing, and other incidental items. Recommendation: Award of the contract for FY 2012 Street Paving to F.W. Whitcomb Corporation in the amount of \$242,674.75. Council also needs to delegate the City Manager as the duly authorized agent to execute the contract documents and change orders. 

- e) Consideration of accepting the low bid of \$32,700 submitted by Spectrum Finishes LTD, of Colchester, Vermont, for the Bridge Reconditioning Project for the Public Works Department, and authorize the City Manager to sign the purchase order for said work. 
- f) Consideration of a request from Sandy Vitzthum for the closure of Loomis Street (from Park Avenue to Liberty Street) for their 9th Annual Block Party scheduled to be held on Sunday, September 4th, from 2:00 to 9:00 P.M. 
- g) Consideration of a request from Dave Nelson (McGillicuddy's Irish Pub) for the closure of Langdon Street from 12:00 noon until midnight on Saturday, September 24th, for the celebration of their 15th Anniversary. They want to have a street party, along with Langdon Street store sales. 
- h) Consideration of becoming the Liquor Control Commission for the purpose of acting on the following:
 - 1. Application for a Catering Permit from Langdon Street Pub Company, d/b/a McGillicuddy's Irish Pub, in order to serve food and beverages within a fenced-in area as part of their 15th Anniversary Celebration on Saturday, September 24th, from 12:00 noon until midnight. 

2. Application for a Special Event Permit from Vermont Spirits Distilling Company, d/b/a Vermont Spirits, for the “Touch of Vermont Holiday Gift Market” scheduled to be held on Saturday, December 10th, 2011, from 9:00 A.M. to 6:00 P.M. in the Auditorium of City Hall. 

g) Payroll and Bills

- 4) 11-203. Consideration of a proposal and recommendation presented by the Montpelier Americans with Disabilities Act (ADA) Committee for the development of on-street accessible parking for the disabled to be constructed on Main Street at the School Street intersection.
 - a) The ADA Committee, as appointed by the City Council, is charged with reviewing the current compliance status of public facilities, programs and services as a Title II entity as defined by the Americans with Disabilities Act.
 - b) The ADA Committee, with assistance from the Vermont Center for Independent Living, reviewed the adequacy and sufficiency of accessible parking within municipally owned facilities.
 - c) An accessible parking deficiency was discovered in the vicinity of the Main Street/School Street intersection to serve the general public and for the patrons of the Kellogg-Hubbard library.
 - d) The ADA Committee concluded that the library and the City are in technical compliance with the law; the spirit of the law that reasonable accommodations be provided has not been accomplished in the northern section of downtown and at the library in particular.
 - e) A report outlining the Committee recommendation is included with the agenda. The accompanying sketch plan illustrates the on-street parking spaces (2) which are proposed to be developed within the existing angle spaces on Main Street and entails the conversion of two existing standard parking stalls.

- f) Recommendation: Receive the report from the ADA Committee and provide an opportunity for discussion and questions. Authorize approval of the development of the accessible parking spaces with funding identified in the report.

5) 11-204. District Heat Update

- a) As indicated in the attached memo from the City Manager, “Although there has not been the recent need for Council discussions or decisions, work on the District Heating Project is ongoing.”
- b) Recommendation: Opportunity for discussing the summary provided by the City Manager.

6) 11-205. HUD Grant.

- a) The HUD grant will consist of six components: 1) The planning and data collection needed to apply for designation as a Tax Increment Financing District with the State of Vermont; 2) a design for intersection improvements where the transit, bicycle, pedestrian, and automobile traffic crosses Main Street and further down Barre Street; 3) the design and engineering for the area where two buildings are being removed to make room for the extended bicycle and pedestrian facilities, and for the capstone building to be constructed at the end of our commercial block to house the two demolished buildings; 4) develop and design an ADA access plan for the upper floors in the downtown buildings just north of the Barre and Main Street intersection; 5) the design and engineering for the affordable housing units and commercial space in the proposed TIF District; and 6) analysis of barriers and recommendations for strategies and regulatory revisions to further encourage housing in the downtown.
- b) Recommendation: Approval of grant application.

7) 11-206. Continued review of MATRIX recommendations.

- a) Since receiving the Final “Management Assessment” Report from the MATRIX Consulting Group, staff has begun implementing, or are at least working on, some of their recommendations.
- b) At their August 10th meeting, Council began this process by hearing from the Fire Chief, Police Chief, Assessor and Assistant City Manager/Tax Collector; this evening, Council will hear from the Finance Director and City Manager.
- c) Recommendation: Receive reports; discussion.

8) 11-207. Events Policy

- a) The City Manager is again providing a memorandum to City Council Members which outlines “Events Policy Considerations”.
- b) A memorandum from Phayvanh Luekhamhan, Executive Director of “*Montpelier Alive*”, is also attached with her suggestions for this proposed policy.
- c) Recommendation: Review and discuss the above documents; direction to staff as to whether or not Council supports what staff is recommending, with or without amendments, in order for staff to finalize policy and permits.

- 9) 11-208. Reports by City Council
- 10) 11-209. Mayor’s Report
- 11) 11-210. Report by the City Clerk-Treasurer
- 12) 11-211. Status Reports by the City Manager
- 13) 11-212. Agenda Reports by the City Manager
- 14) 11-213. Appointment of a Council Member to serve as the Voting Delegate at the Vermont League of Cities & Towns’ Annual Business Meeting to be held at the Killington Grand Hotel on Thursday, October 6th.

Adjournment

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: August 18, 2011

Subject: Bituminous Concrete Paving – FY12
Bid Results & Contract Award Recommendation

Please place the following item on the Consent Agenda for the August 24th City Council Meeting:

Consideration of awarding a contract for Bituminous Concrete Paving - FY2012: The Public Works Department mailed bid invitations to area contractors and also advertised in the newspaper for the scheduled summer paving work. Bids were opened on Wednesday, August 17, 2011. A total of four sealed and competitive unit price bids were received and publicly opened. In addition to paving, the bid items include in-place pavement recycling, excavation, sidewalk and curbing, and other incidental items.

A summary of the bids received based on estimated quantities are as follows:

(1) F.W. Whitcomb Corp.	= \$ 242,674.75
(2) S.T. Paving	= \$ 255,766.10
(3) A.C. Paving Corp.	= \$ 261,346.00
(4) Pike Industries, Inc.	= \$ 288,077.50

We have rather limited recent work experience with the low bidder, FW Whitcomb Corporation. They do have pre-qualified status with the Vermont Agency of Transportation. A bid evaluation revealed that FW Whitcomb's bid exceeds the project cost estimate in one of the unit items (excavation) by approximately 125% and, compared to the other bids, their bid is about 55% more. However, their bid for the paving item is considerably lower. While it is a somewhat weighted bid, we have concluded that the low bid is generally in compliance with contract instructions and requirements. The bid is also within our available budget. A copy of the bid tabulation is attached.

The streets to be paved under this contract are **North Franklin Street & Hebert Road**. This will include a new section of sidewalk on Hebert Rd. Repairs and resurfacing of the public parking area in the city's leased portion of the **Capital Plaza lot** is also included in the contract. Additionally, pavement patching of some of the streets damaged during the May flood event are part of the contract. All preparation, drainage repairs, finish work and other support will be performed by DPW staff.

Funding for this contract is available from the Capital Improvement Plan as follows:

CIP Budget	=	\$218,000
CIP Parking Fund Budget	=	\$ 38,000
<u>Flood Damages (assumed 75% FEMA contribution)</u>	=	<u>\$ 6,900</u>
Total Funds available	=	\$262,900

Recommendation: Award of the contract for FY2012 Street Paving to F.W. Whitcomb Corporation in the amount of \$242,674.75 and designation of the city manager as the duly authorized agent to execute the contract documents and change orders if applicable.

Attachment (bid tab)

C: Brian Tuttle, Street Supervisor
Sandra Gallup, Finance Director

New ☐

Renewal ☐

If this is a renewal
with changes please
indicate below, if there
are no changes, it is not
necessary to complete each year.

VERMONT DEPARTMENT OF LIQUOR CONTROL
Enforcement & Licensing Division
OUTSIDE CONSUMPTION PERMIT

Approved/Disapproved

Office Use Only

Name of Licensed Premise (Corporation/Partnership/Individual, d/b/a)

Langdon St. Pub Co.

d/b/a

McB. Murphy's Irish Pub

Address

14 Langdon St.

Town/City

Montpelier

License Number

2398-00T-CATR-01

Email or Fax #

(802) 229-6228 / Nelly@pub@901.com

Outside consumption would be in the area described below: (describe fully, including size, physical barriers, etc.)

A fenced in area adjacent to McB. Murphy's
front door. The area will be used for food and
beverage service. The fenced in area will be
staffed and well defined.

Outside Consumption time period (hours) from

12:00 noon

to

midnight

Permanent Use ☐

from

Saturday

to

Month/Day

Sept. 24

Month/Day

Sept. 24

Occasional Use ☐

Day(s) Requested

Signature of Licensee



APPROVED BY LOCAL CONTROL COMMISSIONERS

Town/City Clerk Signature

Date

APPROVED BY DEPARTMENT OF LIQUOR CONTROL

Investigator/Enforcement Office

Signature

Date

Please remember that this outside consumption permit is an extension of your license to serve alcohol beverages, and that the same rules apply in this area as do in the regularly licensed premise area.

CITY COUNCIL MEETING STATED MEETING & PUBLIC HEARING AUGUST 10, 2011

On Wednesday evening, August 10, 2011, the City Council Members met in the Council Chamber.

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

Call to Order by the Mayor

Mayor Hooper called the meeting to order at 6:30 P.M.

- 11-189. Request for an Executive Session regarding a personnel issue 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.”*

Motion was made by Council Member Hooper, seconded by Council Member Jarvis to go into executive session in accordance with Title I, VSA, Sec. 313 Executive Session, (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.”*

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

On motion made by Council Member Jarvis, seconded by Council Member Weiss, the Council came out of executive session at 6:43 P.M., in accordance with Title I, VSA, Sec. 313, Executive Session, (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.”*

Mayor Hooper called the televised portion of the meeting to order at 7:00 P.M.

Motion was made by Council Member Jarvis, seconded by Council Member Weiss to authorize the City Manager to sign the settlement agreement in the Rousseau vs the City of Montpelier civil action. The vote was 6-0, motion carried unanimously.

The prepared statement was read into the record and will be made a part of the minutes.

11-190. General Business and Appearances

City Manager Fraser thanked the Council for allowing him to attend the Senior Executives in State and Local Government program at the John F. Kennedy School of Government at Harvard University.

11-191. Consideration of the Consent Agenda:

- a) Consideration of the Minutes from the July 13th, 2011 City Council Meeting. 
- b) Ratification of a poll vote taken of City Councilors on July 20th, seeking authorization for Public Works staff to accept the low bid of \$17,399 (Base Bid \$16,199 + \$1,200 Premium Care Warranty) submitted by Gateway Motors of White River Junction, Vermont, for the replacement of a 2WD pickup truck for the Water/Sewer Division; Council Members were also asked to authorize the Acting City Manager to sign the Purchase Order. 
- c) Ratification of a poll vote taken of City Councilors on August 1st, seeking authorization for Public Works staff to accept the low bid of \$83,788 submitted by Dubois Construction, Inc., for the Towne Hill Road Culvert Replacement Project. All parties wanted to get started immediately and complete as much of the work as possible prior to the influx of school-related traffic; Council Members were also asked to authorize the Acting City Manager to sign the contract. 
- d) Consideration of accepting the low bid of \$7,800 submitted by Johnson Hardware of Johnson, Vermont, for the Light Tower and Generator for the Public Works Department and authorizing the City Manager to sign the Purchase Order. 
- e) Consideration of an "Online Payment Services Contract". In April, staff requested proposals for a three-year electronic payment service contract (credit card, debit card and electronic check) for the payment of all fees normally associated with municipal government. Staff waited until the decision was made on the Banking Services Contract (change from TD to Merchants Bank) before beginning vendor selection for the online

payment services. The City Clerk-Treasurer and Finance Director have provided a memorandum which explains the steps of this process in more detail. Staff is recommending the award of the 3-year Electronic Payment Contract to ***Official Payments*** and authorizing the City Manager to sign the contract and associated documents. 

- f) Consideration of approving a “Validation Resolution” prepared by the City’s Bond Counsel Paul Giuliani; this document is needed in order to fix a small glitch in the bond election process for the District Heat Project. The last Warning publication date is supposed to be between five and ten days from the date of the vote; the June 2nd publication is fourteen days from the vote. Council is being asked to authorize the dating and signing of the “Validation Resolution” by the City Clerk. 
- g) Consideration of a request from Sarah Jarvis for a one-time waiver of the City’s Noise Ordinance for a party her family is hosting on Friday, August 19th. They will be showing a movie outdoors beginning at approximately 8:30 P.M. and ending by 11:00 P.M.; the noise level may exceed the maximum noise level permitted at the property line after 9:00 P.M.. (A copy of the letter they sent to neighbors is attached.) 
- h) Consideration of authorizing the City Manager to sign a Main Service Agreement, Rental Terms of Service Agreement and Music on Hold Agreement with Sovernet Communications. The budget for 2011 contains funds to allow for the replacement and upgrade of a telephone system in City Hall. This project was put out for proposals from two separate groups because it was a substantial change in the type of phone service for City Hall and not simply a contract renewal. Those presenting proposals were: Sovernet Communications (Bellows Falls and Colchester) and; PAETEC Communications (South Burlington). Both firms presented a remote “hosted” system and both firms have a corporate presence in Vermont, also having local technical support as needed. The two bids are similar in contract period (36 month), re-occurring cost and non-recurring costs. The main benefit would be staying with the current supplier, Sovernet, when considering the continuity of service at switchover and the ability to switch back the service if there are any problems with a particular line. 
- i) Consideration of authorizing the Department of Public Works to award the contract to the lowest responsible bidder and to authorize the City

Manager to execute the contract documents for the FEMA Flood Mitigation Project. (Competitive sealed bids will be opened on Monday, August 8th, at 3:30 P.M.; a tabulation of the bids will be prepared following the bid opening and provided to the Council.) 

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

Ratification of a poll vote taken on July 15th for the issuance of a Catering Permit to Vermont Hospitality Management, d/b/a New England Culinary Institute, for a Reception/Dance scheduled to be held on Wednesday, July 20th, from 5:00 to 9:00 P.M. at National Life. 

Ratification of a poll vote taken on July 21st, for the issuance of two Catering Permits to The Skinny Pancake, Inc., for their monthly “Green Beer” event (where beer and wine is served): the first event is scheduled to be held on Tuesday, August 9th; and the second on Tuesday, September 13th from 6:00 to 8:00 P.M. in the City Center Lobby. 

Ratification of a poll vote taken on July 28th for the issuance of a Catering Permit to Vermont Hospitality Management, d/b/a New England Culinary Institute, for a “Dinner BBQ” scheduled to be on Friday, August 5th, from 5:00 to 9:00 P.M. at the National Life Guest House. 

Ratification of a poll vote taken on August 1st for the issuance of a Catering Permit to Valley Bowl, Inc., from Randolph, for a Fine Arts Dance scheduled to be held Friday, August 5th, from 8:00 P.M. to 1:30 A.M. at Noble Hall on the campus of Vermont College of Fine Arts. 

Additional Catering Permits:

Consideration of two catering permits received from Vermont Hospitality Management d/b/a New England Culinary Institute as follows:

Reception & Dinner at National Life Guest House, National Life Drive, on Monday, August 15th from 5:00 P.M. to 9:00 P.M.

Reception & Dinner on the National Life Patio, National Life Drive, on Sunday, August 21st from 5:00 P.M. to 8:00 P.M.

k) Payroll and Bills

General Fund Warrant dated July 8, 2011, in the amount of \$318,605.50.

General Fund Warrant dated July 13, 2011, in the amount of \$26,562.42 and \$273,287.79.

General Fund Warrant dated July 14, 2011, in the amount of \$166,742.87.

General Fund Warrant dated July 15, 2011, in the amount of \$495.00.

Payroll Warrant dated July 21, 2011, in the amount of \$125,510.35 and \$33,427.01.

General Fund Warrant dated July 27, 2011, in the amount of \$238,017.70.

General Fund Warrant dated July 28, 2011, in the amount of \$53,143.27.

Payroll Warrant dated August 4, 2011, in the amount of \$118,715.31 and \$24,497.02.

Consideration of Item (i) the FEMA Flood Mitigation Project was removed from the consent agenda for this evening.

Council Member Weiss requested that Item (f) be considered separately.

Motion was made by Council Member Sherman, seconded by Council Member Golonka to approve the consent agenda with the additions and removals.

Council Member Jarvis recused herself from voting on (g).

Mayor Hooper called for a vote on the motion. Motion carried unanimously.

- 11-138(a) Consideration of approving a "Validation Resolution" prepared by the City's Bond Counsel Paul Giuliani; this document is needed in order to fix a small glitch in the bond election process for the District Heat Project. The last Warning publication date is supposed to be between five and ten days from the date of the vote; the June 2nd publication is fourteen days from the vote. Council is being asked to authorize the dating and signing of the "Validation Resolution" by the City Clerk. 

Council Member Weiss had a question regarding the Private Activity Bond.

Motion was made by Council Member Weiss, seconded by Council Member Hooper to approve the Validation Resolution, authorizing the dating and signing of the Validation Resolution by the City Clerk. The vote was 6-0, motion carried unanimously.

11-193. Consideration of a request from Daniel Barlow, Co-founder of “Trees & Hills Comics Group” for the use of meeting rooms (and equipment) in City Hall on Saturday and Sunday, October 1-2, 2011, for the Second Annual 24-Hour Comic Challenge. 

- a) A letter from Mr. Barlow has been attached which outlines his request in greater detail.
- b) Recommendation: Receive Mr. Barlow’s request/presentation; discussion; direction to Mr. Barlow and/or staff.

Dan Barlow and Phayvanh Luekhamhan, Montpelier Alive Executive Director were present for this agenda item. Information had been provided to the council. Council member asked questions and were updated on the plans.

Motion was made by Council Member Sherman, seconded by Council Member Timpone to allow the use of city hall and to waive the fees. This was contingent upon following staff recommendations. Montpelier Alive would be the responsible party for this event.

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

11-192. Ratification of a poll vote taken on July 21st which temporarily filled a vacant seat on the Development Review Board; appointment of another individual to a second vacant seat; and possibly a third appointment to this board.

It has been challenging to recruit interested citizens to serve on this board. There are currently two vacancies; Alan Blakeman’s and Sabina Haskell’s.

On July 21st, City Council voted to temporarily appoint Elizabeth Koenig to the seat vacated by Alan Blakeman with the intent to officially appoint her this evening: Elizabeth Koenig, 73 Main Street – Room 53, Montpelier.

Since July 21st, staff has received two more applications as follows: Brian M. Lane-Karnas, E.I., 16 Mountainview Street; and James M. LaMonda, 5 Summit Street.

Recommendation: Appoint Elizabeth Koenig to a 3-year term to expire in July, 2014; appoint one of the other applicants to fill Sabina Haskell's unexpired seat until July, 2013; and possibly appoint the third applicant to one of the Alternate positions (One of the current Alternates has had difficulty attending meetings since being reappointed in December).

Council Member Jarvis said this was not a ratification of a poll vote.

Motion was made by Council Member Golonka, seconded by Council Member Sherman to appoint Elizabeth Koenig to the 3 year term to expire in July, 2014, Brian M. Lane-Karnas to fill the unexpired seat until July, 2013 and James M. LaMonda to fill the alternate position on the Development Review Board. The vote was 6-0, motion carried unanimously.

11-194. Review MATRIX recommendations.

Since receiving the Final "Management Assessment" Report from the MATRIX Consulting Group, staff has begun implementing, or are at least working on, some of their recommendations.

The Fire Chief, Police Chief, Assessor and Assistant City Manager/Tax Collector are the three who will begin this process.

Recommendation: Receive reports; discussion; possible direction to staff.

Fire Chief Gowans touched on the MATRIX Report. They looked at response times for both Fire and EMS. It looked at survival rates in the EMS field, particularly cardiac arrests. They also talk about regionalization. The three

recommendations that came out of the MATRIX study are to implement a company inspection program to improve fire prevention efforts. They now have a fire inspection program that has been in place for about 12 years. They target commercial buildings, downtown buildings, stores, schools, churches, nursing homes and extended care facilities. Those are areas they need to take a look at. They are the standard high risk occupancies.

Another change they recommended was an educational program citywide and they will be starting in the elementary schools this year. They also do a lot of fire educational training in the extended care facilities and this year they would like to get into the community more and working with elderly residents living at home alone. The best way to start that would be with the CAN groups.

They talked about the elimination of one of the lieutenant positions and create a firefighter position. They based this on departments of their size throughout the country that they are a little top heavy in officers. They will be implementing that recommendation with the promotion of Lieutenant Quinn to Deputy Chief which creates a vacancy within the Lieutenant ranks. They will fill that position as a firefighter.

They recommended they continue to explore regional opportunities and that is ongoing. He said there is no question they give more than they receive with mutual aid and the record speaks for itself. How they equalize that he isn't sure. They give more to the City of Barre for mutual aid but also receive a lot from Barre in mutual aid.

Council Member Golonka voiced his concerns about communities that don't have full time departments and is the city enabling them to make their budgets artificially low in those areas. The one sticking point with regionalization is going to be Barre Town.

Council Member Weiss said it is recommended the Fire Department develop standards of service for the emergency and medical services. Have they thought about it?

Chief Gowans reported it goes back to the regionalization piece.

Building Permitting & Inspection:

They recommended moving this function into Planning. Chief Gowans said he didn't disagree with that. They agree that would improve service but the problem is the limitations of space. . The Building Department should have its own separate phone line and they have implemented that.

Police Department:

Police Chief Facos said one of the preliminary reports from their perspective was heavily flawed and he did address that in writing to the MATRIX team. Some of the data they had was clearly inaccurate. The recommendations are more just fine tuning. Where he was a little stubborn is because their expectations are a little higher of their officers in terms of having a broad knowledge base and background to do a lot of different things. Staffing levels in general are okay. He spoke about the utilization of their one detective, their staffing allocation and how they provide community policing services to Montpelier. He also spoke about the relationship with the school system and continuing the SRO Program.

The areas he didn't disagree regarding flexibility are with how they handle proactive time. They do that on an as needed basis. They can't wait to get a full time bike unit in operation. That is certainly a priority as well as a promise to the Council and the community and with 17 officers they can certainly afford to do that.

Another area of concern was whether they were too flat an organization. Neil Martell has been a supervisor longer than the Chief and he is always the number two in command. How do they formalize that and how can they afford to do that? A great opportunity became available in the Leadership and Policeman's Organization Training and the Academy wants someone from Montpelier attending. It is a three-week program with the help of the League of Cities and Towns and free tuition. Sargent Martell was accepted into the program.

Some other things that are happening in terms of community policing, a member from the State Police, Sheriff Hill and he met with an organization about providing a new partnership with the Senior Citizens as a triad. They were looking at a model from Rutland County to basically formalizing interaction between the police and the senior citizens community.

The other area is their records management system. A couple of years ago they were fortunate enough to receive a JAG grant to upgrade their records management system, the crime track system. At some point the department will have to maintain two systems.

Assessor:

Assessor Twombly said the report raises three main points. The biggest change and recommendation they have is to go to a five-year cyclical reappraisal system. He believes they are erroneous in their thinking. They seem to think that Vermont requires a five-year cycle for reappraisals, which is not the case. If you go to a five-year cycle you reassess 20 percent of the parcels each year. He doesn't believe that Vermont law would allow you to reassess 20 percent, or any small percent, in any given year. The law says you assess at market value and secondly comparable properties have to be assessed comparably so there is equity. You can't reasonably and legally raise your assessments this year and someone else's another year because you start creating different levels of assessment that way. Under the current system any new homes, additions, improvements, decks, etc. are all run through the same system that was established for the reappraisal. The thinking behind the current statute is that once your values drop below 80 percent of current market there is a dispersion which looks at how far away from market value are the sales. They are both looking at the threshold at which inequities are large enough to force you to do a reappraisal.

Councilors asked Assessor Twombly if he believed the Assessor position should be full time.

Assessor Twombly replied he certainly scrambles to do everything he does in three days a week. He tends to save time for the busier times of the year so he has more hours in the spring. He wouldn't object to more hours.

Secondly, in the MATRIX Report they recommended they expand the web site, which he agrees with and supports. That certainly helped the whole reappraisal process and the mapping was a great resource, not only for the public but for Public Works and Planning. He also strongly supports the concept of streamlining and integrates the building permitting process. Part of his job is to try to look at all of the properties that get building permits each year, and at this point he has no access to any of that data. He just gets a paper copy of a listing of all the permits which have been issued. He has no access to what Glenn is

doing and he is looking at the projects as the work is going on. It would expedite his work in the spring if he could look at the data base to see if the work has been started, underway or if it has been finished. Presently he has to do independent contact with homeowners.

Tax Collector and Assistant City Manager:

Her positions are contained in other recommendations. The duties associated with the collection of delinquent accounts should be performed by staff performing Treasurer's functions. As she transitions towards part-time or full-time retirement the tax collecting will no longer be a function of the Assistant Manager's position. By the city charter the assistant manager appoints the tax collector. In that process that describes going to the Treasurer's Office a lot of that is going to be dependent upon the consolidation of the Treasurer and Finance Department. Right now to free up more time to do more of the administrative duties you see under the City Manager's piece it says the duties allocated to the Assistant City Manager should be modified in the future to provide a greater focus on conducting analysis, report writing and general management to the City Manager. She agrees with that and sees it as a good move. As part of the initial transition what she calls the regular monthly and quarterly billings that happen for delinquencies she has already started training one of the clerks in Charlotte's Office to do a lot of that. She also used to spend a lot of time doing adjustments for water and sewer. They are in the process of training the staff accountant in Sandy Gallup's Office to do those adjustments. She still will be handling the more aggressive collection pieces. Until this transition is fully done she really enjoys the tax collecting piece. She enjoys working with the people and has been able to work our accounts down to where they are manageable. Her one big concern is that it doesn't happen like in some other big cities in our state where the person doing the tax collecting piece isn't comfortable doing collections or it doesn't become a priority.

Another recommendation was to consolidate the Montpelier Senior Activity Center and Recreation Department into a community service department reporting to the Assistant Manager. She sees this all happening within the next few years.

Council Member Weiss said this is to him the most important recommendation in the MATRIX Report. The component that interests him the most is the position she holds beginning to have some of the directors in other areas

reporting to that position. He hopes that can be achieved as soon as possible. What authority would the position have, and how would it correlate with the work of the Manager?

11-195. Discussion regarding holding meetings in Districts.

Mayor Hooper requested that this item be included on this agenda.

Recommendation: Discussion; no voting action.

Mayor Hooper explained that she was interested in holding some meetings in each district. Her suggestion was that the Council Members from that district along with the Mayor would meet to update the citizens of that district on what was happening in the city. They would also answer questions, look for feedback and concerns from the citizens in that district.

Consensus of the Council was to hold a meeting this Fall and another meeting in the Spring in each District.

11-196. Reports by City Council

Council Member Sherman reported there was talk about supporting Council Members who might incur costs for attending meetings. Specifically they were talking about child care. If there is a barrier for people to run for Council or to attend Council meetings they should make it clear that if there are expenses you incur in order to attend a meeting there should be a way to file those with the city and be remunerated.

Council Member Timpone said maybe younger folks are left out because of child care and if there was some sort of child care reimbursement process it might offset costs and get more folks involved.

Council Member Golonka reported they have their regional meeting tomorrow. They had their debt and fund policy meeting today with Sandy and it went well. She did a great job putting together some sample policies and they will report to the Council in early September.

Council Member Jarvis attended a meeting of the Farmer's Market Board on Saturday and two members from the Board of Montpelier Alive talking about what might happen downtown if and when the Farmer's Market does move. It was exciting talking about ideas like creating different markets in different parts of town with transportation in between them. The Farmer's Market Board is very aware that the move up to the College is contingent upon a lot of things such as funding, permitting, etc. so it isn't a done deal. They are willing and interested in having conversations with the city and Montpelier Alive about what the possibilities are for the future. A group did a bunch of weeding on Main Street last Friday in the areas around the trees and curbs, and it was a lot of fun. They are doing it again this Friday in front of City Hall.

Council Member Timpone said they wrapped up their flood relief fund and awarded \$29,808.40 to 20 businesses and two businesses received a \$250 award for an alert monitoring system. That committee has been dissolved with no money left in the account.

Council Member Sherman said the Housing Barriers Committee is meeting tomorrow at 5:30 P.M.

11-197. Mayor's Report

She had asked Council Members if they would be interested in taking her place on the Arts Grant Committee and she hasn't heard back from anybody. The Infrastructure Committee is meeting regularly and they have been relying heavily on the MATRIX recommendations.

11-198. Report by City Clerk-Treasurer

City Clerk-Treasurer Hoyt reminded everyone that the first installment of property taxes is due on Monday, August 15th.

11-199. Status Reports by the City Manager

City Manager Fraser reported the City has also been looking for an auto call out system primarily for emergency alerts.

11-200. Agenda Reports by the City Manager.

None.

Adjournment.

Motion was made by Council Member Hooper, seconded by Council Member Sherman to adjourn the Council Meeting at 9:08 P.M. Motion carried unanimously.

Transcribed by Joan Clack

Attest:

City Clerk



CITY OF MONTPELIER, VERMONT

- THE SMALLEST CAPITAL CITY IN THE UNITED STATES -

Mayor Mary S. Hooper

City Council:

Tom Golonka
Andy Hooper
Sarah Jarvis
Nancy Sherman
Angela Timpone
Alan Weiss

William Fraser,
City Manager
wfraser@montpelier-vt.org

Beverlee Pembroke Hill
Assistant City Manager
bhill@montpelier-vt.org

MEMORANDUM

To: Mayor Hooper & City Council Members
From: William Fraser, City Manager
Re: District Heat Update
Date: August 19, 2011

Although there has not been the recent need for Council discussions or decisions, work on the District Heating project is ongoing. The following summary is taken from a progress report submitted to the Department of Energy:

- Montpelier City School Boards votes to support joining the Capital City District Heating System; April 6, 2011;
- Vermont Governor Shumlin signs into law Act M-006, an Act amending the Montpelier City Charter providing authority to the City to operate a district heating system and creating an energy improvement special assessment district (PACE program) on May 6, 2011;
- Department of Energy releases Environmental Assessment of the project proposing a Finding of No Significant Impact (FOSI) on May 19, 2011;
- Vermont Governor Shumlin signs into law Act 40, an Act providing \$7M of state capital toward the development of the District Heat Plant, May 20, 2011;
- The City of Montpelier and the State of Vermont enter into a MOU on June 9, 2011 which sets out the broad terms of the City-State relationship of the Capital City District Heating Project;
- On June 14, 2011 the City of Montpelier held a special community election to authorize bonding authority up to \$2.75M toward the

development of the Capital City District Heating Project. The bond authority is successfully passed with a vote 963 Yes to 609 No;

- A MOA is successfully completed on June 20, 2011 among the DOE, the City, The State and the Vermont Department of Historic Preservation regarding Section 106 of the National Historic Preservation Act of 1966, as amended;
- Continued status call with DOE Project Manager;
- Continued meetings of the Montpelier Energy Advisory Committee – a public advisory group of the Montpelier City Council; and
- Continued briefings to Montpelier City Council on Project; formation of Steering Committee made up of City Council, School Board and Energy Advisory Committee representatives

Since the end of the Quarter (July/August), the focus has been on

- Getting to Budget Period II with DOE. This required demonstrating that we met all the ‘stage gate requirements’ (authority and funding); prepare a Statement of Project Objective (SOPO) for BP2; and completion of DOE budget justification forms
- As part of BP2, DOE has concluded because of the amount of grant dollars that flow to the State, they need to be a sub-recipient to the City, and therefore a sub-recipient agreement is being developed. This will state the terms and process for re-imbursements to the State from the grant. This document is 90+% drafted
- Other agreement discussed is the thermal energy purchase agreement – Attorney Richard Saudek is the lead negotiator and the City Manager is directly involved. Key issues include timing of payment of the \$1.077M, means of purchasing additional capacity and the formula for establishing the rate per unit of heat – including direct costs, maintenance reserves and the like. We will have a more detailed review of this issue at the September 14th meeting.
- The RFP for Final Design Services has been developed and released –Responses are due back 9 September.
- We are beginning consideration of how the city will operate the distribution system – the legal structure, the possibility of a private partner, contracting options, direct operations options , needs and requirements.
- Continuing to work cooperatively with the state regarding the design of the central plant and how it interfaces with the distribution system.



CITY OF MONTPELIER, VERMONT

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MEMORANDUM

To: Mayor Hooper & City Council Members
From: William Fraser, City Manager
Re: Events Policy Considerations
Date: August 19, 2011

This is taken directly from my 2008 and 2009 memos on the same topic

Public events take on many different forms in Montpelier – some examples are:

- Neighborhood block parties where a street is closed for an afternoon or evening, perhaps there is some live music and often there is alcohol consumption but not sale, its open to the public with no fee although attendance is generally limited to the neighborhood.
- Private celebrations – weddings, birthdays, anniversaries, etc – which share many similar characteristics with block parties except they have a restricted guest list. Alcohol is more likely to be sold through a licensed caterer although not always. These events may or may not use public streets but may still have many other impacts (noise, parking, refuse, erection of tents may disrupt traffic temporarily, etc.)
- Business promotions –temporary outdoor dining events, special celebrations like St. Patrick's Day, Cinco de Mayo or a Blues Festival which may or may not prompt a request for use of a street, parking lot or other public property. These events might have an admission charge, might be restricted by capacity or age and may have alcohol sold through licensed caterers.
- Special events – July 3rd, Fashion Week, Brown Bag concerts, etc. Open to all, generally with no admission fee (First Night would be an exception). Usually (although not always) co-sponsored by the City and/or MDCA. Alcohol may or may not be provided but if it is its through a licensed caterer. Any revenues are used to produce the event.

In reviewing this matter, certain distinctions and certain issues became evident which help guide the thought process.

Distinctions:

- 1 – Is the event city sponsored/endorsed or privately sponsored?
- 2 – Is the event on city owned property or private property?
- 3 – Is the event open to the general public or is access restricted in some way?
- 4 – Is the event free or is admission charged?
- 5 – Is alcohol served or not?
- 6 – Does the city need to provide direct services or not?

As you can see events take on different characteristics. However there are some issues which are relevant regardless of the nature of the event.

Issues:

- 1 – What are the hours of the event?
- 2 – What are the noise related issues?
- 3 – What are the sanitation arrangements? (bathrooms, garbage, etc.)
- 4 – Is there sufficient insurance coverage?
- 5 – Do any city streets need to be closed?
- 6 – Have public safety (police, fire, EMS) concerns been adequately addressed?
- 7 – Have traffic, parking and other transportation issues been adequately addressed?
- 8 – Are there any licenses required?
- 9 – What is the anticipated attendance?
- 10 – Has sufficient notice been provided to potentially impacted parties?
- 11 – What, if any, direct costs will the city incur?

When one looks at the two sets of questions listed above it becomes clear that any policy/ordinance/regulation needs to fall into two categories. One is a permit or regulation for any special public event which would address the “Issues” items. An applicant would have to respond to all of the above issues, get sign offs from the appropriate departments and demonstrate proper notice. This would be true of city sponsored/partnered events as well as private events.

The second category really is not events related as much as it is obtaining permission to use city property. It’s possible that someone might need both an events permit and property use permission. It’s also possible that they could be rolled into one application but they are really two separate actions.

The City already has some systems in place for granting permission for use or rental of property. For instance, the City Hall Auditorium is rented out according to certain guidelines. Meeting rooms are available the public for rent or use according to certain guidelines. Reserved use of shelters in Hubbard Park is managed through a public process. For that matter, what is metered or fee based parking other than temporary rental of public space for private use?

I’ve included a copy of the City Hall Auditorium rental guidelines. We charge a minimum commercial fee of \$200 for its use. It’s a fair observation that the general public is not inconvenienced when the auditorium is in use but is inconvenienced when a public street is closed. It seems reasonable that a street closure, certainly for a commercial use, would require a rental fee at least equivalent to the Auditorium fee.

One of the current sources of confusion in Montpelier is that a single event might require several

different actions from the city – a noise ordinance waiver, a liquor license approval, street closing permission, public safety review and approval, maybe an outdoor vendors license. It's entirely possible that an event organizer could perceive that they have “obtained city permission” while not having properly addressed all issues.

RECOMMENDATION FOR EVENTS PERMITS

1 – Have a single events permit for council action which addresses all individual issues listed above. This would not replace any existing ordinances or requirements, just simply allow them all to be resolved in one action. I've included a copy of the City of Rutland's event permit which provides a clean example of how this all might be addressed. We may need to work with the city attorney on the structure of such a permit.

2 – Require notice to potentially impacted persons – neighbors, businesses etc. – in advance of the meeting when the permit is being considered. Advance notice of the event would not be sufficient, stakeholders need to be able to attend the meeting and express any concerns so that those concerns can be addressed in permit conditions if necessary. I recommend that permit applications be filed at least 60 days prior to the date of the event and that the meeting be held at least 30 days prior to the event. The policy could potentially have a waiver provision for small events, oversights and the like as long as notice is still possible.

3 – Require reimbursement to the City for any direct costs incurred by the city related to this event. This would not apply to city sponsored events. The council could allow requests for waivers if the event producer can satisfy the council that the event provides a direct public benefit to Montpelier. Depending on the nature of the event, the City may require the presence of police officers and/or EMT's the cost of which will be borne by the applicant.

RECOMMENDATION FOR PERMISSION TO USE CITY PROPERTY

1 - An applicant would define the activity, times and reasons for the use of city property.

2 – A rental or use fee would be assessed for private or commercial uses. The fee should be at least equal to or greater than the current Auditorium. Private or commercial uses would be defined as those with restricted access and/or admission charges. The fee would not apply to city sponsored events. I suggest that the fee be specifically waived for neighborhood block parties (although perhaps assessed for subsequent parties in the same year). As with the Auditorium fee, the council could allow requests for waivers if the event producer can satisfy the council that the event provides a direct public benefit to Montpelier.

3 – Applicants for non-city events would provide the city with evidence of liability insurance naming the city as a covered party.

4 - Require reimbursement to the City for any direct costs incurred by the city related to the use of the property (placing of barriers or signs, any clean up costs, etc.) This would not apply to city sponsored events. The council could allow requests for waivers if the event producer can satisfy the council that the event provides a direct public benefit to Montpelier. Certain small events (like block parties) could be exempted from some or all of these costs.

Events Policy:

- 1) Administrative determination whether it's a major or minor event.
- 2) If major, full event permit required with all categories addressed.
- 3) If major, 60 day advance application required
- 4) If major, applicant and city will agree on notification list, method and verification. 14 day notice of council meeting must be provided to involved parties.
- 5) If major, Council will hold initial hearing on permit at least 30 days prior to event.
- 6) If minor, key categories (hours, size, noise, street closures, clean up etc.) will be addressed.
- 7) If minor, 30 day advance application with concurrent notice of council meeting to involved parties.
- 8) If minor, Council will hold hearing on permit at least 14 days prior to event.

Use of Public Property:

- 1) Administrative determination whether it's for a public or private event, applicant may appeal determination to the city council.
- 2) Public events are those which are open to the public with no age or fee restriction. The primary activity will be public in nature such as entertainment or participation in an activity. Public events may have a fee for entrance with specific approval of the Council. Public events may contain restricted areas within them as long as they are not the primary activity.
- 3) Private events are those which are not open to all unless a certain admission is paid, age requirement is met or has a restricted guest list. The primary activity will be to extend the operating space for commercial purposes or conduct a private activity in public space.
- 4) Rental fee to be assessed for use of space, any direct city service costs to be assessed for private events.
- 5) Fees and expenses may be reduced or waived by the council if they find that the event has some public benefit.
- 6) 60 day advance application required
- 7) Applicant and city will agree on notification list, method and verification. 14 day notice of council meeting must be provided to involved parties.
- 8) Council will hold initial hearing on application at least 30 days prior to date of request.
- 9) Council may waive or relax application date standards.



Montpelier Alive

• ENRICHING A VIBRANT DOWNTOWN •

To: Bill Fraser, City Manager
From: Phayvanh Luekhamhan
Date: Thursday, August 18, 2011
Subject: Montpelier Events Policy

Dear Bill,

I thank you for consulting with Montpelier Alive on establishing an events policy for Montpelier, as you know we put on many events in the downtown and would like to encourage others to do likewise. These unique events really do add to the sense of place and character of our City, and invites regular travel and businesses here.

In our conversations, you had mentioned that the Council's desire for a standard policy stems from 1.) concerns of street closures for private functions, whether or not they earn revenues, thereby eliminating public use for the duration, and 2.) not having a comprehensive checklist for organizers, which can lead to the appearance of full approval of event, even if some requirements have not been satisfied.

After reading through the documents you've passed along, I think in the end it really boils down to public v. private use, and how to compensate enough for loss of public use, if any. My suggestions are:

- Use a checklist—I see that Sandy had put one together for you. Make sure it covers all possible requirements. I would recommend addressing trash/bathrooms. I would include a signature line.
- For private events, set a fee scale modeled after the contract for City Hall Arts Center that Lost Nation has provided—to cover projected use of city resources, if any. Fee could be determined by expected attendance and/or square footage requested. You may decide to cap it to a certain dollar amount, so as not to appear unreasonable.
- For public events (or semi-private like neighborhood block parties), the checklist will be helpful, and could have a box for fee waiver request.

While I think it's important to keep in mind how many events the City can reasonably accommodate annually, at this point, it might be premature to impose a limit. City Council might want to revisit that if it becomes a problem.

While I understand that fees do impose a burden on the producer of an event, the hard and soft costs would otherwise be shouldered by the City. A successful event planner would be able to budget for such fees, if they are known well in advance.

Notice should be given out to neighbors who will likely be inconvenienced, and I think 30-60 days is fair enough warning, though Council may make exceptions as they choose. Who makes the determination of which requirements need to be satisfied? Your office? Is that fair? Does administering this then become another task someone else needs to assume? Questions only, not big concerns, though.

Best,

City of Montpelier
Department of Public Works
Memorandum

To: William J. Fraser, City Manager

From: Todd C. Law, Director
Kurt Motyka, Project Engineer

Date: August 19, 2011

Subject: FEMA FLOOD MITIGATION PROJECT
Construction Bid Opening – Authorization of Contract Award

Competitive sealed bids for the above referenced contract were opened on August 8th at 3:30pm. A tabulation of the bids was prepared following the bid opening and is an attachment to this memorandum.

The bids came in \$190,000 higher than the engineers estimated due to a number of factors, even with the scaled back project from the original scope of work. We have had discussions with the lowest responsive, responsible bidder and have agreed to make changes to the design, upon signing contracts that will save approximately \$100,000. We would also like to re-appropriate the following CIP projects:

Granite St Culvert-	\$20,000
CSO linings-	\$10,000
Franklin St Repairs-	\$25,000
Towne St Drainage-	\$ 7,000
River Walk-	<u>\$31,500</u>
	\$93,500

The majority of the funding (75% for the project will come from FEMA administered through VEM. The City of Montpelier is required to cover 25% of the project cost, with up to 20% allowed for "in-kind" services.

Consideration of the City Council to authorize the Department of Public Works to award the contract to the lowest responsive responsible bidder, J. Hutchins, Inc. of Richmond, Vermont in the amount of \$658,962 and to authorize the City manager to authorize the contract documents with the understanding that a change order will be immediately issued to reduce the project by the \$100,000 amount stated above.

If you or Council members would like to review the project plans, specifications or bids received, please feel free to contact us.

Attachment

C: Todd Law, P.E., Director of Public Works
Kurt Motyka, P.E., Project Engineer
Sandy Gallup, Finance Director

I certify to the best of my knowledge that this is an accurate tabulation of the actual bid results

Kurt Moytka, P.E., Project Engineer

**FEMA Pump Station and Force Main
Bid Opening August 8, 2011 @ 3:30pm**

**J. Hutchins, Inc.
88 Rogers Lane
Richmond, VT 05744**

No	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT BID PRICE	BID AMOUNT
1	Effluent Pump Station	LS	1	\$213,227.00	\$213,227.00
2	Drilling and Blasting	CY	100	\$150.00	\$15,000.00
3	Boulder Excavation	CY	5	\$30.00	\$150.00
4	Exploratory Excavation	CY	100	\$50.00	\$5,000.00
5	Bituminous Concrete Pavement	TON	280	\$121.00	\$33,880.00
6	Headwalls, Structural Concrete and Steel	CY	6	\$2,500.00	\$15,000.00
7	Thrust Blocks, Concrete, Class C	CY	10	\$200.00	\$2,000.00
8	Doghouse Manholes	EA	2	\$3,500.00	\$7,000.00
9	Air Release Valve and Manhole	EA	2	\$5,580.00	\$11,160.00
10	Stone Fill, Type II	CY	22	\$40.00	\$880.00
11	Ductile Iron Fittings	LBS	7000	\$2.00	\$14,000.00
12	Removing and Resetting Fence	LF	130	\$13.00	\$1,690.00
13	Remove and Reset Guardrail	LF	30	\$10.50	\$315.00
14	Jack and Bore, Dog River Road and Railroad	LF	90	\$510.00	\$45,900.00
15	18" Butterfly Valve with Valve Box	EA	2	\$8,710.00	\$17,420.00
16	12" Gate Valve with Valve Box	EA	1	\$1,935.00	\$1,935.00
17	6" Gate Valve with Valve Box	EA	6	\$700.00	\$4,200.00
18	18" PVC Gravity Effluent Pipe (SDR 35 PVC)	LF	110	\$72.00	\$7,920.00
19	12" Effluent Force Main (AWWA C900)	LF	2770	\$68.00	\$188,360.00
20	6" Effluent Force Main (AWWA C900)	LF	135	\$55.00	\$7,425.00
21	2" Rigid Pipe Insulation	LF	500	\$3.00	\$1,500.00
22	Mobilization/Demobilization and Miscellaneous Work and Clean	LS	1	\$65,000.00	\$65,000.00
Total					\$658,962.00

Engineering Services	\$25,272.00
Soil Borings	\$780.00
New Power Pole	\$5,129.00
Total Project Cost	\$690,143.00

Grant Amount	\$449,756.00
Matching Funds	\$50,000.00

Project Overrun	-\$190,387.00
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Add Alternate #1 Bid Total (City Performed Item as Grant Match)

No	Item Description	Unit	Quantity	UNIT PRICE	AMOUNT
5	Dense Graded Crushed Stone	CY	1130	\$27.00	\$30,510.00

Add Alternate #2 Bid Total (City Performed Item as Grant Match)

No	Item Description	Unit	Quantity	UNIT PRICE	AMOUNT
23	Restoration of Growth	LS	1	\$5,000.00	\$5,000.00

City of Montpelier
Department of Public Works
Memorandum

To: William J. Fraser, City Manager

From: Todd C. Law, Director
Kurt Motyka, Project Engineer

Date: August 19, 2011 MODIFIED August 24, 2011

Subject: FEMA FLOOD MITIGATION PROJECT
Construction Bid Opening – Authorization of Contract Award

Competitive sealed bids for the above referenced contract were opened on August 8th at 3:30pm. A tabulation of the bids was prepared following the bid opening and is an attachment to this memorandum.

The bids came in \$190,000 higher than the engineers estimated due to a number of factors, even with the scaled back project from the original scope of work. We have had discussions with the lowest responsive, responsible bidder and have agreed to make changes to the design, upon signing contracts that will save approximately \$100,000. We would also like to re-appropriate the following CIP projects:

Granite St Culvert-	\$20,000
CSO linings-	\$10,000
Franklin St Repairs	\$25,000
Towne St Drainage	\$ 7,000
Sidewalk Enhancement	\$50,000
River Walk-	\$31,500
	\$111,500

The majority of the funding (75% for the project will come from FEMA administered through VEM. The City of Montpelier is required to cover 25% of the project cost, with up to 20% allowed for "in-kind" services. **The changes that were shown in the latest memorandum will allow for a "contingency" for this project. All of these projects are priorities, but we must choose one over the other. We have decided to use the CIP monies allocated to the Sidewalk Enhancement Projects because we were not awarded a grant for these projects, which was essential to constructing any sidewalk extensions. We would anticipate applying for another grant for this year's application and asking for a CIP commitment for the following fiscal year.**

Consideration of the City Council to authorize the Department of Public Works to award the contract to the lowest responsive responsible bidder, J. Hutchins, Inc. of Richmond, Vermont in the amount of \$658,962 and to authorize the City manager to authorize the contract documents with the understanding that a change order will be immediately issued to reduce the project by the \$100,000 amount stated above.

If you or Council members would like to review the project plans, specifications or bids received, please feel free to contact us.

Attachment

C: Todd Law, P.E., Director of Public Works
Kurt Motyka, P.E., Project Engineer
Sandy Gallup, Finance Director

Montpelier: A Sustainable State Capital

The City of Montpelier is seeking funding to implement the city's first sustainable master plan – a major initiative that was undertaken from 2007 to 2010 involving hundreds of stakeholders. The funding provided will be a catalyst for the implementation of the city's plan to promote affordable housing, enhance economic competitiveness, create sustainable transportation options, support our historic downtown, leverage private investment, and increase the value of our core neighborhoods. As part of this project, we will seek designation by the State of Vermont for a Tax Increment Financing (TIF) District to leverage funding for the infrastructure improvements that are needed, which involves completing the design and engineering for the development and the improvements the TIF would fund.

Montpelier is the Capital of Vermont, a city of 8,000 people which grows to over 20,000 people during the day because of the jobs with the State of Vermont, our colleges, insurance companies, and other businesses. The City's Master Plan contains a long-term vision, goals, targets, and strategies that are in alignment with the HUD livability principles. The funding provided will support a significant project on a state-wide scale and be a catalyst for the implementation of several complementary strategies for housing, energy, economic vitality, transportation, neighborhood safety, and health and well-being. As part of the effort, we will identify barriers and make recommendations for strategies and regulatory revisions to further encourage housing in the downtown.

The State of Vermont has invested more than 20 years of public policy, regulatory and financial, in its Downtown Program – to support the state's historic, regional centers. The state went further, in adopting a growth center designation process based on stringent planning requirements that meet the goals of the U.S. Sustainability Partnership's and HUD's Liveability Principles. Montpelier is one of Vermont's 20 designated downtowns and 6 designated growth centers. Despite the level of policy and funding emphasis on the state's downtowns, the most recent census shows these communities, including Montpelier, continue to bleed population to the surrounding suburbanizing towns.

Montpelier is often held up as a prime example of a walkable city, with a higher than average number of walkers to work and school. Like other Vermont downtowns, it continues to lose population, leaving it with excess school, water and sewage capacity – all funded over time with significant state and federal support. Montpelier is resident to many of the state's policy-makers, providing a volunteer base on its citizen committees and its professional staff of national leaders in housing and smart growth. It is a place that fosters innovation and can serve as an example of success. Its downtown is thriving. It is a great place to live and work. This project will allow the city to address key challenges in affordable housing while improving multi-modal transportation and social equity.

Current Impediments: Project Need and Purpose

The purpose of the project is to promote livability and sustainability of the city by creating more affordable housing, enabling further housing development, making the downtown more economically viable and competitive, and offering residents more choices for transportation. By creating a Tax Increment Financing District, the city will be prepared to leverage private investment toward these goals, enacting a framework for infrastructure development that will give the public and the city a real voice in how the city grows.

The critical obstacles for new affordable housing development in Montpelier include a lack of available land at reasonable cost, more regulatory requirements than surrounding towns, and higher

infrastructure costs that result from these constraints. In addition to these obstacles, there are some local constraints, such as the failed intersection described below, standing in the way of new housing that could be overcome with better tools to upgrade infrastructure. While the housing in the region has been growing rapidly over the past 20 years, with houses locating outside the regional centers, consuming farmland and other open space, Montpelier's population has been level or declining.

To address these obstacles, Montpelier has obtained state designation as a Growth Center, which enables us to use a variety of incentives to attract new development, including reduced thresholds for certain regulatory requirements, additional credit on state applications for assistance, and perhaps most importantly, it gives us a head start on obtaining state designation as a Tax Increment Financing (TIF) district – a relatively new development tool for Vermont that enables municipalities to build infrastructure for affordable housing and other community needs. To date, however, we have not been able to overcome some of the financial and planning obstacles to take advantage of the TIF designation. This grant will allow us to do the work for designation and will provide a highly visible example of how TIFs can help the community, the region, and the State of Vermont. This is important for leveraging private investment, and also for helping the state policy makers understand TIFs better, so there could be some relaxation of the significant obstacles to designation statewide.

General Needs addressed by the Project

Increasing fuel costs and limited public transit options connecting commuters to Montpelier's job market are driving people to live closer to where they work. Montpelier has 2.5 times as many jobs as residents and with limited housing stock available, prices have been driven up, making it difficult for families to afford housing in the City, a trend which adds more stress to our underutilized school system. According to the Montpelier Housing Needs Assessment, “due to declining household sizes it is important that more modest price “starter” homes are developed in the city if economic and social diversity is to be preserved into the future...(in addition) the city would need to develop 517 new rental units by 2020” to meet the expected need.

Montpelier has the capacity to absorb new development and in fact the excess capacity is a major reason for seeking to increase development. Water and sewer infrastructure can absorb another 7000 new units and the local schools are operating at only 68% capacity. The excess capacity is a tax and utility fee burden for the present population a factor that makes expanding the tax base a priority for the City. High property taxes caused by underutilized capacity are a disincentive, along with higher cost housing for the families to move to Montpelier.

Potential areas of new development in downtown Montpelier are limited by various constraints, steep slopes, river front, floodplain/floodway areas, ledge, railroad ROW and existing development, especially state property. Increased development in the limited areas available in the City, adding to the Grand List, would lower the pressure on increasing school and municipal taxes/ water sewer rates would stabilize and possibly decline. The area in the vicinity of a problem intersection at Barre and Main Streets consist of some the most developable/re-developable spaces adjacent to the downtown for new and infill projects

Main Street

Main Street is Route 12, a major north-south corridor in Central Vermont, and Route 2 is the state's major east-west corridor. This is a busy part of town – the local and regional transit stop is on the west side of Main Street just south of the intersection and in between the ingress and egress for Shaw's

Market, the main downtown grocery store. The intercity transit stops in front of City Hall on the east side of Main Street.

The city has been working on developing a transit center that will replace both of these stops with a multi-modal facility across the North Branch River from the area proposed to be included in this grant application. The two transit stops on Main Street are currently completely inadequate, and the local and regional stop is too dangerous for elders or people with limited mobility to use – the access across the driveways and intersections makes it a real hazard.

Once the Main Street transit stops are relocated to Taylor Street, however, they will be further from key services in the downtown and will not serve the Senior Center on Barre Street at all. Currently the transit line cannot stop on Barre Street because of the parking configuration and the narrow access. This project proposes to change the layout of the street so that transit, bicycle, and pedestrian travel are a safe and feasible choice for people in this neighborhood.

The commercial vacancy rate according to Montpelier Alive, the local business association, averages about 1% for the available properties. There is presently one vacant storefront available on Main Street. But there is a block of 2nd and 3rd story space totaling over 16,000 square feet of prime real estate above the street level retail businesses that has been vacant for over fifteen years for various economic reasons, not the least of which is the need to make an elevator available for the upper floors with any redevelopment proposal. There is interest by a local non-profit housing developer in creating special needs housing in the space but due to the cost and physical problems restricting accessibility modifications, progress has been delayed. The low commercial vacancy rate, which includes the developed upper story office, residential and commercial space in the downtown shows that there is a market for the vacant space if it was to become available.

One of the planning and implementation aims this grant would achieve would be vertical access to these upper stories. The building in question is close to the intersection and would be aligned with a “capstone building” that would house the relocated commercial properties and additional housing according to our preliminary plans. The City is very interested in partnering with the housing non-profit to promote their plans and aid in securing additional housing stock for the community.

Barre Street

Barre Street is an important corridor carrying over 4,000 vehicles per day, which contains a large portion of the affordable housing available in Montpelier - both market rate and subsidized. It contains 28% of subsidized housing development in City, 25 special needs, 57 units of family housing in variously subsidized projects along with 18 subsidized ownership condominiums. The market units on the street are some of the most affordable ownership and rental units in the City and in addition there is a sparse but healthy mix of mix of office and retail spaces. Construction is underway for the re-development of a former school building into 14 units of senior housing and a facility for the Montpelier Senior Activity Center – projects that have successfully obtained funding from CDBG and other federal sources.

The street could be easily accessible by transit, walking and biking to downtown shopping, services and transportation if traffic and safety issues were addressed. A major potential housing development on Barre Street, known as Sabin’s Pasture - a 100 acre site, has the potential for 114-146 new units. The market study developed for the parcel calls for up to 76 single family homes in a combination of small lots and townhouses in addition to 30 units of multi-family housing and 30 senior units. The

development has already gone through the State Act 250 Master Plan process and a condition of the permit is to mitigate the hazards at the Barre and Main St intersection. Without upgrading the intersection, however, the development cannot begin.

Barre Street also has 108,000+ square feet of underutilized or vacant properties that could become tangible assets to the community and the tax base if fully utilized. They include: Saint Michaels School, a vacant former Catholic school with 22,000 square feet of potential housing, office or commercial space; a former 14,000 square foot Armory presently underutilized by the City due to its need for increased accessibility and energy efficiency; additionally there is one acre of prime developable land and a vacant commercial building of 4,420 square feet that would be more attractive to develop if the traffic constraints of the Barre and Main intersection were reduced or removed. All of the potential for these properties is affected and limited by the problem intersection. Their marketability, permitting, and access to funding sources, both public and private, are inhibited due to the traffic constraints.

Project Description and Outcomes

The project has five integrated components: 1) The planning and data collection needed to apply for designation as a Tax Increment Financing district with the State of Vermont, including the design and engineering for the affordable housing units and commercial space; 2) a design for intersection improvements where the transit, bicycle, pedestrian, and automobile traffic crosses Main Street and further down Barre Street; 3) the site plan, design and engineering for the area where two buildings are being removed to make room for the extended bicycle and pedestrian facilities, and for the capstone building to be constructed at the end of our commercial block to house the two demolished buildings; 4) develop and design an ADA access plan for the upper floors in the downtown buildings just north of the problem intersection; and 5) analysis of barriers and recommendations for strategies and regulatory revisions to further encourage housing in the downtown.

Tax Increment Financing District: The State of Vermont requires municipalities who want to pursue tax increment financing for infrastructure development to develop a 20 year plan for the projects they would fund, combined with a detailed analysis of all the tax impacts that would result. This process necessarily involves a significant amount of public engagement and outreach, fairly sophisticated analysis tools, and detailed costs for the planned infrastructure improvements. The requirements make it very difficult to pursue a TIF without a project already underway, and yet if a project had come far enough along to have all the information to support an application, the timeline would limit the other work the municipality could accomplish using the same tools. In short, the state makes it almost impossible to use these tools, and the policy needs to change to make it easier for cities and towns. Through the outreach and partnerships we plan to engage on this designation, we can provide a visible example of how municipalities with Growth Centers can promote smart development patterns.

Outcomes include:

- 1) An extensive planning and public outreach project to engage citizens throughout the city in a prioritized list of infrastructure improvements, new neighborhoods, and other public amenities that could be funded with Tax Increment Financing and other municipal sources.
- 2) A TIF district map, infrastructure plans, and property analysis that meets the requirements of the State of Vermont.
- 3) A completed TIF application.
- 4) TIF District designation.

Transportation Improvements: The transit center project that has been moving forward with funding from the Federal Transit Administration and the Federal Highway Administration has identified a problem with the bike path that traverses that project – it doesn't have a safe place to land on the eastern side of town and will lead many more pedestrians and bicyclists into an intersection that is already too dangerous most times of day. This project proposes to extend the corridor planning across Main Street and down Barre Street, so we can insure that bicycles and pedestrians have safe access to the grocery store, hardware store, and other businesses downtown. It provides the missing link between a bike path that ends at the river (one the transit center is built) and picks up again at the Recreation Center on Barre Street.

Outcomes include:

- 1) **Safe links for transit, bicycles, and pedestrians along Barre St.** This will provide people in one of the city's low income neighborhoods with greater transportation choices, which in turn will increase the number of people using transit, pedestrian, and bicycle modes of transportation to get to and from work and other destinations.
- 2) **Adoption and implementation of the corridor plan.** The project will enable us to increase participation in the planning process by the people in the Barre Street neighborhood, who have traditionally been underrepresented in the city planning process. Broad neighborhood support for the plan, and increased awareness of the transportation alternatives will certainly help us make the transportation choices in the area more affordable for people on limited income.
- 3) **Mitigation strategies proposed and implemented for housing and economic development.** As mentioned earlier, over 60 more affordable family and senior units could be created on a large parcel down at the end of Barre Street if the intersection concerns were addressed.
- 4) **Changed zoning for parking and businesses along Barre Street.** The city is currently in the process of beginning a major zoning review and revision to bring the regulations into compliance with our new Master Plan. This project will help us engage the neighborhood in the zoning revisions that affect them and will help revise it so that it makes the area more commercially viable and sustainable. Right now, one side of the street is in the historic design control district, for example, and the other isn't. The rules on parking change, apparently arbitrarily, as you move down the street and the zoning changes from Central Business I to Central Business II. With the addition of more transit, bicycle, and pedestrian options, we hope to reduce the parking requirements along the street, which would make many of the buildings more economically competitive.

Intersection Improvements: To cross Main Street and continue the bicycle and pedestrian access down Barre Street, we will need to make improvements to the Barre and Main intersection, likely including traffic signals that are timed in coordination with the anticipated active warning (signalization) of the railroad grade crossing and the other signalized intersection at Main Street and Memorial Drive (US Route 2 and VT Route 12), respectively. This part of the downtown is one of the city's major gateways.

Outcomes include:

- 1) **Traffic Study:** The design will adhere to the current and accepted traffic engineering practices, methods and standards as applicable for the involved public highways. To accomplish the design objective, a comprehensive and site specific traffic & engineering study will be conducted of the roadway network within the zone of influence surrounding the subject intersection. This effort will be aided through the use of the City's traffic simulation model and supplemented with additional traffic

counts and data collection. This study will ensure proper coordination and connectivity with the existing signalized intersections, lane utilization information, queue analysis and related analysis. The study will also consider driveways and current access management strategies as appropriate for the design of a controlled intersection. The study will collaborate with any plans anticipated for active warning devices for the Main Street railroad grade crossing. It is further anticipated that pre-emptive traffic signal controls will be necessary for coordination with an active warning system that is anticipated for the adjacent rail line.

2) Route and Topographic Study: A route and topographic survey will be necessary to develop planning and design plans and to fully understand the geometric conditions, property and right-of-way boundaries, drainage patterns, and other geographic information. Additionally, the scope of design and planning will include all applicable considerations and safety features that may be required in regards to the active rail line located in close proximity to the intersection.

3) Level of Service: The intersection would be designed to achieve the Vermont Agency of Transportation's operational standards defined as the "Highway Design & Performance Measure" to optimize mobility & capacity. In accordance with the Agency's current policy, the intersection design objective will seek to achieve intersection improvements that will maintain a minimum level of service (LOS) "C" for the prescribed design period.

4) ADA Compliance: The intersection design will also incorporate the most current ADA compliant pedestrian facilities. The intersection will safely accommodate pedestrian and bicycle crossings, with signals and crosswalks that comply with ADA standards.

5) Reconstructed Corner: This grant application assumes that the Dry Cleaner building situated at the southeasterly corner of Barre and Main Street will be purchased, demolished, and/or relocated because of anticipated driveway conflicts with a reconfigured intersection. This will make it possible to control the access and egress into the intersection more effectively, and will provide additional space at the end of the street to make a landing for the pedestrian and bicycle traffic, as well as a possible transit stop on the east side of the street.

Site Plan Development: One of the most critical areas included in this project is an area on the south end of Main Street in Montpelier where the revived rail line has eliminated access to the parking, deliveries, and upper floors of almost half of Montpelier's historic downtown. The city has been working with two building owners to acquire their property to create a new access drive that is not on the old train tracks, but further site planning is needed to relocate the businesses and to insure that all modes of transportation continue to have access to the area.

Outcomes include:

- 1) An engineering and design plan for construction
- 2) Safe access behind buildings, across the river, and across Barre Street
- 3) Increased commercial viability for historic downtown
- 4) Improved river accessibility

ADA Access Plan: To make redevelopment possible for the upper floors of the buildings that have been affected by the revived rail line, we need to develop an ADA access plan and construct some new entrances and elevators to access the buildings more effectively. The ADA access plan will enable new affordable housing to be developed in several downtown buildings as the project is implemented.

Outcomes include:

- 1) Increase number of affordable housing unit in the downtown
- 2) Increased commercial viability for downtown buildings

- 3) Increase in occupancy of downtown space.

Identification of Barriers and Recommendations for Strategies and Regulatory Revisions to Further Encourage Housing in the Downtown: The City's volunteer Housing Task Force will work with the Vermont Law School's Land Use Clinic to apply national research to review of possible continued barriers and possible incentives to encourage housing to locate within walking distance of the downtown. *(We could include development of a training module to be posted via Collaborative...)*

Outcomes include:

- 1) Engagement of developers, representatives of those most difficult to house such as VT's Center for Independent Living, immigrant support services and other representatives of underserved populations
- 2) Measures to increase energy efficiency during building redevelopment will be included in the assessment, given the relationship to long-term affordability
- 3) New strategies identified and successfully implemented to increase downtown redevelopment and livability will have direct outcomes on decreasing VMT, improving downtown economic investment and return, and the environmental benefits sought of reducing GHG emissions, preserving surrounding rural land and improving access to affordable housing.

Alignment with Livability Principles

1. Provide more transportation choices.

The project provides people in Montpelier with increased access to transit, bicycle, and pedestrian routes through town, linking the business district with a key residential area and senior and recreational services, and with the west side of town, where a lot of people have jobs with the State of Vermont.

2. Promote equitable, affordable housing.

By implementing the Tax Increment Financing district, the project will allow the city to invest in the infrastructure needed to support affordable housing, both in the target project area and throughout the city. The wide public outreach envisioned for the preparation of the district plan will also help our residents understand all the housing options available, and will help insure that all of the housing is not limited to one part of the city, but is made a part of the city fabric in every neighborhood.

3. Enhance economic competitiveness.

The economic competitiveness of the downtown will be enhanced with the project by making upper floor development economically feasible, and by eliminating a significant hazard to several businesses, buildings, and pedestrian and bicycle travel. Private investment of over \$1 million will be leveraged in the redevelopment.

4. Support existing communities.

Montpelier's historic downtown contains the largest National Register District in the State of Vermont. Supporting the redevelopment of the gateway properties on Main Street will significantly increase the value of the community as a whole. The mixed use developments in the downtown and enabled on Barre Street will help us implement our sustainable Master Plan, providing housing, employment, and recreation within walking distance of our lowest income neighborhood.

5. Coordinate policies and leverage investment.

This project is aligned with four other federally funded projects currently underway: 1) a multimodal transit center with \$2 million in funding from the Federal Transit Administration; 2) a bike path, park, and parking facility funded with \$5 million from Federal Highways; 3) the redevelopment of the Senior Center, with CDBG funding and USDA/RD and low income housing tax credits, and the municipal housing trust fund; 4) a renewable biomass district energy facility with \$8 million in funding from the Department of Energy. The Environmental Protection Agency has been closely involved as well with the transit center project, since it is located on a Brownfield contaminated with PCBs, lead, and other hazardous materials.

6. Value communities and neighborhoods.

The Barre Street neighborhood will be enhanced with this project, and so some of our most vulnerable citizens will have better access to services, employment, and to the downtown. Working with the neighborhood to achieve these improvements will also help build the type of social cohesion so important to a successful and vibrant community and will increase their voice in the planning and decision-making for this neighborhood.

Sustainable Master Plan Implementation: The specific targets and strategies of the new sustainable master plan that this project fulfills are as follows:

Open Space and Recreation Target: By 2015, greater than 55 percent of Montpelier residents report that the ease of bicycle travel in Montpelier as “good” or “excellent.” By 2015, greater than 85 percent of Montpelier residents report that the ease of walking in Montpelier as “good” or “excellent.”

Strategy: Construct the bike path link between Taylor Street and Stonecutter’s Way, and extend the path so that it is tied into larger, regional transportation path plans.

Air and Climate Target: Montpelier maintains excellent air quality levels, as indicated by local and state data.

Strategy: Improve air quality by striving to achieve a transportation and parking system which minimizes automobile emissions due to idling and congested traffic.

Energy Target: By 2030, total non-renewable energy consumption per capita is reduced to 20 percent of 2004 use.

Strategy: Reduce total fuel use and greenhouse gas emissions by increasing shared transport, public transit, walking, and biking and by decreasing the use of cars by single riders

Housing and Buildings Target: By 2015, all development undertaken in Montpelier preserves the integrity and character of the city’s respective neighborhoods. The character of Montpelier’s Historic District is enhanced and maintained.

Strategy: Existing affordable housing and light industry along Barre Street should be protected. Additional housing and space for the arts might be incorporated into new development in the Barre Street neighborhood.

Housing and Buildings Target: By 2015, all of Montpelier’s development regulations – zoning, subdivision, and building codes – meet applicable national and state standards and incorporate smart growth principles for sustainability.

Strategy: Develop new regulations and incentives to improve the efficient use of buildings and land in areas where growth is concentrated, while protecting important natural resources and reducing development pressure outside of the central city area.

Housing and Buildings Target: By 2015, all new buildings are designed to encourage the use of alternative forms of transportation (e.g. walking, cycling, and public or shared transit).

Strategy: Provide incentives to commercial builders that promote more environmentally friendly commuting choices (e.g. infrastructure for cyclists, walkers, car poolers, and bus riders).

Housing and Buildings Target: By 2015, greater than 20 percent of Montpelier residents report that the availability of affordable quality housing is “good” or “excellent.”

Strategy: Promote the development of housing in the city’s downtown. Consider adopting an ordinance to provide incentives for creating mixed uses in new or substantially renovated structures.

Strategy: Encourage the development of affordable housing through innovative standards and practices.

- Continue working with non-profit housing developers to develop new rental and home-ownership opportunities affordable to low and moderate income households.
- Adopt inclusionary zoning to ensure the development of housing affordable to lower income households.
- Integrate subsidized housing throughout the city, with a mix of rental, owned, and mixed-income tenures.
- Support public/private partnerships to develop integrated affordable housing into existing and new neighborhoods.

Strategy: Support efforts of non-governmental organizations, including the Central Vermont Community Land Trust, Home Share Vermont, and Capital City Housing Foundation, to develop and steward healthy, energy efficient and affordable home for purchase or rent.

Housing and Buildings Target: By 2015, Montpelier accommodates an average of 50 new housing units per year for the next twenty years to increase the tax and utility rate base, to provide opportunities for home-based businesses, and to continue to support our vibrant, historic downtown.

Strategy: Pursue TIF District designation to take advantage of state funding for infrastructure development.

Housing and Buildings Target: By 2015, Montpelier’s existing building and housing stock demonstrates ongoing improvements, so that it becomes safer, healthier, and more accessible.

Strategy: Explore or find means to improve accessibility and affordability of space for small businesses and/or residential space on 2nd or 3rd floors.

Transportation Target: By 2015, increase the number of Montpelier residents who commute by walking or bicycling increasing by 40 percent by 2040.

Strategy: The City Council and the Department of Public Works should pursue funding sources to improve bicycle infrastructure and facilities in the city.

Sustainable Economics and Livelihoods Target: By 2015, the number of jobs that reduce total energy use and environmental impact on the planet has increased.

Strategy: Create opportunities in fields such as, but not limited to: 1) Renewable biomass district energy; 2) Energy efficiency; 3) Energy efficient and low-impact building; 4) Public transit; and 5) Waste reuse and recycling.

Vibrant Downtown Target: By 2015, the occupancy of buildings in, and adjacent to, the designated downtown has increased due to the renovation and improvements of existing vacant and underutilized space and attraction and retention of core businesses.

Strategy: Redevelop empty or underutilized properties in the downtown.

Vibrant Downtown Target: By 2015, the level of municipal investment in the downtown and the Growth Center has increased to support redevelopment and new facilities that enhance the resilience and adaptability of the downtown.

Strategy: Implement a Tax Increment Financing District that encompasses the downtown and as much of the Growth Center as practical to provide additional financing tools to support continued improvement and growth in these areas.

Safe Neighborhoods Target: Montpelier residents feel safe in their neighborhoods.

Strategy: Encourage students to walk or bike to school.

Health and Wellness Target: By 2020, seniors and people with disabilities report that they have the support and resources needed to live independently in the community.

Strategy: Provide supportive housing services to people who are unable to live independently.

Organizational Capacity and Level of Support

The City of Montpelier Department of Planning and Community Development (DCPD) will be responsible for the overall administration of grant activities. During the past 20 years the Agency has successfully administered more than \$15,000,000 in federal and state funds from a variety of sources. The city has a track record of working successfully with a variety of partners on the full spectrum of municipal projects – everything from human services to major infrastructure improvements.

The current staff of the DPCD includes Gwendolyn Hallsmith, who is the Director of Planning and Community Development for the City of Montpelier, and has overall responsibility for the community development program and staff and for integrating agency development activities with long-range planning for the City of Montpelier. She was appointed to this position in November of 2006, and has over 20 years experience managing a wide variety of federal grants domestically and internationally.

Garth Genge, the Community Development Specialist will have primary responsibility for the day to day administration of the program. Garth was hired in the fall of 2009. He has over 25 years of experience in project management, property and asset management, construction management, and real estate development in family, elderly, transitional, supportive, market rate and subsidized rental housing for various types of projects and organizations. He has extensive experience developing capital plans for properties and developing programs for sustaining their operational viability, and a successful history of working with local organizations, public agencies and the private sector to achieve successful project development.

Ruth Docktor, the Grants Management Specialist will be responsible for preparing financial statements and drawdown requests; contract administration; completion of progress reports; and assuring compliance with federal requirements. The city hired Ruth in 2010 to help manage the federal grants we have currently, which include \$1 million from the Administration on Aging, \$8 million from the Department of Energy, \$5 million from FHWA, \$2 million from FTA, and a variety of other grants in public safety and public works.

Capacity Building, Knowledge Sharing, Cross-Cutting Policy Knowledge

In addition to her work for the City of Montpelier, Gwendolyn is active in the Cities PLUS Network, Global Community Initiatives, the International Society for Sustainability Professionals, and is a regular columnist for the Planning Commissioners Journal. In these capacities, she regularly offers educational materials, training, and technical assistance in municipal planning and community development to local, state, national, and international audiences. Every year, the educational programs she offers using Montpelier's experience as an example reach an audience of approximately 5,000 people. Locally, her role as a director on the board of the Vermont Community Development Association puts her in a unique role to insure that communities throughout Vermont learn from Montpelier's experience. As the capital city, we play a leadership role in the state.

Montpelier partners with the Central Vermont Regional Planning Commission on all of our major planning efforts, and currently has secured a \$15,000 grant for their assistance with the rezoning effort underway. The data we develop to measure the increased affordable housing, economic development, and changes in transportation choices will be available to the other towns in our region that are pursuing similar initiatives. We plan to engage their services to help with the planning and implementation efforts. In addition, we'll be working closely with the state legislature and administration on the other elements of the initiative, and so we can report on the progress we've made to the appropriate committees and responsible parties on that level as well. This will be particularly important with respect to the implementation of the TIF, so that legislators can achieve a higher level of comfort with this as an infrastructure financing tool.

Working with the Regional Planning Commission and the Vermont League of Cities and Towns, two training and capacity building programs per year of the project can be planned for municipalities around the state, so that they can learn from our experience. We will also engage the Planning Commission and the League in the data collection to monitor the increased use of transportation alternatives, the number of new affordable housing units created, and, if possible, the reduction in greenhouse gas emissions that result from the project.

The city's new Sustainable Master Plan also calls for ongoing monitoring of critical indicators to document the implementation of the plan. These include affordable and subsidized housing units, greenhouse gas emissions, and the perception and experience city residents have with transit, bicycle, and pedestrian transportation. Maintaining and reporting on the data that is required for the success of this project is therefore already built into the city's regular planning and decision-making process.

City of Montpelier
Department of Public Works
Memorandum

To: Montpelier City Council

**From: Thomas McArdle, Assistant Director
Staff Member, ADA Committee**

**Copy To: William Fraser, City Manager - ADA Coordinator
Kim Brittenham, ADA Committee Chair & Committee Members
Todd Law, Director of Public Works
Anthony Facos, Chief of Police**

Date: August 18, 2011

**Subject: Accessible On-Street Parking Spaces (Main Street @ Library)
Recommendation for City Council Approval**

The Montpelier committee charged with review of the city's compliance with Americans with Disabilities ACT (ADA Committee) has discussed the municipal parking accommodations for individuals with disabilities as a general topic. An inventory of accessible parking spaces provided for public use was conducted in 2008 and presented to the City Council in May, 2009 as part of a general overview of the ADA Committee activities. Several alterations and compliance improvements were supported by the City Council and implemented.

As noted in the 2009 presentation report, there is an unresolved accessible parking deficiency near the Main Street / School Street section of downtown. Specifically, accessible parking is needed in this area to accommodate an unsatisfied demand for the Kellogg-Hubbard Library. While on-street public parking spaces are typically not assignable to individual institutions or private ownership, the ADA committee recommends that the City take measures to resolve the deficiency as an appropriate function of the municipal government.

The committee reviewed the available options, the current ADA parking regulations, considered the history of the situation and solutions attempted to date. The consensus reached is that there is a general absence of accessible parking spaces in the northern section of downtown which has been a concern shared by community members for several years. The committee also understands that there are no reasonable options for the library to provide dedicated parking on their own property and that they rely on the on-street parking inventory similar to many downtown businesses and institutions.

Several years ago, approximately coinciding with the construction of the library addition, the Traffic Committee responded to the deficiency by recommending that a passenger loading zone which was approved by the City Council as a compromise for library patrons. A parking space cannot be marked as being accessible unless it conforms to the standards. The intent was to permit use for loading / unloading of disabled library patrons as a convenience. A subsequent cost estimate was prepared for the construction of an accessible space to replace the loading zone with a ramp and access aisle on School Street. This option was found to be cost

prohibitive and raised other issues including right-of-way. The loading zone has only been partially successful in meeting the needs of the disabled but a persistent lack of understanding of the purpose as well as enforcement questions have diminished the effectiveness.

The committee agreed that construction of an accessible on-street parking space on School Street was too costly with unacceptable impacts and it could be perceived as being inappropriate to address a deficiency in on-site accessible parking for an individual property on a public street. Furthermore, a space located on School Street would not help to address the general deficiency in this section of downtown.

The committee selected a site on Main Street at the north east corner of School St as illustrated on the attached sketch. The existing on-street parking in this area are angle spaces which are often less costly and do not require additional right-of-way to retrofit for an accessible spaces with a ramp. The committee determined that at least two spaces were needed and that they should be van accessible. It was noted that there is an accessible route from the proposed Main St parking spaces to the accessible library entrance located on the School St as well as to and from other locations on Main St. and are strategically located. The spaces will not be reserved for the library and the spaces will be open for general public use consistent with other on-street parking. However, the spaces will not be metered.

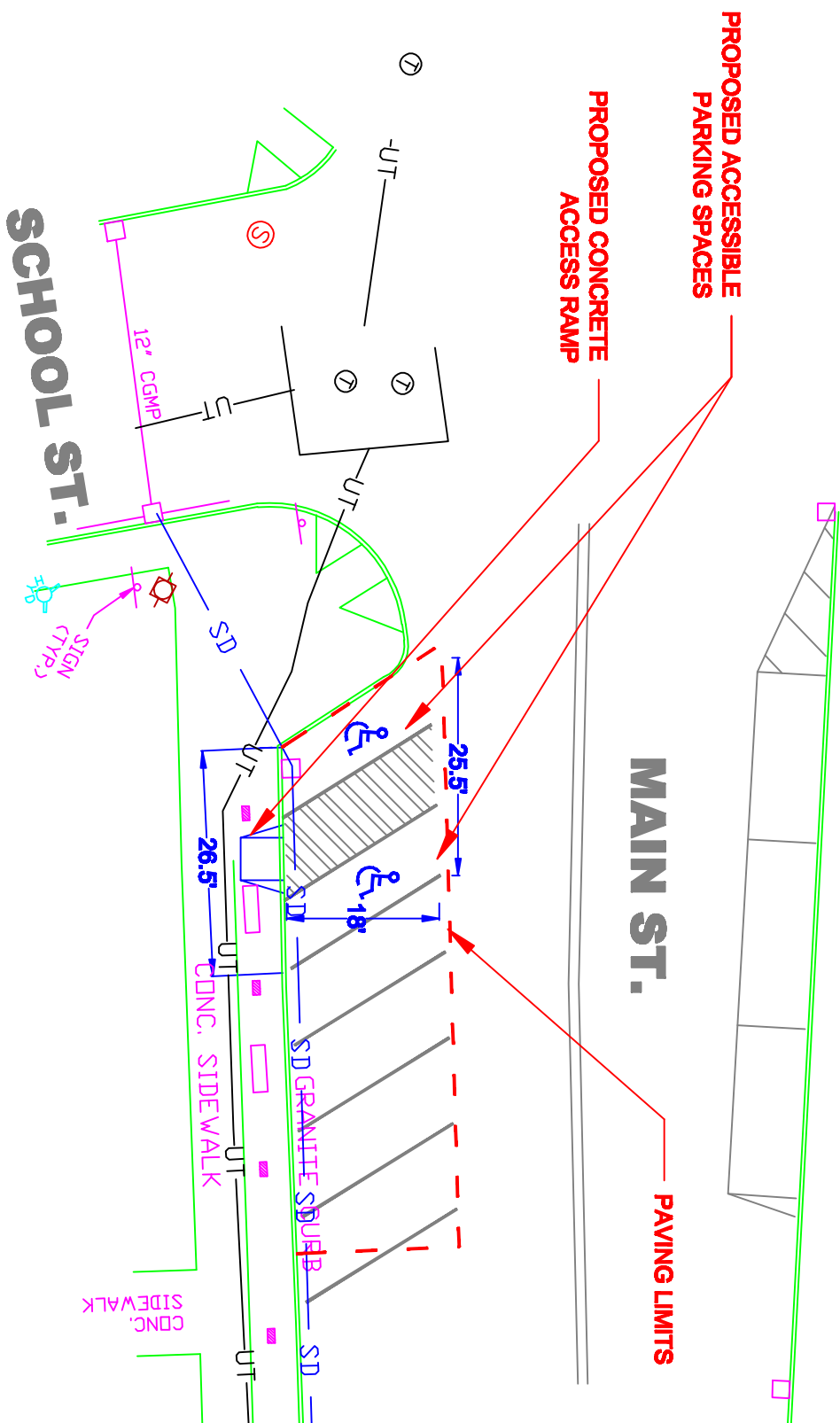
The committee wishes to make clear that the new 2010 ADA standards do not require the construction of accessible on-street parking spaces but they are encouraged where other off-street locations are not provided. The proposed on-street spaces will begin to achieve the recommended interim ADA guidelines for the ratio of accessible on-street parking to the number of standard spaces on a street block.

During design, it was discovered that an oversized standard parking stall is currently marked within the corner. Therefore, to create two accessible spaces with a parallel shared 96" van accessible aisle, only two current spaces will be needed; no net loss.

The Traffic Committee reviewed the proposal and supports the proposed two accessible parking. The traffic committee suggests that the School Street loading zone could be removed and restored to general parking if possible.

City Council approval is requested before construction can be scheduled. The design will be completed in-house by DPW staff. The cost of construction is estimated to be approximately \$10,000 - \$12,000 which will be funded by the ADA budget in the FY 12 CIP budget and supplemented from the DPW operating budget if necessary.

Attachments: sketch & picture



CITY OF MONTPELIER
DEPT. OF PUBLIC WORKS

KELLOGG-HUBBARD
LIBRARY
ACCESSIBLE PARKING
SITE PLAN

PUBLIC WORKS DIRECTOR: T. C. LAW		
PROJECT DESIGNER: T. J. MCARDLE		
DRAWN BY: K. S. MOTYKA		
SCALE: 1"=20'	MAY, 2011	SHEET 1 OF 1



CITY OF MONTPELIER, VERMONT
- THE SMALLEST CAPITAL CITY IN THE UNITED STATES -

Mayor Mary S. Hooper

City Council:

Tom Golonka
Andy Hooper
Sarah Jarvis
Nancy Sherman
Angela Timpone
Alan Weiss

William Fraser,
City Manager
wfraser@montpelier-vt.org

Beverlee Pembroke Hill
Assistant City Manager
bhill@montpelier-vt.org

MEMORANDUM

To: Mayor Hooper and City Council Members
From: William Fraser, City Manager
Re: Matrix Report Recommendations
Date: August 19, 2011

In addition to the Manager's role in implementing recommendations throughout the organization, the Matrix report made two specific suggestions for the Manager's office:

5.1 (1)	The duties allocated to the Assistant City Manager should be modified in the future to provide a greater focus on conducting analysis, report writing, and general management assistance to the City Manager. Additionally, this position can be utilized to provide direct oversight of some functions to limit the number of direct reports to the City Manager.	City Manager	High	Long	N/A
5.1 (2)	Consolidate the Montpelier Senior Activity Center and the Recreation Department, currently under the Board of Education, into a newly-formed Community Services Department reporting to the Assistant City Manager.	City Manager	High	Short	N/A

I am in complete agreement with the first recommendation. I am preparing a more detailed plan, including the financial impacts and anticipated duties and responsibilities, for consideration during the budget process. It is possible that this transition could occur by next July 1.

Among the factors involved are the final implementation of the Finance/Treasurer plan, how the resolution of the need for additional human resources support is met and our need for additional professional communications capability (not specifically addressed in the report but raised during the process). The Assistant City Manager position can be structured in many different ways and my thought is to address remaining needs not already resolved through other organizational changes.

With regard to the second recommendation, there is no question that a change in direct reporting to the Manager needs to occur. That will be addressed as part of the above mentioned plan. It is likely that some grouping of services (similar to the Matrix recommendation) will occur but that will be somewhat dependent on the skill set identified for the new Asst. Manager.

The decision whether to convert the Recreation Department is a Council decision. I have introduced the topic to the new Superintendent of Schools. If we choose to do this, I do not recommend that we take such action until we have the other organizational support pieces in place.



City of Montpelier, Vermont
"The Smallest Capital City in the United States"

TO: William Fraser, City Manager
City Council Members

FROM: Sandy Gallup, Finance Director

DATE: August 10, 2011

SUBJECT: Update of implementation of MATRIX recommendations – Finance/Information Technology Department

The MATRIX Management Assessment Report produced some major recommendations for the Finance/Technology Department. I am attaching a summary of our progress on the implementation of their recommendations:

Items which affect our staff organizational structure/changes in staffing levels and responsibilities:

Note: The items below recommend significant changes to the Finance/Technology, City Clerk-Treasurer and the Planning Department responsibilities. To achieve these recommendations, we will need to consider qualifications of existing staff, coordination among the affected departments and in the case of the expanded human resource program, increased funding.

7.1 (1) The Treasurer's functions should be reallocated to the Finance Department as the charter change is implemented.

7.1. (2) The functions of GIS/Webmaster currently performed in the Planning Department, along with the part-time staff member should be reallocated to the Information Technology unit in the Finance Department.

7.1 (3) Over time, the City of Montpelier should expand the duties of the HR/Payroll Manager position to enable the provision of a more comprehensive and centralized Human Resources program.

7.2 (8) Over time the City should implement a more centralized Human Resources Program.

Items that are implemented or are well on their way to being implemented are:

7.1 (1) The duties associated with the collection of delinquent accounts should be performed by staff performing treasurer functions.

7.2 (6) The implementation of electronic timesheets for the City of Montpelier employees should be a high priority.

7.2 (7) The Finance Staff should develop a plan for full implementation of the electronic document functions of the BudgetSense software related to payables.

Items that will be implemented during the FY13 budget process or the goals for FY12 are:

- 7.2.(1) The Finance Staff should develop a comprehensive five-year financial plan outlining and projecting major revenue and expenditures to guide policy decisions regarding service levels, staffing allocations and major revenue and expenditure decisions.
- 7.2 (2) The City should implement the reporting of performance indicators within each Department Budget section and focus on the “key” measures/indicators that are most applicable to evaluating performance.
- 7.2 (3) The City should more clearly delineate the specific funding sources for each capital project.
- 7.2 (3) The City should provide data demonstrating the impact of capital expenditures for the adopted CIP and Equipment Replacement Program on the operating budget.
- 7.2 (4) The City should adopt a formal cost recovery policy outlining the targeted level of revenues for selected municipal functions that will be covered by fees.

Items that need additional funding to implement:

- 7.2 (9) The City should acquire a more suitable location for the storage of computer backup files. (We have relocated the storage of our backup files to the Water Treatment Plant but, our 2007 tape backup equipment is inadequate for the increasing volume of data. A capital expenditure of \$22,000 is necessary to upgrade our backup equipment.)
- 7.2 (9) The City should develop a plan for maintaining all City PC software (specifically Microsoft Office Suite) on a consistent version for all staff.
- 7.1 (3) Over time, the City of Montpelier should expand the duties of the HR/Payroll Manager position to enable the provision of a more comprehensive and centralized Human Resources program.

Items that will be implemented by the recommendations of the Council’s Finance Committee:

- 7.2 (5) The Finance Director should continue to monitor fund reserve balances and work with the City Council to develop a plan to increase unallocated fund reserves to at least the 10% level.

MATRIX Items that I find inaccurate:

- 7.1 (2) Staffing levels allocated to the Information Technology function are appropriate at current levels. MATRIX states “With an employee base of around 110 employees, it would be expected that the City would have between 2 and 3 staff members allocated to these functions. This assumes, as is in the case in Montpelier, that staff are responsible for IT equipment installation, replacement, maintenance and support.” MATRIX counts the half-time GIS/Webmaster as a part of our IT staffing level. I do not believe that this position is responsible for IT equipment, replacement, maintenance and support. Therefore **we have 2 IT staff members, which is on the low side of their benchmark levels of 2-3% of overall staffing levels.**

**McGillicuddy's
Irish Pub**

14 Langdon Street
Montpelier, Vermont 05602
802•223•2721

August 15, 2011

To the City Council,

McGillicuddy's is making a formal request to close Langdon Street from 12:00 Noon until midnight on Saturday September 24th. We would like to celebrate our 15th Anniversary with a street party and Langdon Street Store Sales. We will fence off an area adjacent to McGillicuddy's on Langdon Street for Food and Beverage Service. Neighbors are being notified this week and the closure has the support of the merchants. There will be no charge for entry.

Thank You for your consideration.



Questions

(802) 279-0232

McGillicuddy's Irish Pub

*August 24th
Council mtg*

585 Elm Street
Montpelier VT 05602

August 8, 2011

Montpelier City Council
C/O City Manager's Office
City Hall
Montpelier VT 05602

Dear City Council Members,

On October 8, 2011, our son, Justin, will be getting married and would like to have the wedding reception at our home at 585 Elm Street. We have plans to put up a wedding tent either on the front lawn or in the backyard (depending on the weather) for the meal and then to move guests into our barn for dancing. I write to request a waiver of the noise ordinance for the afternoon and evening of October 8.

We expect the festivities to begin around 4 or 4:30 and to run into the evening hours. When we are in the barn, the windows and doors will be closed. We have spoken to our neighbors and they have no objection to this celebration.

We will also plan on parking guest's cars in the back yard where there is plenty of space.

We appreciate your consideration of our request.

Sincerely,



Roland and Brenda Pepin
Happy Parents of the Groom

STATE OF VERMONT
DEPARTMENT OF LIQUOR CONTROL
13 Green Mountain Drive
Montpelier, VT 05602

APPLICATION FOR SPECIAL EVENT PERMIT

Fee: \$25.00

Check payable to Vermont Department of Liquor Control must accompany this application

Licensee name Vermont Spirits Distilling Company

d/b/a Vermont Spirits

Address: PO Box 443

Town/City: Quechee Zip 05059

Manufacturer's License No: DSP VT 3 Email: info@vermontspirits.com

1. Describe the special event: Touch of VT Holiday Gift Market

2. Location (specify defined area, include address of event):

Montpelier City Hall Auditorium
6' x 9' booth

3. Date of event: Saturday Dec. 10

4. Hours of operation: Beginning 9 am Ending 6 pm

Signed: _____ Date _____
(manufacturer)

(circle one)

APPROVED

DISAPPROVED

Town/City Clerk signature

Town/City

Date

Vermont Liquor Control Board:

APPROVED

DISAPPROVED

(authorized agent)

(date)

14 Loomis Street
Montpelier, Vermont 05602

16 August 2011

Montpelier City Council
39 Main Street
Montpelier, Vermont 05602

Dear Members of the City Council,

Some friends and I would like to apply for a permit to have a block party Sunday, 4 September, from 4 pm until 8 pm. This will be the ninth annual block party for our neighborhood. It is essentially a private party for our family and neighbors; several Loomis Street families are organizing the event.

Since we plan to have a band play at the party, we would like to apply for a noise waiver. The band will start at 4 pm and play until 8 pm.

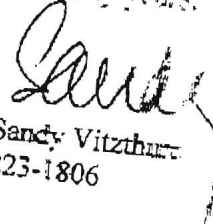
We would also be grateful if we could close the road from Park Avenue to Liberty Street from 4 pm until 8 pm. The signs might say something like "Closed to Through Traffic" so that cars could get to driveways on either side of the party. Front yards are not very big on Loomis Street, so it would be really nice to let the party spill out onto the street.

Because we were rained out in 2007, we would like to schedule a raindate of Monday, 5 September (Labor Day), from 2 pm to 6 pm at the same location. If this happens, we'd like to be able to close off the road at that time.

I have circulated flyers to all residences that would be affected by this road closure, letting them know of this appearance asking for permission. One of the flyers is attached.

This family-oriented party will be a great neighborhood-building experience. We very much appreciate your support!

Sincerely, yours,


Sandy Vitzthum
223-1806

16 August 2010

Dear Neighbor,

*We wanted to let you know ahead of the
invitations...*

NINTH ANNUAL BLOCK PARTY

Sunday, 4 September, from 4 pm - 8 pm

14 Loomis Street front lawn

(raindate: Labor Day (9/5), 2-6 pm, same place)

*We will be appearing before the City Council
Aug. 24 to ask for permission to close Loomis
Street from Park Avenue to Liberty Street for
the length of the party. We'd like to continue
our tradition of kids' games in the street. Local
traffic will be allowed through.*

Any questions? Call Sandy Vitzthum, 223-1806



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

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

e-mail:
info@vlct.org

web:
www.vlct.org

TO: Vermont Selectboards and City Councils

FROM: Sanford Miller, President VLCT Board of Directors

RE: Voting Delegates at the VLCT Annual Business Meeting

As part of TOWN FAIR, the Vermont League of Cities and Towns will hold its annual business meeting at the Killington Grand Hotel, Northstar Ballroom 1 starting at approximately 2:15 p.m. (or at the conclusion of the luncheon and awards program), Thursday, October 6, 2011.

To assure that all VLCT-member cities and towns are properly represented and able to participate in the development of the 2012 Vermont Municipal Policy (the Legislative Platform of the Vermont League of Cities and Towns) and the election of League officers, we are asking you as your municipality's legislative body to designate **one** official from your town as a **VOTING DELEGATE** for the meeting. This designation will assure that each town is heard from and gets only one vote.

Your assistance in informing us of your decision prior to the meeting by completing and returning the enclosed form will expedite this. However, designations can be made on the date of **TOWN FAIR** at the VLCT Information Booth.

Designated delegates can pick up their credentials card at the VLCT Information Booth in the Killington Grand Hotel.

ONLY DELEGATES WILL BE ALLOWED TO VOTE AT THE ANNUAL BUSINESS MEETING!

Please note that this is not a Town Fair registration form. Those who wish to partake of the rest of the day's activities (workshops, trade show and lunch) should also complete and return a Town Fair registration form with payment or register on-line. If you plan to attend only the annual meeting, please check the appropriate box on the attached voting delegate form.

August 2011

Enclosure

Sponsor of:

VLCT Health Trust, Inc.

VLCT Municipal Assistance
Center

VLCT Property and Casualty
Intermunicipal Fund, Inc.

VLCT Unemployment
Insurance Trust, Inc.

VLCT ANNUAL BUSINESS MEETING

2:15 p.m. - 4:30 p.m.

Thursday, October 6, 2011

Killington Grand Hotel, Killington
Northstar Ballroom I

DELEGATE DESIGNATION FORM

We, the Selectboard/City Council of _____,
(City/Town)

designate the following individual as the voting delegate for our city/
town at the 2011 Annual Business Meeting:

(Name, please print) (Position)

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

Signed,

(Chairperson)

(Date)

Please complete and return* by Friday, September 16th, to VLCT, 89 Main Street, Suite 4, Montpelier, Vermont 05602. If you prefer, you may fax it to us at (802) 229-2211 or bring it with you to TOWN FAIR.

*Please note that this is not a Town Fair registration form. Visit our website to download a copy of the attendee registration form or to register on-line www.vlct.org/events-news-blogs/event-calendar/.

If you plan to attend only the VLCT Annual Meeting, there is no charge. Check here to signify you will *only* be attending the Annual Meeting. ☐

**CITY of MONTPELIER
DEPARTMENT of PUBLIC WORKS**

M E M O R A N D U M

TO: William J. Fraser, City Manager
FROM: Todd C. Law, PE, Director 
DATE: August 19, 2011
SUBJECT: Bridge Reconditioning at the WWTF

The Public Works Department requested quotations from qualified contractors to perform sandblasting and repainting of the primary bridges at the WWTF due to the significant corrosion and scale. We received bids from four contractors capable of performing this work. The tabulation of bids is included for your reference. We recommend award to the lowest bidder, Spectrum Finishes of Colchester, Vermont for \$32,700. We have budgeted \$65,000 in previous budgets for this project and coating the primary tanks and have held off due to funding shortages in the sewer fund. We are at a point where we need to perform the bridge reconditioning work to preserve them for the future. We would like to have this project added to the City Council consent agenda to read:

*Consideration of the City Council to accept the low bid of **\$32,700** submitted by Spectrum Finishes LTD, of Colchester, VT, for the Bridge Reconditioning Project for the Public Works Department, and authorize the City Manager to sign the purchase order for said work.*

If you would like to review any of the bids received, please feel free to request the file from the WWTF office.

attachment
Bob Fischer, WWTF Chief Operator

**Montpelier Wastewater Treatment Facility Bridge
Reconditioning Project**

12-Aug-11

Vendor	Representative	Cost
Modern Protective Coatings	Scott Roystan	\$112,000
SCS Coatings	Dave Nelson	\$73,450
Vermont Protective Coatings	Kirk Thomas	\$47,260
Spectrum Finishes	Eric Johnson	\$32,700