



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday,
February 9, 2011
07:00 P.M.

- 1) 11-038. Call to Order by the Mayor
- 2) 11-039. Consideration of entering into Executive Session in accordance with Title 1, §313, Executive Sessions, (3) The appointment or employment or evaluation of a public officer or employee, in order to conduct the City Manager's Annual Review.
- 3) TELEVISED PORTION OF MEETING BEGINS ? 7:00 P.M.
- 3) TELEVISED PORTION OF MEETING BEGINS ? 7:00 P.M.
- 4) 11-040. General Business and Appearances
- 4) 11-040. General Business and Appearances
- 5) 11-041. Consideration of the Consent Agenda:
 - a) Consideration of the Minutes from the City Council's December 8th and December 15th, 2010 Meetings.
 - b) Consideration of approving the Annual Highway Mileage Certificate for State Fiscal Year 2012. The certificate is required annually by the Vermont Agency of Transportation (VTrans) - Division of Planning, Outreach & Community Affairs (formerly Policy & Planning Division). The certificate provides a formal documentation of the length in miles of public highways owned and maintained by the City of Montpelier for each of the four highway classifications. The certificate is the basis for

determining the amount of state aid participation a town receives for highway maintenance. Note that there is a slight change this year in our Class 1 mileage due to construction related realignment measurements at the Rte. 2 / Rte. 302 intersection. The document must be returned to VTrans by no later than February 20, 2011. A majority of City Council will need to sign the certificate in the space provided. The City Clerk will record the document upon return receipt of the approved certificate from the Agency.

- c) Consideration of authorizing the Police Department to purchase two new parking vending machines; these machines would be replacements for the 60 State Street and Capitol Plaza parking lots. Cale Parking Systems submitted a proposal for \$27,810 (initial cost for the two machines plus installation/training); this would allow the Parking Division to have these units operational in the spring of 2011.
- d) Consideration of authorizing the City Manager to sign a "Reservation of Rights" for the Walker Motors, Inc. et al v. City of Montpelier, VT, et al case. The City has coverage under the Vermont League of Cities and Towns Property and Casualty Intermunicipal Fund, Inc. ("PACIF") program. This means PACIF is willing to assign defense counsel (McNeil, Leddy & Sheahan) to defend the claims, under a reservation of rights, if agreeable with City Council.
- e) Consideration of leasing three updated digital imaging systems:
 - 1) Due to incentives that are currently being offered by digital imaging system providers, the City has the opportunity to have newer digital imaging equipment with added functions and save money when compared to our current costs.
 - 2) Staff recommends accepting OCE's proposal for a five-year lease for three digital servicing systems at the monthly cost of \$1,150.00. This proposal includes consolidating and improving the printing, copying, scanning and faxing functions in the Finance, Planning and Clerk/Treasurer's Offices. (See memo from Finance Director dated January 14, 2011.)
 - 3) This item was pulled from the January 20th Consent Agenda due to a question about the current lease buyout. The question has been answered, and staff continues to recommend accepting OCE's North America's proposal.

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

1. Ratification of the issuance of a Catering Permit to Yebba, Inc., d/b/a The Abbey Pub & Restaurant, for a Cocktail Reception on Thursday, February 10th, from 3:00 to 7:00 P.M. in the Cedar Creek Room of the State House.
2. Ratification of the issuance of a Catering Permit to Vermont Hospitality Management, d/b/a New England Culinary Institute, for a Dinner on Thursday, February 10th, from 4:30 to 8:30 P.M. at National Life's Hopkins House.
3. Ratification of the issuance of a Catering Permit to Hyzer Industries, Inc., d/b/a Three Penny Taproom, for a "Customer Appreciation Party" on Friday, February 11th, from 6:00 to 8:00 P.M. at Onion River Sports, 20 Langdon Street.
4. Application for an "Educational Sampling Event" Permit from Vermont Brewers' Association for a Vermont Grocers' Association Legislative Reception scheduled to be held on Thursday, February 24th, from 4:00 to 8:00 P.M. in the State House Cafeteria.

g) Approval of Payroll and Bills

- a) This process will involve both eliminating unnecessary streetlights and converting remaining lights to more energy efficient technology.
- 6) 11-042. Consideration of approving, and authorizing the City Manager to sign, the Efficiency Vermont Contract; formally endorse the forming of a committee to help the City move forward in improving the efficiency of its street lighting; and appoint citizens who have indicated an interest in serving on this committee.
- b) The committee will guide the City through the process of developing an accurate inventory of lighting, assessing lighting needs and levels, and developing a project scope and budget; staff anticipates a six-month time commitment.

- c) Staff advertised and will provide Council with the names of those individuals who are interested in serving.
 - d) Recommendation: Approve the contract with Efficiency Vermont and authorize the City Manager to sign the document; formally endorse the forming of a committee; and make the appointments to this "temporary" committee.
- 6) 11-042. Consideration of approving, and authorizing the City Manager to sign, the Efficiency Vermont Contract; formally endorse the forming of a committee to help the City move forward in improving the efficiency of its street lighting; and appoint citizens who have indicated an interest in serving on this committee.
- 7) 11-043. Carr Lot Update
- a) Jeff Tucker, P.E. from DuBois & King, Inc., will provide this update to City Council Members.
 - b) Recommendation: Receive update; opportunity for discussion.
- 8) 11-044. Flood Study Update
- a) Jeff Tucker, P.E. from DuBois & King, Inc., has provided City Council Members with a "Winooski River Flood Damage Risk Reduction Project Status Report", as well as summary maps.
 - b) Recommendation: Receive update from Jeff; opportunity for discussion.
- 8) 11-044. Flood Study Update
- 9) 11-045. District Energy Update
- a) Planning Director Gwen Hallsmith and the Montpelier Energy Advisory Team will provide this update.
 - b) Recommendation: Receive update; opportunity for discussion; possible direction to staff.

9) 11-045. District Energy Update

10) 11-046. Consultant Selection

- a) Staff requested proposals for Consultant Services/Management Analysis, seeking an outside review/assessment of its organizational/supervisory structure, management systems, financial practices, staffing levels and staff capacity.
- b) The Committee is conducting interviews with four firms selected as finalists:
 - 1) Municipal Resources, Inc. Meredith, New Hampshire \$29,300
 - 2) Novak Consulting Group, Cincinnati, Ohio \$23,500
 - 3) Matrix Consulting Group, Andover, Massachusetts \$34,500
 - 4) Eaton Peabody Consulting Group, Augusta, Maine \$25,000
- c) Copies of the full proposals from these firms are posted on the City's website.
- d) Recommendation: It is the intent of the Committee to provide a recommendation at this evening's Council meeting; discussion; selection of a consultant.

11) 11-047. Council Reports

12) 11-048. Mayor's Report

12) 11-048. Mayor's Report

13) 11-049. Report by the City Clerk-Treasurer

13) 11-049. Report by the City Clerk-Treasurer

13) 11-049. Report by the City Clerk-Treasurer

14) 11-050. Status Reports by the City Manager

15) 11-051. Agenda Reports by the City Manager

a) Consideration of the City Manager's 21st Century Project, including a Paperless Council Policy Recommendation.

1) The City Manager has provided memos to City Council Members outlining his proposal, as well as information from the Sunshine Review website; this website summarizes what makes an effective municipal website for its citizens.

b) Recommendation: The City Manager is requesting that the Council (1) formally endorse the overall project and its stated goals; (2) specifically approve the paperless meeting policy including the related equipment funding; (3) acknowledge and approve the change in minutes preparation; and (4) offer any concerns, comments or suggestions to staff.

15) 11-051. Agenda Reports by the City Manager

Adjournment



28 North Main Street
Randolph, VT 05060
(802) 728-3376
Voice (802) 728-413 x1405
Fax (802) 728-4930
jtucker@dubois-king.com

**ENGINEERING • PLANNING
MANAGEMENT • DEVELOPMENT**

Jeffrey W. Tucker, P.E., LEED AP
City of Montpelier Municipal Project Manager
Multi-Modal and Transit Center Project

TO: William Fraser, City Manager

RE: STP MMTC (3) & STP EH07 (15):
Montpelier Multi-Modal & Transit Center
Project Status

Date: February 2, 2011

Gentlemen:

The following is a status of the project, for discussion.

1. FEMA Appeal:

- FEMA has officially concurred with, and approved the City's floodway mapping appeal, and the floodway has been officially relocated closer to the river in the vicinity of the Carr Lot, thus allowing for construction of the future transit building.

2. Funding Agreement w/ VTrans / FHWA:

- Met w/ FHWA and VTrans officials on October 20, 2010 to discuss new funding agreement and related project issues. Discussed details and next steps.
- Discussed separation of the FHWA / FTA project elements as outlined in W. Fraser's July 2010 memo. Concurrence and strong support for project was stated.
- Prepared a meeting minute memo to City manager dated Nov 4, 2010.
- An updated Cooperative Agreement between Montpelier and VTrans is currently being prepared. This Agreement will replace the existing agreement and will be reflective of the funding split between FHWA and FTA.

3. Categorical Exclusion Document (CE):

- FHWA and VTrans has concurred that a CE for the project is acceptable, and indeed preferable. D&K has had initial coordination w/ VTrans Environmental officials.
- A draft CE was submitted to VTrans for review and comment in December 2010. Several review comments were issued in January 2011, which were subsequently addressed.

- The CE was formally submitted to VTrans via. the Environmental / Hydraulic Request was submitted and accepted on January 24, 2011. VTrans anticipates issuance of an approved CE by April 14, 2011.

4. Conceptual Plans:

- D&K has coordinated the conceptual plans with the City Manager and VTrans Project Supervisor. Conceptual plans illustrate primary project elements that are included with the FHWA portion of the project. (i.e.: no building, which has been addressed under NEPA via. The 2005 EA).
- The multi-modal portion of the project is not shown on the Conceptual Plans because it is not part of the FHWA portion of the project. It is expected that the design and preparation of plans for the multi-modal facility itself will be prepared under a separate process, to be reflective of the FTA funding.
- Conceptual plans for the multi-modal facility have not been prepared since the original sketch plan was developed as part of the Environmental Assessment (EA) process in 2006. The facility and associated layout to support transit activities are expected to be revised.
- D&K expects that the an early component of the development of the updated multi-modal facility and associated site plan will include input from the City Council / public.
- D&K reviewed the existing granite block retaining wall that is located immediately upstream of the Pioneer Bridge in October with local Historian Expert, Liz Pritchett. Liz confirmed that the wall is old enough that it could be considered historic, and we will likely require concurrence as part of the CE process. The wall does require some repairs, such as removing some upper stones to reach some lower blocks that have shifted, and reset them. Liz felt this would be an acceptable treatment, and would not be expected to result in an Adverse Impact to the resource. The conceptual plans reflect the proposed repairs to the wall.
- Liz Pritchett issued a written opinion letter in January 2011 that the proposed repairs to the wall would not constitute an Adverse Impact to the wall. This letter was appended to the CE.
- A proposal for FHWA funding to clean up the hazardous waste under the FHWA portion of the project is being prepared and will be submitted to VTrans / FHWA for approval.
- Draft Conceptual Plans were submitted to VTrans for review and comment in December 2010. Several review comments were issued in January 2011, which were subsequently addressed.
- Final Conceptual Plans were submitted to VTrans on January 24, 2011 along with the CE for approval.

5. Coordination w/ Regional Partners:

- An updated discussion with the Central Vermont Regional Planning Commission Senior Planner was held in January 2011 regarding the RPC's continued support of the project. CVRPC issued an updated letter of support for the project (attached) which was an

important inclusion of the CE document.

- An updated meeting and discussion with officials at the Chittenden County Transportation Authority (CCTA) was held in January 2011. As a primary user of the multi-modal facility, we wanted to confirm CCTA's support of the project. CCTA officials offered strong support for the project, but also emphasized the need to ensure the facility is designed to primarily to support bus-related activities and functions.

6. Next Steps:

- Project update presentation to Public & City Council in February 2011.
- Site Plan / use discussions.
- Procure a survey firm to conduct a survey and prepare property maps for right of way acquisition.
- Initiate right of way acquisition once the CE is approved, and VTrans provides the City with written authorization to proceed into the right of way phase.
- Procure an engineering firm to prepare final plans for the bike path, pedestrian bridge and other elements associated with the FHWA / VTrans portion of the project.

7. Anticipated Project Schedule***:

- Receive CE Approval:April 2011
- Begin Property / ROW Acquisition: May 2011
- Initiate VTrans / FHWA Project Design Process / Site Planning: May 2011
- Initiate FTA / Multi-Modal Project Design Process / Facility Planning: May 2011
- Finalize Property / ROW Acquisition:March 2012
- Submit VTrans / FHWA Contract Plans for Approval:March 2012
- Submit FTA / Multi-Modal Facility Contract Plans for Approval:March 2012
- Receive Authorization to Advertise for Bidding: May 2012
- Bid Period / Select Contractor / End Design Phase:..... July / August 2012
- Initiate Construction Phase / Begin Construction:August / September 2012
- Complete Construction / Open Facility for UseSpring / Summer 2013

*** Schedule is subject to change based on approval of NEPA document, FHWA authorization to proceed with ROW, project review and requirements from regulatory officials, actual length of time to acquire property and right-of-way easements and final design.

Sandy Pitonyak

To: L-Council
Subject: Another Catering Permit!

I now have three Catering Permit Applications that need to be acted upon before February 9th ... it's been added to the end of my original list:

Yebba, Inc., d/b/a the Abbey Pub & Restaurant, for a Cocktail Reception on Thursday, February 10th, from 3:00 to 7:00 P.M. in the Cedar Creek Room of the State House.

Hyzer Industries, Inc., d/b/a Three Penny Taproom, for a "Customer Appreciation Party" on Friday, February 11th, from 6:00 to 8:00 P.M. at Onion River Sports, 20 Langdon Street.

Vermont Hospitality Management, d/b/a New England Culinary Institute, for a Dinner on Thursday, February 10th, from 4:30 to 8:30 P.M. at National Life's Hopkins House.

Thank you!

From: Tom Golonka [tomgolonka@comcast.net]
Sent: Thursday, February 03, 2011 11:54 AM
To: Sandy Pitonyak; L-Council
Subject: Re: Another Catering Permit!

Ok with me for the third as well
Tom

From: Sarah Jarvis
Sent: Thursday, February 03, 2011 12:22 PM
To: Sandy Pitonyak
Cc: L-Council
Subject: Re: Another Catering Permit!

I approve all three.
Tx,
Sarah

From: Jim Sheridan [twomonts@comcast.net]
Sent: Thursday, February 03, 2011 12:39 PM
To: Sandy Pitonyak; L-Council
Subject: Re: Another Catering Permit!

All 3 are OK with me, Jim

From: Nancy Sherman [nsherman@cvcoa.org]
Sent: Thursday, February 03, 2011 3:32 PM
To: Sandy Pitonyak; L-Council
Subject: RE: Another Catering Permit!
Attachments: image001.gif

I approve all of them.
-Nancy

**Request to Cater Malt and
Vinous Beverages &
Spirituos Liqueurs**

Caterer's Permit Number 2019

APPROVED

DISAPPROVED

Date:

Reason: _____

(for department use only)

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

From: Licensee name: Yerba Inc

d/b/a: The Abbey Pub + Restaurant

Street: 6212 VT Rte 105 Town/City: Enosburg Falls

Contact name and phone number: Rachel Judd 802-933-4747

Email or Fax # rachel@abbeygroup.net

BE SURE TO READ INSTRUCTIONS BELOW, BEFORE COMPLETING APPLICATION.

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

Please answer the following questions:

1. Describe type of party to be catered: Cocktail reception

2. Location of catered party (street, town or city; if no address, describe location): _____

Cedar Creek Room 115 State St. Montpelier

3. Date of catered party (not more than five days, unless specifically authorized: 2/10/11

4. Hours of operation: Beginning 1500 hrs. Ending 1900 hrs. No. of Persons 40

Signed: _____ Date: 2/3/11

(caterer)

We recommend: approval disapproved

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

Town/City Clerk's signature
Of CATERED location.

Town/City
Fax Number or email address: _____

Date

SUBMIT AT LEAST 5 DAYS PRIOR TO DATE OF FUNCTION

Submit to Town/City Clerk for recommendation.

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

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

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

**Request to Cater Malt and
Vinous Beverages &
Spirituos Liquors**

Caterer's Permit Number 1488.005 catr 01

APPROVED

DISAPPROVED

Date: _____

Reason: _____

(for department use only)

To: Board of Selectmen/Alderman at catered location and Vermont Liquor Control Board.
From: Licensee name: Vermont Hospitality Management
d/b/a: New England Culinary Institute
Street: 56 College Street Town/City: Montpelier
Contact name and phone number: Erica Kaskel 802-225-3334
Email or Fax # erica.kaskel@neci.edu

BE SURE TO READ INSTRUCTIONS BELOW, BEFORE COMPLETING APPLICATION.

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

Please answer the following questions:

1. Describe type of party to be catered: _____
dinner
2. Location of catered party (street, town or city; if no address, describe location): _____
Hopkins House at National Life
3. Date of catered party (not more than five days, unless specifically authorized: 2/10/2011)
4. Hours of operation: Beginning 4:30 PM hrs. Ending 8:30 PM hrs. No. of Persons 7:00 PM

Signed: [Signature] Date: TUES FEB 1, 2011
(caterer)

We recommend: approval disapproved

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

Town/City Clerk's signature
Of CATERED location.

Town/City
Fax Number or email address: _____

Date

SUBMIT AT LEAST 5 DAYS PRIOR TO DATE OF FUNCTION

Submit to Town/City Clerk for recommendation.

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

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

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

**Request to Cater Malt and
Vinous Beverages &
Spirituuous Liquors**

Caterer's Permit Number 0910-001-CATR-01

APPROVED

DISAPPROVED

Date: _____

Reason: _____

(for department use only)

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

From: Licensee name: HYZER INDUSTRIES INC.

d/b/a: THREE PENNY TAPROOM

Street: 108 MAIN ST. Town/City: MONTPELIER

Contact name and phone number: SCOTT KERNER (802) 223-8277

Email or Fax # SCOTT@THREEPENNYTAPROOM.COM

BE SURE TO READ INSTRUCTIONS BELOW, BEFORE COMPLETING APPLICATION.

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

Please answer the following questions:

1. Describe type of party to be catered: CUSTOMER APPRECIATION PARTY

2. Location of catered party (street, town or city; if no address, describe location): _____

ONION RIVER SPORTS 20 LANGDON ST. MONTPELIER

3. Date of catered party (not more than five days, unless specifically authorized): 2/2/11

4. Hours of operation: Beginning 6pm hrs. Ending 8pm hrs. No. of Persons 25

Signed: [Signature] (caterer) Date: 2/2/11

We recommend: approval disapproved

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

Town/City Clerk's signature
Of CATERED location.

Town/City
Fax Number or email address: _____

Date

SUBMIT AT LEAST 5 DAYS PRIOR TO DATE OF FUNCTION

Submit to Town/City Clerk for recommendation.

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

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

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

**Request for Educational Sampling
Event Permit Application**

APPROVED

DISAPPROVED

Date:

Reason: _____

Applicant Name: Vermont Brewers Association

Street: 142 Kirk Meadow Road

Town/City: Springfield State: VT 05156

Mailing Address (if different from above): _____

Email Address kurt@vermontbrewers.com

1. Describe type of event: Statehouse event with the Grocers Association and the VT Specialty Foods Association.

2. Name of Event: VT Grocers Association Legislative Reception

3. Location of event (street, town or city; if no address, describe location): Vermont Statehouse Cafeteria

4. Date of event (not more than four consecutive days): 2/24/11

5. Hours of operation: Beginning 16:00 hrs. Ending 20:00 hrs.

We recommend: Approval Disapproval

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

Town/City Clerk's Signature
of Event location.

Town/City

Date

List on the back of this form the names and addresses of any Manufacturer, Bottler, Certificate of Approval holder, Wholesale Dealer, or Importer involved with this event. Attach a list of the alcoholic beverages to be acquired for sampling at the event. Attach proof of educational training.

By filing this application, I agree to operate in Vermont under the requirements of Title 7 and all other applicable Vermont Laws and Regulations.

By signing this, I, KURT STAUDTER acknowledge that all information provided is true and correct, and that I agree to meet the Vermont operating conditions specified above.

Signature: KURT STAUDTER

Title: EXECUTIVE DIRECTOR

Mail completed application to:

Vermont Department of Liquor Control
Education, Licensing & Enforcement Division
13 Green Mountain Drive
Montpelier, Vermont 05602



State of Vermont

Division of Planning, Outreach and Community Affairs - Mapping Unit

1 National Life Drive

Montpelier, VT 05633-5001

<http://www.aot.state.vt.us>

Telephone: 802-828-2109

Fax: 802-828-2334

Email: sara.moulton@state.vt.us

Agency of Transportation

Chair, City Council
Montpelier
c/o City Clerk
39 Main St - City Hall
Montpelier, VT 05602

January 2011 JAN 5 2011

TO: TOWN / CITY / VILLAGE CLERK AND SELECTBOARD / ALDERMEN / TRUSTEES

Enclosed is your 2011 **Certificate of Highway Mileage**. This Certificate must be completed in order to determine your town's share of state aid for town highways for Fiscal Year 2012.

Changes in mileage or highway classification, including any additions, alterations, or discontinuances made by your selectboard this past year, should be entered on this certificate. If there are changes that occurred before this past year that we have not shown on the Town Highway Map, please let us know so we can update our maps.

Also enclosed is a reduced size copy of your current Town Highway Map and a Certificate of Completion and Opening should you need it to document new town roads.

In filling out the Mileage Certificate, it is important to:

- >> Enter mileage and classification changes.
- >> If you have no changes, you may simply check the box in PART II of Certificate.
- >> Always sign Part III - Town Clerk, Selectmen, etc.

To effectively process all the mileage certificates in a timely manner and to assure the completion of the mileage summaries, it is important that towns submit the certificates on time. **Certificates must be postmarked on or before February 20, 2011. Certificates that are postmarked after February 20, 2011 may not be processed.**

After the Agency has approved and signed the certificate, we will send you a copy.

If you have any questions, please call me at 802-828-2109 or send e-mail to sara.moulton@state.vt.us

Thank you.

Sincerely,

Sara Moulton

Sara Moulton
Mapping & GIS Specialist

Enclosures



CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2011

Fill out form, make and file copy with the Town Clerk, and mail **ORIGINAL**, before February 20, 2011 to:
Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life
Drive, Montpelier, VT 05633.

We, the members of the legislative body of **MONTPELIER CITY** in **WASHINGTON** County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	10.448	0.083			0.000
Class 2	8.311				0.000
Class 3	32.87				0.000
State Highway	4.132				0.000
Total	55.761				0.000
* Class 1 Lane	2.900				0.000
* Class 4	0.82				
* Legal Trail	0.00				
* Unidentified Corridor	0.00				

* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- 2. DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- 3. RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
Due to realignment and remeasurement (roundabout)
+0.098 mi CL1 TH-1 (US-2), -0.015 mi CL1 TH-4 (US-302)
- 4. SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. ☐ ☐

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures: _____

T/C/V Clerk Signature: _____

Date Filed: _____

Please sign **ORIGINAL** and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED: _____

Representative, Agency of Transportation

DATE: _____





**CITY OF MONTPELIER
MONTPELIER, VERMONT**

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6:00 P.M.

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 - a) Consideration of the Minutes from the City Council's December 8th and December 15th, 2010 Meetings.
 - b) Consideration of approving the Annual Highway Mileage Certificate for State Fiscal Year 2012. The certificate is required annually by the Vermont Agency of Transportation (VTrans) – Division of Planning, Outreach & Community Affairs (formerly Policy & Planning Division). The certificate provides a formal documentation of the length in miles of public highways owned and maintained by the City of Montpelier for each of the four highway classifications. The certificate is the basis for determining the amount of state aid participation a town receives for highway maintenance. Note that there is a slight change this year in our Class 1 mileage due to construction related realignment measurements at the Rte. 2 / Rte. 302 intersection. The document must be returned to VTrans by no later than February 20, 2011. A majority of City Council will need to sign the certificate in the space provided. The City Clerk will record the document upon return receipt of the approved certificate from the Agency. 
 - c) Consideration of authorizing the Police Department to purchase two new parking vending machines; these machines would be replacements for the 60 State Street and Capitol Plaza parking lots. Cale Parking Systems submitted a proposal for \$27,810 (initial cost for the two machines plus installation/training); this would allow the Parking Division to have these units operational in the spring of 2011. 

- d) Consideration of authorizing the City Manager to sign a “Reservation of Rights” for the *Walker Motors, Inc. et al v. City of Montpelier, VT, et al* case. The City has coverage under the Vermont League of Cities and Towns Property and Casualty Intermunicipal Fund, Inc. (“PACIF”) program. This means PACIF is willing to assign defense counsel (McNeil, Leddy & Sheahan) to defend the claims, under a reservation of rights, if agreeable with City Council.
- e) Consideration of leasing three updated digital imaging systems: 
 - 1) Due to incentives that are currently being offered by digital imaging system providers, the City has the opportunity to have newer digital imaging equipment with added functions and save money when compared to our current costs.
 - 2) Staff recommends accepting OCE’s proposal for a five-year lease for three digital servicing systems at the monthly cost of \$1,150.00. This proposal includes consolidating and improving the printing, copying, scanning and faxing functions in the Finance, Planning and Clerk/Treasurer’s Offices. (See memo from Finance Director dated January 14, 2011.)
 - 3) This item was pulled from the January 20th Consent Agenda due to a question about the current lease buyout. The question has been answered, and staff continues to recommend accepting OCE’ North America’s proposal.
- f) Acting as the Liquor Control Commission, City Council Members may now consider the following: 
 - 1. Ratification of the issuance of a Catering Permit to Yebba, Inc., d/b/a The Abbey Pub & Restaurant, for a Cocktail Reception on Thursday, February 10th, from 3:00 to 7:00 P.M. in the Cedar Creek Room of the State House.
 - 2. Ratification of the issuance of a Catering Permit to Vermont Hospitality Management, d/b/a New England Culinary Institute, for a Dinner on Thursday, February 10th, from 4:30 to 8:30 P.M. at National Life’s Hopkins House.

3. Ratification of the issuance of a Catering Permit to Hyzer Industries, Inc., d/b/a Three Penny Taproom, for a “*Customer Appreciation Party*” on Friday, February 11th, from 6:00 to 8:00 P.M. at Onion River Sports, 20 Langdon Street.
4. Application for an “*Educational Sampling Event*” Permit from Vermont Brewers’ Association for a Vermont Grocers’ Association Legislative Reception scheduled to be held on Thursday, February 24th, from 4:00 to 8:00 P.M. in the State House Cafeteria.

g) Approval of Payroll and Bills

- 6) 11-042. Consideration of approving, and authorizing the City Manager to sign, the Efficiency Vermont Contract; formally endorse the forming of a committee to help the City move forward in improving the efficiency of its street lighting; and appoint citizens who have indicated an interest in serving on this committee. 
 - a) This process will involve both eliminating unnecessary streetlights and converting remaining lights to more energy efficient technology.
 - b) The committee will guide the City through the process of developing an accurate inventory of lighting, assessing lighting needs and levels, and developing a project scope and budget; staff anticipates a six-month time commitment.
 - c) Staff advertised and will provide Council with the names of those individuals who are interested in serving.
 - d) Recommendation: Approve the contract with Efficiency Vermont and authorize the City Manager to sign the document; formally endorse the forming of a committee; and make the appointments to this “temporary” committee.
- 7) 11-043. Carr Lot Update 
 - a) Jeff Tucker, P.E. from DuBois & King, Inc., will provide this update to City Council Members.
 - b) Recommendation: Receive update; opportunity for discussion.

- 8) 11-044. Flood Study Update 
- a) Jeff Tucker, P.E. from DuBois & King, Inc., has provided City Council Members with a “Winooski River Flood Damage Risk Reduction Project Status Report”, as well as summary maps.
 - b) Recommendation: Receive update from Jeff; opportunity for discussion.
- 9) 11-045. District Energy Update 
- a) Planning Director Gwen Hallsmith and the Montpelier Energy Advisory Team will provide this update.
 - b) Recommendation: Receive update; opportunity for discussion; possible direction to staff.
- 10) 11-046. Consultant Selection 
- a) Staff requested proposals for Consultant Services/Management Analysis, seeking an outside review/assessment of its organizational/supervisory structure, management systems, financial practices, staffing levels and staff capacity.
 - b) The Committee is conducting interviews with four firms selected as finalists:
 - 1) Municipal Resources, Inc. Meredith, New Hampshire \$29,300
 - 2) Novak Consulting Group, Cincinnati, Ohio \$23,500
 - 3) Matrix Consulting Group, Andover, Massachusetts \$34,500
 - 4) Eaton Peabody Consulting Group, Augusta, Maine \$25,000
 - c) Copies of the full proposals from these firms are posted on the City’s website.
 - d) Recommendation: It is the intent of the Committee to provide a recommendation at this evening’s Council meeting; discussion; selection of a consultant.
- 11) 11-047. Council Reports
- 12) 11-048. Mayor’s Report

- 13) 11-049. Report by the City Clerk-Treasurer
- 14) 11-050. Status Reports by the City Manager
- 15) 11-051. Agenda Reports by the City Manager 
 - a) Consideration of the City Manager's **21st Century Project**, including a ***Paperless Council Policy Recommendation***.
 - 1) The City Manager has provided memos to City Council Members outlining his proposal, as well as information from the ***Sunshine Review*** website; this website summarizes what makes an effective municipal website for its citizens.
 - b) Recommendation: The City Manager is requesting that the Council (1) formally endorse the overall project and its stated goals; (2) specifically approve the paperless meeting policy including the related equipment funding; (3) acknowledge and approve the change in minutes preparation; and (4) offer any concerns, comments or suggestions to staff.

Adjournment



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

DATE: January 14, 2011

TO: Mayor and City Council
William Fraser, City Manager

FROM: Sandra J. Gallup, Finance Director
Fred Skeels, Information & Communications Systems Manager

SUBJECT: Recommendation to Lease Three Digital Imaging Systems

Due to incentives that are currently being offered by digital imaging systems providers, we have the opportunity to have updated digital imaging equipment with added functions and save money when compared to our current costs.

The Finance Department staff has investigated options to provide improved printing, copying, scanning and faxing functions to the Finance, Planning and Clerk/Treasurer's offices. The two copiers in the Planning and Clerk/Treasurer's offices have an IKON lease that expires in May of 2011. The Planning Department is experiencing difficulties with the operations of its current copier. Also, the Finance Office's color printer is 6 years old and has high maintenance costs and down time. It needs to be replaced but there are no funds available in the FY11 to purchase a new color printer.

Our plan is to replace two copiers, two printers and two fax machines with three new digital imaging systems. We sent out a request for proposals for a five year lease program and received four responses. See below

	OCE' North America RICOH	IKON Office Solutions CANON	Exterus Technology XEROX	Inception Technologies SHARP	CURRENT COST
Monthly Cost	\$1,150.00	\$1,174.60	\$1,579.45	\$1,295.50	\$1,544.00

All of the vendors submitted a blend of references which we called to verify customer satisfaction with equipment and service. They all offered to buy-out our current lease which ends in May. They all will reformat or replace the hard drive of the "old" copiers which is important for document security.

We recommend accepting OCE's low bid of \$1,150 per month which replaces our aging equipment and saves \$394 per month over our current costs. These costs are included in our FY11 Budget & FY12 Proposed Budget.

If we do not take advantage of the current incentive programs, our aging copiers and printers will negatively affect productivity in three city departments and the City will not benefit from lower monthly costs.

RECOMMENDATION

We recommend accepting OCE's proposal for a five-year lease for three digital servicing systems at the monthly cost of \$1,150.00. This proposal includes consolidating and improving the printing, copying, scanning and faxing functions in the Finance, Planning and Clerk/Treasurer's offices.

Improving Efficiency in Municipal Street and Public Lighting

Efficiency Vermont

Memorandum of Agreement

between Efficiency Vermont and (name of Municipality)

Background

The *Improving Efficiency in Municipal Street & Public Lighting* program is designed to encourage municipalities to re-evaluate their present use of older, less efficient lighting technologies for street and public spaces and replace them with LED-type lighting systems. LED lighting can significantly reduce the costs of street and public lighting for municipalities, while reducing energy use and improving the municipal night-time environment.

For a limited time and in support of municipalities that may wish to pursue an LED upgrade, Efficiency Vermont has hired a professional engineering firm (contractor) to provide up to 12 hours of enhanced technical assistance to each municipality that is able to commit to develop an LED upgrade project before February 28, 2011. The task of developing a project will require a commitment from the municipality in the form of time and effort to: survey existing lighting, create a streetlight inventory, and ultimately prepare a final scope of work and budget. The purpose of this agreement is to identify roles and responsibilities for municipalities that are willing to commit the time and resources to develop a project. Only municipalities that sign this agreement will be eligible to receive the enhanced technical assistance from the contractor.

This technical assistance shall be offered cost-free to the first (10) municipalities that sign this Memorandum. Efficiency Vermont is willing to consider additional municipalities beyond the first (10) -- should they also sign the agreement. It is important to recognize that this agreement does not specifically require that the municipality implement and fund the project -- rather only to fully develop the project so that it can then be considered for funding or voter approval and implementation.

Purpose

This purpose of this agreement is to delineate the respective roles and responsibilities between Efficiency Vermont and the **Municipality** of _____ (hereafter referred to as the Municipality) related to the "Improving Efficiency in Municipal Street & Public Space Lighting Program."

Period of Performance

This agreement begins on (October 21, 2010) and extends until (February 28, 2011).

Respective Roles and Responsibilities

Efficiency Vermont: Efficiency Vermont, through its designated contractor, will provide overall guidance and enhanced technical assistance to the Municipality. Efficiency Vermont will:

- **Provide an Implementation Guide:** Efficiency Vermont has prepared a "Guide to Improving Efficiency in Municipal Street and Public Space Lighting" to guide the municipality through the process of developing an LED upgrade project.
- **Provide up to 12 hours of technical support:** to each municipality that signs this agreement to develop a project. This support may include:
 - Provide overall guidance and assistance to municipalities on the program details and coordination/management issues;
 - Guide municipalities on how to conduct a municipal-wide public lighting system evaluation and prepare a streetlighting inventory;
 - Assist towns in understanding utility tariffs and ownership issues;
 - Provide technical assistance to municipality on LED technology, controls, and product selection;
 - Guide municipalities on methods to eliminate unnecessary light fixtures; and,
 - Guide municipalities in developing a complete scope of work and budget for the project.
- Provide financial incentives to the Municipality for LED Street or Public Lighting Upgrades

Municipality

Municipality will have overall responsibility for coordinating the implementation of the "Improving Efficiency in Municipal Street & Public Space Lighting Program" in their community. The Municipality will be responsible for:

- Organizing a town committee and/or group of individuals to develop a municipal street and public space lighting upgrade project, including development of a scope of work and project budget. The municipality is fully responsible for implementing the steps involved to develop the project, as identified in the guide "Improving Efficiency in Municipal Street and Public Space Lighting."
- Ensure that the municipality completes all steps identified above by February 28, 2011.

Contact Information

Efficiency Vermont

For additional program information and clarification, please contact:

Paul Markowitz
Efficiency Vermont
255 S. Champlain St.
Burlington, VT 05401
888 921 5990 X1108
pmarkowitz@veic.org

Memorandum of Agreement between Efficiency Vermont and Municipality of _____ for the Improving Efficiency in Municipal Street and Public Lighting Program

Municipality

The principal contact for the Municipality is:

name, title:
municipality:
address:
phone:
email address:

Modification or Termination

No changes, modifications, amendments or extensions in the terms and conditions of this Subcontract shall be effective unless reduced to writing and signed by the duly authorized representatives of VEIC and the Local Partner.

Any disputes or differences arising out of this Memorandum of Agreement which cannot be amicably settled between the parties shall be finally settled under the Rules of Conciliation and Arbitration of the American Arbitration Association by one or more arbitrators appointed in accordance with said Rules. The arbitration shall take place in Burlington, Vermont. Each party to the arbitration shall fully bear their own costs.

Signed

Efficiency Vermont

Name

Title

Signature

Date

(name of municipality)

Name

Title

Signature

Date

LAW OFFICES
McNEIL, LEDDY & SHEAHAN
A PROFESSIONAL CORPORATION

JOSEPH C. McNEIL (1919-1978)
JOSEPH E. McNEIL
JOHN T. LEDDY
NANCY GOSS SHEAHAN
WILLIAM F. ELLIS
SUSAN GILFILLAN
JOSEPH A. FARNHAM
KEVIN J. COYLE*
KIMBERLEE J. STURTEVANT
COLIN K. McNEIL



271 SOUTH UNION STREET
BURLINGTON, VERMONT 05401

TELEPHONE
(802) 863-4531

TELECOPIER
(802) 863-1743

January 21, 2011

(*ALSO ADMITTED IN N.Y.)

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

Re: Walker Motors, Inc. et al v. City of Montpelier, VT, et al.

Dear Mr. Fraser:

Terri McAdams requested this office to review the Complaint recently filed in Washington Superior Court against the City of Montpelier ("City") and J.A. McDonald, Inc. ("McDonald") by Walker Motors, Inc. ("Walker") and Sierra Holdings, LLC ("Sierra") in the above-referenced matter to determine whether the City has coverage under the Vermont League of Cities and Towns Property and Casualty Intermunicipal Fund, Inc. ("PACIF") program. As outlined below, since a portion of the plaintiffs' claims potentially fall within the scope of coverage under the PACIF program, PACIF proposes to defend the Complaint pursuant to a reservation of rights.

The Complaint

Plaintiffs' Complaint derives from a road reconstruction project on River Street during 2009. In essence, plaintiffs allege that the City knew that the reconstruction project would negatively impact businesses in the construction area and, despite this knowledge, failed to take reasonable steps to ameliorate those negative impacts. The Complaint alleges that, as a result, customers were unable to access plaintiffs' car dealership to purchase new cars or obtain maintenance services. Plaintiffs claim that the reconstruction project caused them to lose business and devalued the real estate to the point where the business closed and the real estate sold for much less than its appraised value.

Count One of the Complaint alleges the City has taken plaintiffs' property rights without due process and just compensation in violation of the Vermont and United States Constitutions based upon the above facts. Count Two alleges negligence against the City and McDonald in the drafting, administering and performance of the reconstruction project causing the demise of the car dealership and loss of equity in the real estate. Count Three alleges plaintiffs are unintended beneficiaries of certain Vermont Agency of Transportation rules or regulations, and that the City

breached its obligation to plaintiffs to enforce those rules and regulations. Plaintiffs collectively claim damages of \$2,100,000 and seek punitive and exemplary damages.

Applicability of VLCT PACIF Coverage

Through its membership in PACIF, the City obtains, among other coverage, General Liability Coverage, Section III, Agreement C, at page 54, where PACIF agrees to “[i]ndemnify the Member for all sums which the Member shall be obligated to pay by reason of the liability imposed upon the Member by law ... for damages direct or consequential ... on account of ... any Property Damage arising out of any Occurrence happening during the Period of Coverage.” “Property Damage” is defined in Section III at Page 59 to include “damage to or destruction or loss of use of tangible property ...” Since the Complaint may be construed to allege damage to or loss of use of tangible property, there is the potential for coverage under the Town’s General Liability Coverage for some of the allegations in the Complaint.

There are, however, certain exclusions that may preclude coverage for the allegations in the Complaint. Exclusion 4 at page 61 states that this coverage does not apply:

4. To loss or damage or any liability of any and all the Members arising out of or in any way connected with the operation of the principles of eminent domain, including claims or liability for regulatory takings, inverse condemnation, or condemnation by whatever name called regardless of whether such claims are made directly against the Member or by virtue of any agreement entered into by or on behalf of the Member.

Count One of the Complaint alleges a taking by the City without due process and just compensation in violation of the Vermont and United States Constitution. Because Count One in essence alleges damages arising from condemnation, Exclusion 4 would preclude coverage under the City’s General Liability Coverage.

Another potential exclusion is Exclusion 9 at page 62, which precludes coverage for “loss or damage or any liability arising out of, or in connection with, the performance of governmental functions by Members to which sovereign immunity applies.” The Vermont Supreme Court has historically held that a municipality performs a governmental function when maintaining its streets and sidewalks. Because plaintiffs’ claims arise from a street reconstruction project, Exclusion 9 potentially applies to these claims and there would be no coverage under the City’s General Liability Coverage.

There also would be no coverage for plaintiffs’ claims to the extent they do not constitute an “Occurrence” as defined in the coverage document, Section III page 59.. The Complaint alleges that the City had actual knowledge that the road construction project would negatively impact businesses in the area of construction. We assume this alleged knowledge is the basis for plaintiffs’ claims for punitive or exemplary damages. To the extent that the City’s alleged

William Fraser, City Manager

January 21, 2011

Page 3 of 3

mistakes or errors did not “unexpectedly or unintentionally” result in “Property Damage,” there would be no “occurrence” and thus no coverage for plaintiffs’ claims.

Summary

As you can see, measuring coverage against the Complaint’s allegations raises several coverage issues. Since there is, however, the potential for some of plaintiffs’ claims to fall within the scope of coverage, PACIF proposes to defend the City against the Complaint under a reservation of rights. This means PACIF is willing to assign defense counsel to defend the claims, but in doing so does not waive its right to contest whether any eventual judgment or settlement is outside the scope of its coverage. In fact, PACIF does not waive any other exclusions or coverage defenses that may be applicable to the Complaint by participating in the defense, and expressly reserves the rights to deny coverage on grounds other than those specified herein.

If participation by PACIF in the defense under a reservation of rights is agreeable, please have an appropriate agent of the City sign and date below to acknowledge that the defense is under a reservation. Should you have any questions feel free to contact Terri or me. We look forward to working with you and the City of Montpelier in the defense of the Complaint.

Very truly yours,
MCNEIL, LEDDY & SHEAHAN, P.C.

By: 
William F. Ellis, Esq.

CITY OF MONTPELIER

Date: _____

By: _____
Duly Authorized Agent

WFE/

cc: Terri McAdams, Senior Claims Specialist
John H. Klesch, Esq.



Montpelier Police Department

Memo

To: William Fraser, City Manager

From: Chief Anthony J. Facos

CC: Sandra Gallup, Finance Director

Date: February 2, 2011

Re: Purchase of 2 new parking vending machines

I am requesting approval for the purchase of two new parking vending machines to replace the current machines at the 60 State Street lot and the Capitol Plaza lot. The machines that need replacing are approximately 17+ years old and have been quite problematic in recent years. These old devices have been down frequently in recent months and when they are not operational, the City loses money.

The proposed new machines are from Cale Parking Systems and they offer two new features that we currently do not have; they are solar powered and credit/debit card ready. It will take approximately 6-8 weeks from the time the units are ordered to the time they arrive and are installed. Initial cost for the two meters plus installation/training will be **\$27,810**. This would allow the Parking Division to have these units operational in the spring of 2011. Although I did not put these units in the budget (equipment doesn't always fail in October/November), we do have the funds to cover this needed investment with this current parking fund balance.



November 4, 2009

Montpelier Police Dept.

RE: CALE USA Meter Pricing

To Whom It May Concern;

Below is pricing that you can use in formulating a purchase order for Cale MP104 Compact Multi-Space Parking Meter. Pricing is valid for 12 months; at which time CALE will update/re-validate the pricing schedule.

	UNIT PRICE
<u>MP104 Pay and Display Parking Meter</u>	<u>\$12,250</u>
<i>Price includes – Basic Meter</i>	
• Coin Acceptance • Credit Card Acceptance • Customized Rate Structure • GPRS Wireless Modem • A/C or Solar Powered	

Optional Equipment

- Pay by Space Option (Wireless Web-based enforcement)	\$500*
- Receipt Paper	\$30/Roll plus S&H

*CALE wireless enforcement utilizes web access, to a password protect URL, from which Colonial will be able to download reports from any "Smart Phone", that is Windows CE compatible.

Credit Card Downloading/CALE WebOffice

\$45 Meter/Month for ON-LINE Downloading. Includes all communications costs; up to 2Megs per meter per month.

\$1,750 - Installation and Training. City will be responsible for preparing the ground surface; following CALE's specifications and CALE will perform the remainder of the installation.

\$500 onetime fee for Credit Card Software, future meters will not include this pricing. Unless you change accounts, where the Credit Card money is deposited, this is a onetime fee for your entire company.

\$250/Meter Shipping

If you have any questions at all please do not hesitate to call me any time at 770-634-4947.

Ryan Bonardi
Sales Director

Cale Parking Systems USA, Inc.
21925 US Highway 19N, Clearwater, FL 33765
727-724-1800



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

Mayor Mary S. Hooper

City Council:

Tom Golonka
Andy Hooper
Sarah Jarvis
Jim Sheridan
Nancy Sherman
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: The 21st Century Project
Date: February 4, 2011

Please excuse the lofty title of this e-mail. I have been giving considerable thought toward moving the city government into the 21st century (now that we are already into the second decade of the century). I'm inspired by our web agenda/packet/meeting streaming initiative, our on line property assessment information, the effectiveness of our electronic notices during the 2007 flood scare and the success when we've placed key information and documents on line.

As a result, I am launching, for lack of a better name, the 21st Century Project. We will be making deliberate improvements in information sharing, public communication, council functions and citizen convenience. I request that the council (1) formally endorse the overall project and its stated goals; (2) specifically approve the paperless meeting policy including the related equipment funding; (3) acknowledge and approve the change in minutes preparation; and (4) offer any concerns, comments or suggestions.

We live in a changing world where people expect things differently. After March 1, we will have four council members who are in their early 40's and younger. Our citizen survey showed that people are accessing information differently. Traditional notice and distribution systems aren't working as well as they once did but cannot yet be abandoned. The city now has the ability and means to provide information differently. If we have a problem with snowplowing, we can tell citizens directly in real time. If we want to remind people that tax bills are due, or that the winter parking ban has started or how to register to vote – we can put it out there immediately. Obviously some things work well like the Annual Report or the Bridge page. Nothing is a substitute for direct conversation and meetings. We continue to have traditional legal advertising requirements. But there is no reason for us not to engage in more modern outreach alternatives in addition to our present practices.

1. **Information:** We are setting the goal of having our website meet the Sunshine Review (sunshinereview.org) standards (copy enclosed). We will make a planned effort to post everything we can think of – budget, labor contracts, personnel policy, organizational chart, audit reports, expenditure reports, check warrants, correspondence, insurance

policies, ordinances, operating policies, permits etc. We would like to set a new municipal government standard for transparency and regular information sharing. This work will begin immediately with monthly goals for new information to be posted. Staff is already conducting an analysis of what is posted now, what can be added and what will be required to make that happen. This may even involve some upgrades or changes to our recently upgraded site.

2. **Communication:** As you have seen, we have begun including weekly departmental updates in the Manager's report. We will use some of these as regular news updates on the web site and elsewhere. As part of the information effort outlined above, we are reorganizing the website so that finding information is more intuitive. We are immediately starting official City of Montpelier Facebook and Twitter accounts so that interested citizens can get real time information postings. Obviously, systems like these must be managed and kept up. We are developing guidelines, protocol and work responsibilities for this.
3. **Paperless Council meetings** – See attached memo on the details of this proposal. All material will be e-mailed and/or posted to the web for download. We will keep one set of paper copy for the Manager's office and one set for Clerk's records so that people can come in and read them if they like. This will eliminate police delivery, copying costs and paper use both at city offices and at council members homes. If this works successfully we may consider expanding it to Planning Commission and Development Review Board.
4. **Citizen convenience** – We are actively seeking to serve our residents better and more conveniently. We will be able to accept debit/credit card payments by the end of 2011 with the target date of July 1, 2011. We are increasing electronic access to our programs/permits/forms (as feasible within the website). A successful example of this was putting all the property assessment records on line. We are moving in the direction of downloadable forms, electronic submission of those forms and accepting payments for services over the web with the goal of completing this within FY12.

As part of this effort we will alter our minutes taking practice for council meetings. The video web streaming and archiving system has been in place for a year now. We have found it to be reliable and user friendly. Our internal expertise with the system has reached a comfortable level of confidence. We propose to reduce the verbiage of council minutes. We will still include general descriptions of the discussion but they will look less like transcriptions. If we are aware of a problem with the stream or archive for a particular meeting, we will create more complete minutes. We can, over time, adjust the amount of detail in the minutes until everyone feels that they are meeting the need.

I have created a Project Task Force consisting of the city's IT staff, our webmaster, City Manager and staff and the City Clerk to implement this program. Some of these are simple concepts. There may have been many technological, logistical or practical reasons why we have not pursued them to the fullest in the past. The purpose of this project is to create a defined emphasis on all of these and take immediate steps to implement these ideas now. I see this as the beginning, not as the complete list. It is, after all, the 21st century.



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

Mayor Mary S. Hooper

City Council:

Tom Golonka
Andy Hooper
Sarah Jarvis
Jim Sheridan
Nancy Sherman
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 *W Fraser*
Re: The 21st Century Project – Paperless Council Policy Recommendation
Date: February 4, 2011

Beginning in March of 2011, we will discontinue production of paper agenda packets and instead email the agendas/packets and/or post them to the web for download. This will save delivery time, vehicle use, copier supply costs and paper costs. Police delivery alone costs about \$2,000 per year and is not always the best use of an officer's time on a Friday evening. We already post everything publicly without differentiation between council information and public information. The few instances when something is confidential will be handled on a case by case basis. This proposal is specifically designed so that this policy can be implemented without present or future Council Members being required to incur additional financial obligations.

The city will provide Apple iPads to all Council Members, the City Manager and City Clerk. These devices will allow the material to be received, archived and readily available for viewing. Because they are less cumbersome than traditional lap tops, iPads work better on the council desks without obscuring view or banging against microphones. They are also far more convenient for personal transport and use. Members will be responsible for bringing the devices to meetings and will use them in lieu of the paper packets.

Based on IT staff recommendation, we will provide units with 64 GB of memory which are 3G compatible at \$907 per unit (\$829 base cost plus case, iAnnotate application and accessories) or \$8,164 total start up cost. That capacity may exceed immediate technical needs but experience tells us that we will expand our use over time. The goal is that Council Members can store all their city information in one place and have access to it whenever they want. It, therefore, makes sense that we provide devices with maximum capacity. With Council Member turnover typically ranging from 0-2 people each year, annual costs for new devices would likely run from 0-\$1,800 assuming the devices were not re-used. These will be funded through the approved IT equipment fund budget.

The iPads will be city property and intended for city business. We will have a user agreement signed by the council members acknowledging the arrangement and obligations. The city IT

staff will provide technical and user support for these devices. The device will be returned at the conclusion of a member's council service.

We will, however, also offer a purchase option for Council Members. Over a two year Council term we can deduct 1/24 of the price (\$37.79 at 0% interest) from the council member's monthly pay check. The individual would then own the device at the end of their term. If they don't return for a subsequent term, they own the iPad outright and can keep it. If they return for another term then they have the iPad for council use with no further deductions. If they don't fill a full term they would owe the balance or could return the device and be refunded their prior payments. Someone could, of course, pay the full price upfront if they preferred. If desired, we can work out individual arrangements for any of the four current Members in "mid-term" when this program begins.

An advantage to the ownership option is that it eliminates potential issues with personal use of the city owned device. If a Council Member already owns an iPad then, of course, they can use it and the city will provide any necessary applications. A Member may also opt to use their own laptop or other device top instead of the city iPad as long as they are able to successfully receive, store, view and use city documents.

The city has an existing employee computer loan fund which provides 0% interest loans with payments deducted from paycheck. There is sufficient money in the fund right now to provide loans to all Council Members. The only change is that the employee program allows for a three year repayment period and we would limit the council member repayment period to two years so as to stay within their term of office. Devices purchased through the loan fund will not be charged to the equipment budget.

The final issue is the monthly data fee which allows iPad users to download information outside of wi-fi service areas wherever there is 3G cellular phone service. The monthly fee is \$14.99 for 250 MB of data and \$25 for 2 GB of data. Overage charges apply for both plans. I propose that the city provide the smaller plan to Council Members while they are in office. That should be sufficient to handle the amount of data that the city will transmit and eliminates the need for wi-fi installation in the home at the Member's expense. For nine people, this is a \$1,620 annual cost which will be funded in the operating budget through the savings from paper packets. If individual Members prefer 2 GB plan, we can deduct the \$10 per month difference from their paycheck. We will monitor use to determine which plan makes the most future sense.

Summary:

- City will discontinue paper packets and provide all information electronically
- City will purchase iPads for Council. Start up cost is \$8,164 for 9 units.
- City will own the devices unless Members use purchase option.
- City will provide technical support for the devices and their use.
- City will provide monthly 250 MB data fee. Annual cost is \$1,620 for 9 plans.
- Annual fee costs will come from packet production savings.
- Start up purchase costs will come from IT equipment budget and will be reduced by any purchased units or units already owned by Members.

City websites

What information should cities disclose on their websites?

City residents and taxpayers need to be able to adequately gauge whether a city government is:

- Effective.
- Competent.
- Frugal with tax revenues
- In compliance with all expectations and relevant laws about [public records](#) and open meetings.

In order for this to happen, residents and taxpayers should expect to find key information on any city's website.

Budget

The city website should include comprehensive [budget](#) information.

- The budget for the current fiscal year should be posted online.
- Budgets for previous years should be posted online.
- It should be very easy for people to find this information when they visit the website. This means that prominent navigational features enabling someone to locate the budget should be included on the homepage of the website.

Suggested

- Graphic features that compare the current budget to past year's budgets should be incorporated, to enable people to make sense of trends over time.
- Narrative features should be incorporated into descriptions of the budget. For example, if the current year budget is 1.2% higher, or 5% lower, or 14.7% higher than the previous year's budget, it is helpful to citizens to provide this comparative explanation at the beginning of a summary about the budget.
- The city's checkbook register should be posted online. This information provided should include:
 1. The amount of each payment
 2. Date

3. Check number
4. To whom the payment was made (including the address)
5. Scan of Invoice or Purchase Order or Check Request (this often provides significant drilldown detail including who approved it)
6. What it was for
7. Budgetary authority for the expenditure
8. Functional expenditure category
9. Sources of funds
10. Links to the relevant contracts under which the payment was made

City government meetings/agendas

The city's website should disclose all city government meetings and agendas.

- Time of meeting.
- Place of meeting.
- Agendas for all meetings that fall under rules about open meetings (which should be 99% of any government meetings);
- Whether the meeting is open or closed.
- Whether public input is allowed at the meeting and, if so, what the rules are that govern public input.
- Minutes of meetings should be recorded and posted online.
- Text of Real-Time-Captioning if created as part of the video or audio stream

Elected officials and elections

The city's website should disclose key information about the city's elected officials.

- Their names.
- Contact information, including phone numbers and e-mail addresses.
- Terms of office and date of next election.
- If the elected officials are elected in partisan elections, the website should indicate their party affiliation.
- Any financial disclosures and conflict-of-interest statements that the city requires of its elected officials should be posted online.
- Their Committee appointments.

Administrative officials

The city's website should disclose key information about the city's appointed administrators:

- Their names and titles.
- Contact information, including phone numbers and e-mail addresses.

Audits (Financial/Performance)

If the city conducts financial and management audits to ensure that it is operating in accordance with the highest standards of financial and management competence and integrity:

- Copies of performance and financial audits should be posted on the city's website.
- Routine financial audits should be posted online.
- Evaluations of the performance of any specific agencies or commissions should be posted online.

Contracts

The city's website should provide comprehensive information about the contracts it enters into with vendors.

- The rules the city must abide by when it enters into contracts with outside vendors should be posted on the city's website.
- When the city enters into a bidding process for larger contracts, the request for bids should be posted on the city's website.
- Publicly available information about the bids the city receives should be posted online, keyed to the request for bids the city has previously published.
- Specific contracts the city enters into with outside vendors for any amount over \$10,000 should be posted online.
- If elected officials of the city have received campaign contributions from any vendors who sell services to the city, this information should be posted on the city's website.

Lobbying/advocacy

- If the city enters into a contract with a lobbyist or lobbying firm, full details of this arrangement must be posted on the city's website, including the name of the lobbyist or lobbying firm, the amount paid to the lobbyist or firm, and the legislation that the lobbyist is advocating for on the taxpayer's dime.
- If the city pays dues to belong to any lobbying associations, full details of these arrangements should be included on the city's website, including the name of the association, the amount paid in dues, and an identification of what positions that lobbying association is taking with the money it has received from the city's taxpayers via the dues paid to it by the city.
- If the city gives grants to non-profit organizations, these grants should be disclosed on the city's website with a reason for the grant and information about who in the non-profit organization is responsible for oversight and administration of the funds it has received from the city's taxpayers via a grant from the city.

Access to government records and public documents

The city website should include comprehensive information about how citizens can obtain access to [public records](#) in the custody of the city.

- When a citizen wants to file an [open records](#) request, which employee of the city handles those requests?
- What is that employee's contact information?
- The city website should provide this information in a very easy-to-locate position on their website.
- The city website should lay out the procedure for a citizen to follow who wants access to public records.
- The information should be user-friendly.

Suggested

- The city website should include an annual rating of its FOIA compliance: How many requests did it receive in a given year, how many did it comply with, the average time required for compliance, and reasons for denials. If the city is currently being sued for failure to provide public documents, this information should be included.
- If the city has been ordered by a judge or public records ombudsman to provide documents it refused to produce in response to a public records request, this information should be a permanent record posted on the city's website.

Problems with your city's grade:

If you find that any of the information that is posted on your city's website is false, not up-to-date, or has been taken down please e-mail [Kristinpedia](mailto:kristinpedia@sunshinereview.org) at [kristinpedia@sunshinereview.org] and let us know. We'll retract the point from the city's score, and lower its transparency score.

However, we do not take away points due to wasteful spending, unanswered [FOIA](#) requests, or other "offline" activities—our scores are based solely on the city's website. We do hope that you'll report on these other instances by adding [additional information](#) to your city's page, like we have in [Houston Independent School District, Texas](#).

Evaluate your city's website

To find out whether your city is responsible about providing key information to its residents and taxpayers:

- Click on [United States](#).
- Find and click on your state.
- Once you do that, you'll find a navigational bar on the top of the screen.
- That navigational bar has a link to "cities".
- Click on that link to find a list of all the cities in your state.

- When you find your city, the name of your city will appear in either blue or red.
- If it appears in blue, that means someone else has already started writing on **Sunshine Review** about your city.
- Click on the link to find out what they've written and to add your own information.
- If the article about your city doesn't yet include a link to your city's website, please add that link to the bottom of the page.

Adding information to Sunshine Review

1. Log in to your Sunshine Review Account. This will allow you to edit (add information to) a page.
2. Look at [Alexandria, Louisiana](#) as an example.
3. For your city, add information to your city's page on Sunshine Review in the same manner that information was added to the [Alexandria, Louisiana](#) page.

If you add a line saying that "no budget was found" or "the city's website has a budget for each of the last three years", you can also link to the place on the city website where you found the budget.

If the city's website has a budget, but it isn't searchable, or it only includes a budget for one year, or you have any suggestions for improving how the city presents the budget, please note those recommendations or concerns on the Sunshine Review article about your city.

See also

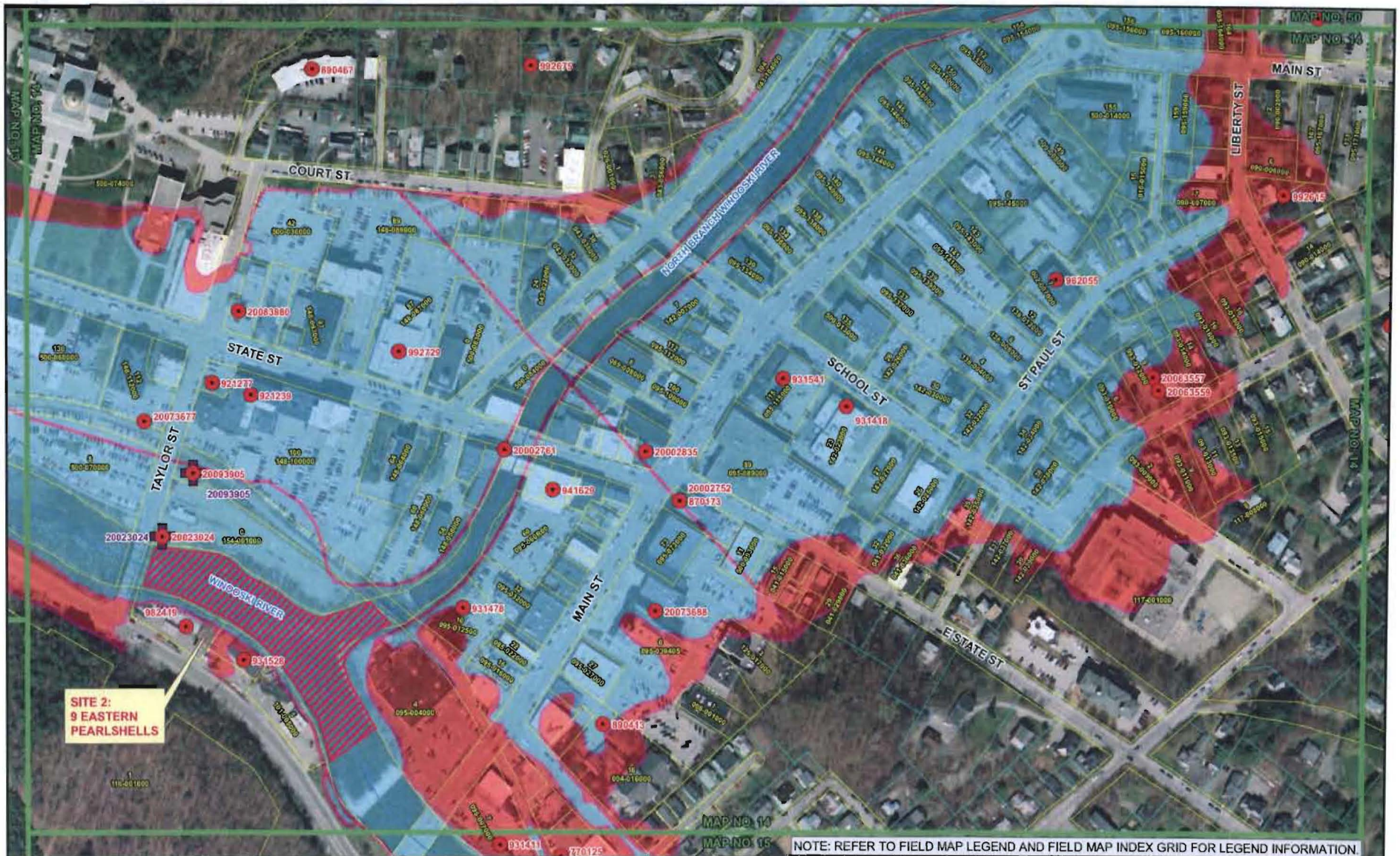
- [County websites](#)
- [School district websites](#)

External links

- [State and local government websites](#)

Retrieved from "http://sunshinereview.org/index.php/City_websites"

Categories: [Ten point checklists](#) | [Transparency checklists](#)



**SITE 2:
9 EASTERN
PEARLSHELLS**

NOTE: REFER TO FIELD MAP LEGEND AND FIELD MAP INDEX GRID FOR LEGEND INFORMATION.



**WINOOSKI RIVER FLOOD DAMAGE RISK REDUCTION PROJECT
ENVIRONMENTAL RESOURCE ANALYSIS
PHASE I - SCREENING ANALYSIS**

D&K PROJECT NO:
920431

DATE:
11-17-10

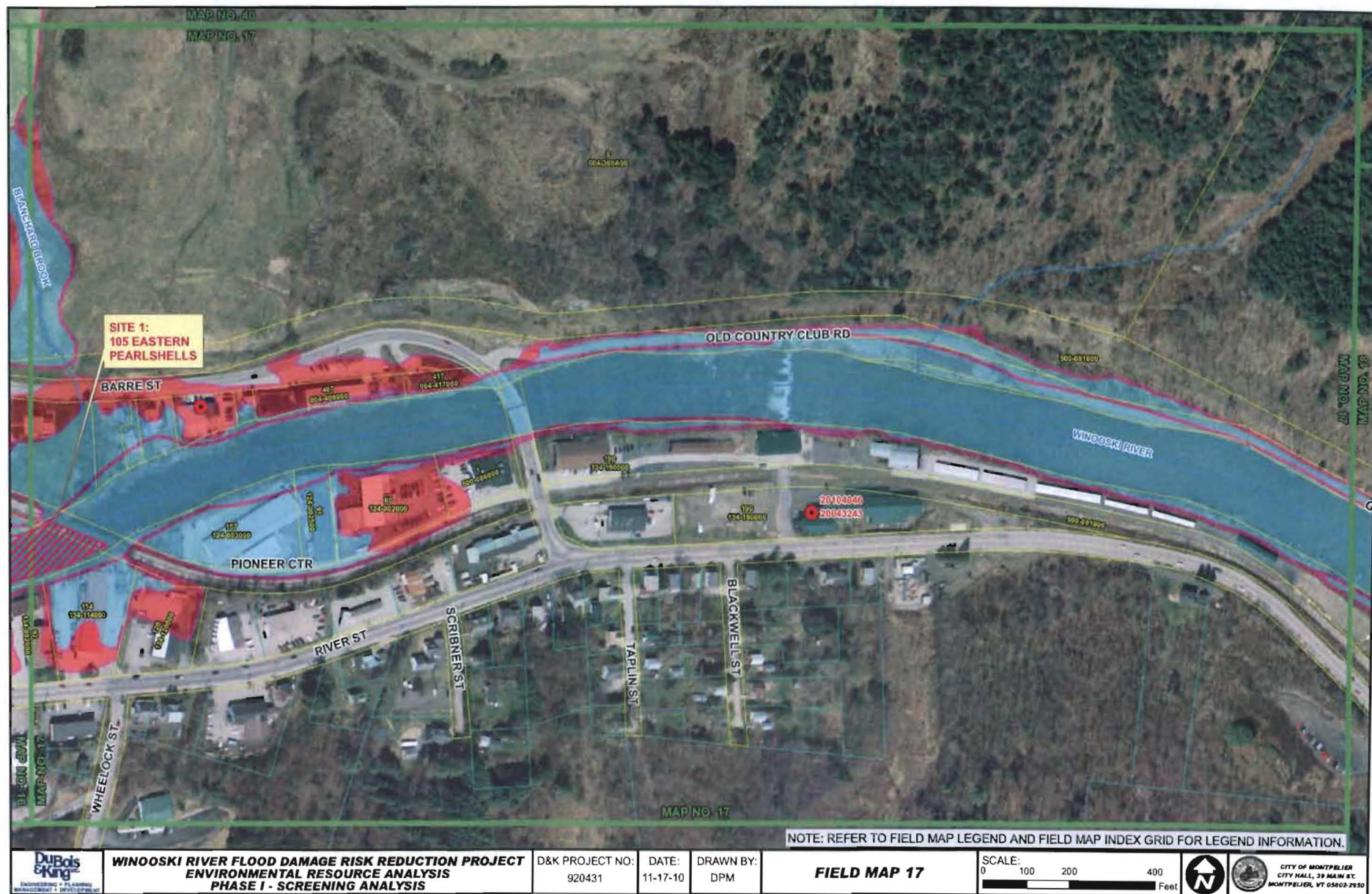
DRAWN BY:
DPM

FIELD MAP 14

SCALE:
0 100 200 400
Feet



CITY OF MONTPELIER
CITY HALL, 30 MAIN ST.
MONTPELIER, VT 05602-2650





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Randolph, VT 05060
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**ENGINEERING • PLANNING
MANAGEMENT • DEVELOPMENT**

Jeffrey W. Tucker, P.E., LEED AP
President / Chief Executive Officer

To: William J. Fraser, Montpelier City Manager

Re: Winooski River Flood Damage Risk Reduction Project
Project Status Report

Date: February 2, 2011

Overview:

1. The current project being conducted is the Feasibility Phase of the Winooski River Flood Damage Risk Reduction Project. The purpose of this phase is to conduct a detailed engineering evaluation of potential measures to reduce the risk of ice jamming and associated flooding and damages. The results of the evaluation will be used as the basis for selecting a measure(s), or not, and for advancing (or not) the project into final design phase.
2. The Feasibility Study is the next project phase that follows the Reconnaissance Study, which for Montpelier, was completed in 1996.
3. The next two phases to follow the Feasibility Study, if the City and/or Army Corps of Engineers elects to continue with the project, is to:
 - a. Conduct Final Engineering and Prepare Bidding Documents, and
 - b. Construction of the selected measure(s).
4. Project partners include: The City of Montpelier; the State of Vermont, Agency of Natural Resources; the Army Corps of Engineers, New York District; the Cold Regions Research & Engineering Laboratory (CRREL); and DuBois & King, Inc.

Status:

1. The Feasibility Study Phase was initiated in July 2010. Overall, the project is on schedule identified by the Army Corps of Engineers, New York District.
2. The Corps schedule calls for the overall completion of the Feasibility Study to be completed in 2013.
3. Structure Inventory and Structure Value Survey
 - The Structure Inventory and Structure Value Survey is the responsibility of the City /

D&K, and is largely completed. Primary elements include:

- Kickoff Conference Call (completed in July 2010)
- Memorandum for the Record (MFR) summarizing the conference call (completed in July 2010)
- Field inventory (completed in October 2010). This effort included:
 - Obtain and review existing information
 - Preparation of GIS-based field maps
 - Field review and inventory of each structure located within the defined limits of the project.
 - Preparation of structure inventory spreadsheet
 - Preparation of the 60-structure sample.
 - Submission of sample survey and overall structure inventory survey spreadsheet to the NAN for review and comment.
 - Coordination w/ ACOE
 - Respond to NAN review comments via. December 2, 2010 memo.
 - Submit revised sample survey information to the NAN.

4. Cultural and Environmental Resource Analysis

- Kickoff Conference Call (completed in September 2010)
- Memorandum for the Record (MFR) summarizing the conference call (completed in September 2010).

5. HTRW:

- Reviewed readily available historical environmental records available.
- Conducted initial discussions with VANR representatives.
- Conducted field reconnaissance of accessible areas within the study area.
- Prepared summary tables of identified hazardous waste sites within the study area.
- Prepared Phase I Environmental Assessment Report for HTRW.
- Prepared GIS-mapping of the identified HTRW sites.

6. Eastern Pearl Mussel Survey:

- Conducted an in-water site reconnaissance of the Eastern Pearl Mussel in Oct. 2010.
- Multiple animals were identified and located.
- A summary report of this effort was prepared.
- Prepared GIS-mapping of the identified mussel locations.

7. Wetlands Survey:

- A field reconnaissance was conducted in October 2010.
- Sixteen (16) wetland areas were identified.
- A Wetlands Report was prepared.
- Prepared GIS-mapping of the identified wetland sites.

8. Environmental Summary Report:

- Prepared a Phase I Environmental Assessment Report on Preliminary Wetlands Identification Hazardous, Toxic and Radioactive Waste and Eastern Pearl Mussel Survey and submitted the report to the City, NAN and VANR for review and comment on November 12, 2010.
- Coordinated with the NAN via a conference call on December 20, 2010 and discussed their review comments. Review comments have been addressed and the report updated.

9. Design Engineering and Management

- Kick-off Conference call:
- D&K coordinated and conducted a conference call with the City, NAN, VANR and CRREL to discuss methods used and data collection format. The conference call was conducted on January 10, 2010.

10. Next Steps:

- Complete the Structures Inventory & Value Survey.
- Conduct existing condition engineering (H&H, survey, etc).
- Initiate Plan Formulation, identify & evaluate feasible flood risk reduction measures