



Agenda

City Council Meeting

City Council Chambers, City Hall
Wednesday, January 8, 2020
6:30 P.M.

1. Call To Order By The Mayor
2. 20-001. Review and approve agenda
3. 20-002. General business and appearances
4. 20-003. Consideration of the Consent Agenda
 - a. Approve 12/18 meeting minutes
 - b. Street closure application: Our Voices Xposed
 - c. Payroll and bills
5. 20-004. Complete Streets Committee appointment
6. 20-005. Community Fund update
7. 20-006. Confluence Park / Vermont River Conservancy
8. 20-007. Interim River Hazard Map amendment Public Hearing
9. 20-008. Winter Parking Ban Ordinance Amendment, 2nd Public Hearing
10. 20-009. Dog Ordinance discussion
11. 20-010. Budget discussion
12. 20-011. City Council appointment discussion
13. 20-012. Other business
14. 20-013. Council reports
15. 20-014. Mayor's report
16. 20-015. City Clerk's report

17. 20-016. City Manager's report
18. Adjournment

Minutes of the Montpelier City Council Meeting
December 18, 2019 6:30pm
City Council Chambers

In attendance: Mayor Anne Watson (Chair), Councilors Dona Bate, Conor Casey, Glen Hutcheson, Jack McCullough, Ashley Hill and Lauren Hierl. Councilor Ashley Hill arrived at 6:39. City Clerk John Odum acted as secretary.

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

- 19-367. After moving up discussion of the winter parking ban ordinance amendment, the agenda was approved by acclaim.
- 19-368. City Manager Bill Fraser introduced Kelly Murphy, the new finance director. Laura Rose Abbott weighed in on the proposed interim zoning changes.
- 19-369. After brief comments, Councilor McCullough moved approval of the consent agenda. Councilor Casey seconded and the motion carried unanimously (5-0).
- 19-370. The Mayor presented Kate McCarthy with a proclamation acknowledging her being named Professional Planner of the Year. Meagan Tuttle and Kate McCarthy spoke.
- 19-375. The Winter Parking Ban Ordinance Amendment (Sibley & Prospect) 2nd Public Hearing opened at 6:45. Public Works Director Donna Barlow Casey and Fire Chief Bob Gowans came forward to participate in discussion. Comments were offered by Thomas Moore, Heather Corey, Kathleen Burrows, Stephanie Cohen, Scott Sabatino, Valerie Lewis, Stephen Cohen, Laura Rose Abbott, and Stephanie Quaranta.
- Councilor Casey moved the Council approve the addition of Sibley Avenue from College Street to Barre Street for the winter ban. Councilor McCullough seconded. The Mayor closed the public hearing at 7:38. After brief discussion, the motion was withdrawn. Councilor McCullough moved to set another public hearing at the next Council meeting on the entire ordinance amendment as proposed. Councilor Hutcheson seconded. After further discussion, the motion passed unanimously (6-0). Discussion continued.
- Councilor Hill moved the Council direct staff to report to the council by the end of July in relation to the snow removal discussion and that it be on the agenda for an August or September meeting for discussion. Councilor Hutcheson seconded, and the motion carried unanimously after discussion.
- 19-372. Carolyn Brennan and Rachel Mewes gave a presentation on the proposed Kellogg-Hubbard Library budget. After discussion, Councilor Casey moved to put the Library budget on the coming ballot for the requested appropriation. Councilor Hierl seconded and the motion carried unanimously.

The Mayor called a recess at 8:07. Meeting was reconvened at 8:15.

- 19-373. Polly Nichol and Jen Hollar gave a Housing Trust Fund update. Discussion followed. No formal action.
- 19-374. Homelessness Task Force report from Ken Russell and Dawn Little. Discussion followed. No formal action taken.
- 19-376. The public hearing for the Interim River Hazard Map Amendment was opened at 9:05. No public comments were offered. Councilor Hutcheson moved the Council schedule the next hearing for the January 8 meeting. Councilor Bate seconded and the motion passed unanimously. Public hearing was closed at 9:08.
- 19-377. Assistant City Manager Cameron Niedermayer and Recreation Director Arne McMullen were joined by John Dale and John Johnston of Breadloaf Corporation to discuss the proposed recreation building project. Fire Chief Gowans participated.
- Councilor Bate moved to hold a January 7 public meeting, and at that meeting hold that Option 1 be held as a base project, and that Options 2 and 3 get combined as a second option moving forward to March Town Meeting. Councilor McCullough seconded and the motion carried unanimously.
- 19-378. Budget discussion, no formal action taken. Todd Provencher participated.
- 19-379. The Dog Ordinance discussion was postponed for a later meeting.
- 19-381. Councilor Bate gave a Parks Commission project report, spurring brief discussion which included Police Chief Tony Facos. She also gave a Regional Planning Commission report regarding coming legislation and funding for water projects. Brief further discussion followed. Finally, she expressed appreciation for Councilor Hill who had announced her resignation effective after the meeting.
- Councilor Casey announced he would be running for re-election. He noted that he would miss his retiring District 3 colleagues.
- Councilor Hutcheson noted his coming Bagitos constituent meeting, expressed regret for missing recent Homelessness Task Force meetings, and offered a farewell to Councilor Hill.
- Councilors McCullough and Hierl offered appreciation to Councilor Hill for her service.
- Councilor Hill indicated she was resigning at the end of the meeting and read a prepared statement.
- 19-382. The Mayor expressed appreciation to Councilor Hill and made an open invitation for citizens to participate on the Homelessness Task Force and engage on issues.
- There was brief discussion on the status of a dirt pile relating to multimodal path construction. Donna Barlow Casey participated.

19-383. The Clerk offered a farewell to Councilor Hill and noted a coming election cybersecurity pilot project.

19-384. The City Manager discussed coming work on the Council schedule.

The meeting was adjourned by unanimous consent at 10:47.



CITY COUNCIL Agenda Item #20-003(b)

Date: January 8, 2020

Consent X Discussion

SUBJECT: Consideration of a Street Closure Permit Application, Our Voices Xposed State House Rally, February 11, 2020 (snow date March 10).

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Approve a Street Closure Permit Application from the Vermont Department of Health for the rolling closure of one lane only of the Bailey Avenue extension from the High School to State Street onward to the State House on Tuesday, February 11, 2020 at 8 AM for their Our Voices Xposed State House Rally, which begins at 8:00 AM.

RELATED STRATEGIC OUTCOME/PRIOR ACTION: Inclusive, Equitable and Engaged Community

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Requests for street closures require Council approval.

BACKGROUND INFORMATION: This is a recurring event.

SUPPORTING DOCUMENTS: Street Closure Application

INTERESTED PARTIES: Property owners/businesses on State Street; Vermont Department of Health; Fire; Police and Public Works

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.



Special Event / Street Closure Permit Application

1. Event Sponsor

Name: Song Nguyen	Email: Song.Nguyen@vermont.gov
Address: 108 Cherry Street Suite 203 Burlington VT 05401	
Cell Phone: [REDACTED]	
Other Phone: [REDACTED]	

2. Event Details

Name of Event: OVX Statehouse Rally	
General description of the event (1 to 3 sentences): High school and middle students from across VT will meet with and educate legislators about the important work VKAT and OVX students are doing in their schools and in the community around tobacco prevention.	
Date of Event: February 11, 2020 with a snow date of March 10, 2020	Start and End Time of Event: 8:00am-1:00pm
Street(s) to be Closed - Please attach a sketch of the event layout. From Montpelier High School via Bailey Ave Ext through to State Street to the State House Steps.	
Time Street will close (recommend up to an hour before event): 8:00am	Time Street will reopen (recommend 30 minutes after the event ends): 11:00am
Number of Staff/Volunteers on site for Event: 8	
Number of people expected at event: 90	Number of vendors and/or entertainers who will participate: 0
Name of General liability insurance carrier – Please attach proof of insurance. (General liability insurance for Special Events in the downtown area must be obtained by the Event Sponsor.)	

Special Event / Street Closure Permit Application

3. Community Support

Is this a reoccurring event in Montpelier? Yes, this is an annual event that the youth participate in at the Statehouse	If no, do you have experience elsewhere with such events? Please explain.
How does this event benefit the public (as outlined in the Street Closure Policy)? Youth groups in Vermont are able to march to the Statehouse and educate their local decision makers about the impacts tobacco products have on them and also talk about the work they have been involved in their communities.	

4. Public Safety and Public Health

Please describe any discussions or arrangements that the Event Sponsor has made with public safety or public works professionals in Montpelier. No arrangements have been made with public works however we have reached out to the Statehouse to request the use of the lawn and steps as well as facilities inside the Statehouse.
What arrangements have been made for food, water, and toilet facilities (if applicable)? Food and water will be served at the Montpelier High School. Restroom facilities will be used at both the High School and Statehouse. An existing arrangement between the Vermont Department of Health and the High School has been in existence for this specific event.
What arrangements have been made to assure that litter will be cleaned up and disposed of and that trash and recycling containers will be provided? Please refer to the response above.
If additional law enforcement officials will be hired for your event, please list: N/A
Please note any other unique aspects of this event: N/A
Will noise levels or hours exceed the city's noise ordinance? If so, will this event require a request for variance from the noise ordinance? No



Special Event / Street Closure Permit Application

5. Accessibility

As this event will take place on public property, I, as the Event Sponsor, attest that this event and all related programming and facilities meet the Americans with Disabilities Act accessibility requirements. These requirements are available at the City's website.

Signature

Printed Name

Date

6. Signature

I, the undersigned, certify that the information provided above is valid and I will abide by any additional provisions note by Officials below. I acknowledge that I have read and understand the Montpelier Street Closure policy and that I am responsible for compliance with all requirements contained in that policy. I also agree to be onsite for the duration of the above mentioned street closure.


Signature

Song Nguyen
Printed Name

11.20.2019
Date

Notice Documentation

Name of Event: Our Voices Xposed Statehouse Rally	
Date of Event: February 11, 2020 with a snow date of March 10, 2020	Start and End Time of Event: 8:00 am - 11:00 am
Street(s) to be Closed: From Montpelier High School via Bailey Ave Ext through to State Street to the State House Steps	
Time Street will close (recommend up to an hour before event):	Time Street will reopen (recommend 30 minutes after the event ends):
Date of City Council Meeting to consider permit request:	
Describe Efforts made to notify residents and businesses along the street to be closed. Notification must include both the date/time of the proposed event and the date/time of the City Council meeting where the street closure will be considered.	

Special Event / Street Closure Permit Application

FOR OFFICIAL USE ONLY

The following parties have reviewed and approved:

POLICE	
Reviewed by: <u>Anthony J. Facos</u> Print Name <u>[Signature]</u> Signature <u>12/03/2019</u> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>MPD to provide escort and control intersection.</i> ☐ Reviewed – do not recommend approval
PUBLIC WORKS	
Reviewed by: <u>Donna Barlow Casey</u> Print Name <u>[Signature]</u> Signature <u>11/25/19</u> Date	☒ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval
FIRE DEPARTMENT	
Reviewed by: <u>Robert Gowers</u> Print Name <u>[Signature]</u> Signature <u>11-25-19</u> Date	☐ Reviewed – recommend approval with no conditions ☒ Reviewed – recommend approval with conditions: <i>Maintain Emergency Vehicle Access</i> ☐ Reviewed – do not recommend approval

Special Event / Street Closure Permit Application

MONTPELIER ALIVE	
Reviewed by: _____ Print Name _____ Signature _____ Date _____	☐ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval
OTHER	
Reviewed by: _____ Print Name _____ Signature _____ Date _____	☐ Reviewed – recommend approval with no conditions ☐ Reviewed – recommend approval with conditions: ☐ Reviewed – do not recommend approval

This permit request was reviewed at the _____ City Council meeting.
(MONTH/DAY/YEAR)

This permit request was: APPROVED _____ DENIED _____



SUBJECT: Appointments to the Complete Streets Committee

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Appoint J. Dayton Crites to the Complete Streets Committee as an alternate member.

STRATEGIC OUTCOME/INITIATIVE: Thoughtfully Planned Built Environment; Sustainable Infrastructure; Responsive and Responsible Government

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: No legal requirements; Council makes appointments to fill vacancies on City Boards and Commissions

It is possible that part of this discussion will be conducted in Executive Session in accordance with Title I, VSA §313, Executive Sessions (a)(3) The appointment or employment or evaluation of a public officer or employee.

BACKGROUND INFORMATION: The Complete Streets Committee advocates for and promote the safe use of streets for pedestrians, bicyclists, and public transit riders of all ages and abilities.

There is 1 vacant alternate seats on the committee. **Staff advertised and received an application from J. Dayton Crites.**

SUPPORTING DOCUMENTS: Application

INTERESTED PARTIES: City Council; Applicant; Complete Streets Committee

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over a horizontal line.

From: noreply@civicplus.com
Sent: Tuesday, December 31, 2019 2:24 PM
To: Jamie Carroll
Subject: Online Form Submittal: City of Montpelier Boards & Commissions Application

City of Montpelier Boards & Commissions Application

APPLICATION FORM MONTPELIER CITY BOARDS AND COMMITTEES

Please use this form to express your interest in serving on a particular board/committee or commission. For information on our boards and committees, please visit <https://www.montpelier-vt.org/committeevacancies>. The Montpelier City Council makes appointments to board/committees at their regular meetings as vacancies occur. Completed applications are public documents and are subject to the Vermont Public Records Act.

The Montpelier City Council is committed to seeking diversity on all boards, committees and commissions, including but not limited to geographic, racial, gender, cultural, age, socio economic diversity. Montpelier residency for applicants is preferred but not required.

Name	J Dayton Crites
Email Address	[REDACTED]
Address	[REDACTED]
City	Montpelier
State	VT
Zip Code	05602
Phone Number	[REDACTED]
Occupation	Active Transportation and Outdoor Recreation Planner
Are you 18 years of age or older?	Yes
Are you a registered voter in the City of Montpelier?	No
Are you a resident of the City of Montpelier?	No
Are you related to any elected City Councilor (including by marriage)?	No

Do you have any pending litigation against the City?	No
Name of City Board or Committee: (If applying for more than one board/committee, please list order of preference)	Complete Streets Committee - Alternate Member
Are you currently serving or have you served on any City board or committee? If so, please list and give approximate dates.	No
<i>Please answer each question in as much detail as possible.</i>	
Education/Credentials:	Bachelor's Degree, Psychology, UC Santa Cruz, 2004 Master's Degree, Landscape Architecture and Environmental Planning, Utah State University, 2013 Certified Planner (AICP) Functional Fluency in Spanish Can make the sound of one hand clapping
Professional activities that relate to this board/committee:	Work as a community / active transportation / outdoor recreation planner for Dubois & King. Formerly employed as regional active transportation / trails planner for Cache County, UT. Have experience coordinating and executing public gatherings related to bike to work week, national bike/ped documentation project, developing and adopting by council active transportation plans, building a network of automated bike/ped counters to quantify use, developed, fundraised for, and oversaw construction of Bridger Bike Park. Contributed planning and design services to many communities across the united states related to a wide variety of planning services.
Community activities that relate to this board/committee:	Member of multiple non-profit organizations that strive to build better worlds. VMBA (locally) Founding member of SF Urban Riders (2007) Led trail workdays to build a community trail at local ski mountain Participated in annual bike to work week activities Advocated for improvements at downtown crosswalks in Logan UT etc

Why are you interested in serving on this board/committee?	I would like to be involved making a wonderful city even more attractive of a place to walk and bicycle through.
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What talents or experience would you bring to the board/committee?	Please see above.
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Any other comments or information you wish to provide to the Mayor and City Councilors?	<i>Field not completed.</i>
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Are you involved in any personal, professional or business pursuit that would affect your ability to make fair and impartial recommendations as a member of a City advisory board or committee?	No
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ACKNOWLEDGMENT	I have read and accept the terms of board/committee appointment.
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By e-signing this application, I certify that there are no misrepresentations, omissions or falsifications on this application.	Dayton Crites
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12/31/2019

Submitted on:

Thank you for your interest in serving the City of Montpelier as a volunteer board or committee member. Your willingness to serve is greatly appreciated.

Email not displaying correctly? [View it in your browser.](#)



CITY COUNCIL Agenda Item #20-005

Date: January 8, 2020

Consent ____ Discussion X

SUBJECT: Community Fund report

SUBMITTING DEPARTMENT: Community Fund Board via City Manager

RECOMMENDED ACTION: Receive report from Community Fund Board and approve grant recommendations

STRATEGIC OUTCOME/INITIATIVE: Responsive and Responsible Government; Community Prosperity; Inclusive, Equitable and Engaged Community

EXPENDITURE REQUIRED: \$130,150

SOURCE OF FUNDS: FY21 Budget general fund appropriation.

LEGAL REQUIREMENTS: MCF Board reviews applications and recommends funding to Council. Council awards funding.

BACKGROUND INFORMATION: The Community Fund Board was created by the City Council in 2012 to review requests and recommend allocation of municipal funds to local non-profit organizations and individual artists. Each year, the Board solicits applications for grants from the fund. The Board takes into consideration prior funding, breadth of support, and the extent to which the grant benefits Montpelier, its residents and the public good. The MCF Board is responsible to the City for determining that grant funds are used for the purposes for which they were approved.

SUPPORTING DOCUMENTS: Memo and recommendations from the Community Fund Board

INTERESTED PARTIES: City Council; Community Fund Board; Grant applicants **CITY**

MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman".

MEMO

To: Anne Watson, Mayor
Montpelier City Councilors

CC: Bill Fraser, City Manager

From: Montpelier Community Fund Board Members

Date: 1/5/20

Re: FY 21 Montpelier Community Fund Recommendations

As charged by City Council, the Montpelier Community Fund Board has solicited, reviewed, and recommended grant applications for FY 21. With this communication, we seek to share with you the total sum of the grant recommendations, and to offer context for those recommendations.

Recommendations

The Montpelier Community Fund's FY 21 grant recommendations total \$130,150.

Context

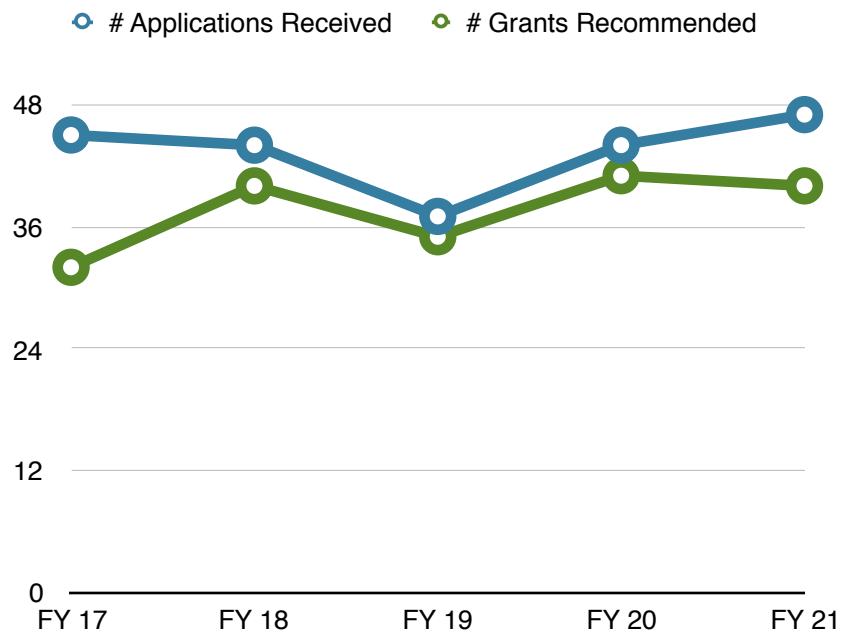
Our recommended grants total \$3,100 less than last year's total of \$133,250.

City Grants to Non-Profits: 5 Year Funding Trends

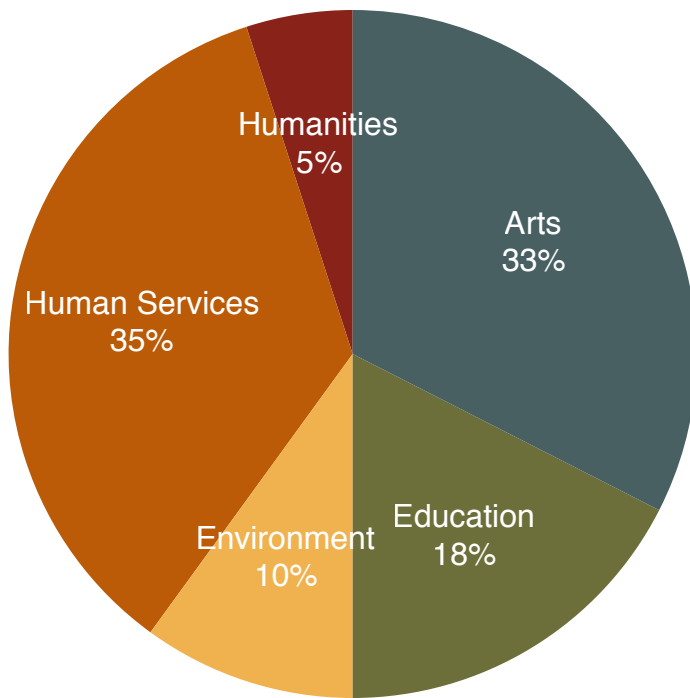
	FY 21	FY 20	FY 19	FY 18	FY 17
Total Funding Recommended by MCF	\$130,150	\$133,250	\$115,500	\$120,000	\$118,800
Nonprofit Grants on City Ballot by Petition:					
Central Vermont Home Health & Hospice	(Did not apply to MCF.)	-	\$20,000	\$20,000	-
Good Samaritan Haven	(Applied. MCF grant funding recommended.)	-	\$4,000	-	-
People's Health & Wellness	(Applied. MCF grant funding recommended.)	-	\$2,000	-	-
North Branch Nature Center	(Applied. MCF grant funding recommended.)	-	-	-	\$75,000
Total City Grants to Nonprofits	<u>\$130,150</u>	<u>\$133,250</u>	<u>\$141,500</u>	<u>\$140,000</u>	<u>\$193,800</u>
	(Petitioned ballot items yet unknown)				

Trends: Discussion

- The number of applications MCF received this year was 47. This number has been stable over the past 5 years, with one outlier year in FY 19 (when we received 37 applications). (See the line graph, “Applications & Grants: 5 Year Trends”)
- 85% of the applications are recommended for funding, which is in line with the 5-year average of funding 87% of applications.
- We received 40 grant applications, totaling \$190,870 in requests. This total is the largest ever.



FY 21 Grants by Category



- The average grant size declined slightly this year, to \$2,830, largely due to the absence of Central Vermont Home Health and Hospice in the application pool. Their FY 20 grant of \$13,500 was significantly greater than that year's average grant size of \$3,250.

- Grants to human services organizations and to arts organizations dominate the grantmaking portfolio. Second most common were requests from organizations doing education, from early childhood education to education for adults.

- The MCF board continues to work to create a greater degree of equity of funding among grantees, relative to organizational impact.

- MCF continues to raise the bar for grantees in order to ensure taxpayer funds are used in a fiscally efficient and programmatically effective manner, while also maintaining a common sense balance between the burden we place on applicants and the small size of most MCF grants.

We thank you for the opportunity to serve the City as members of the Montpelier Community Fund Board. We look forward to presenting these recommendations to you, and answering your questions during the Wednesday, January 8, 2020 City Council meeting.

Montpelier Community Fund Board Members:

Amy Cunningham

Michael Sherman

Judy Stermer

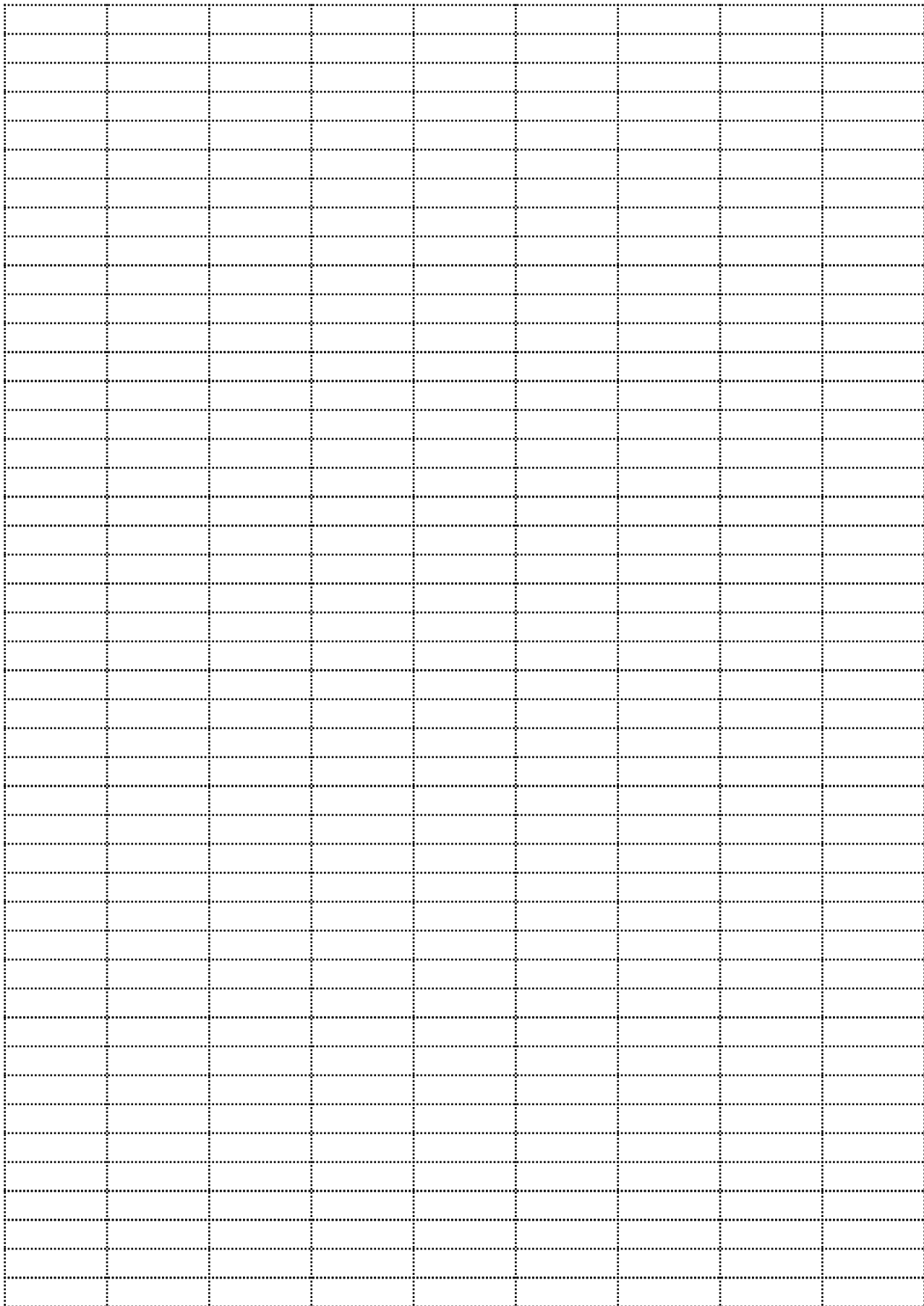
Ron Wild

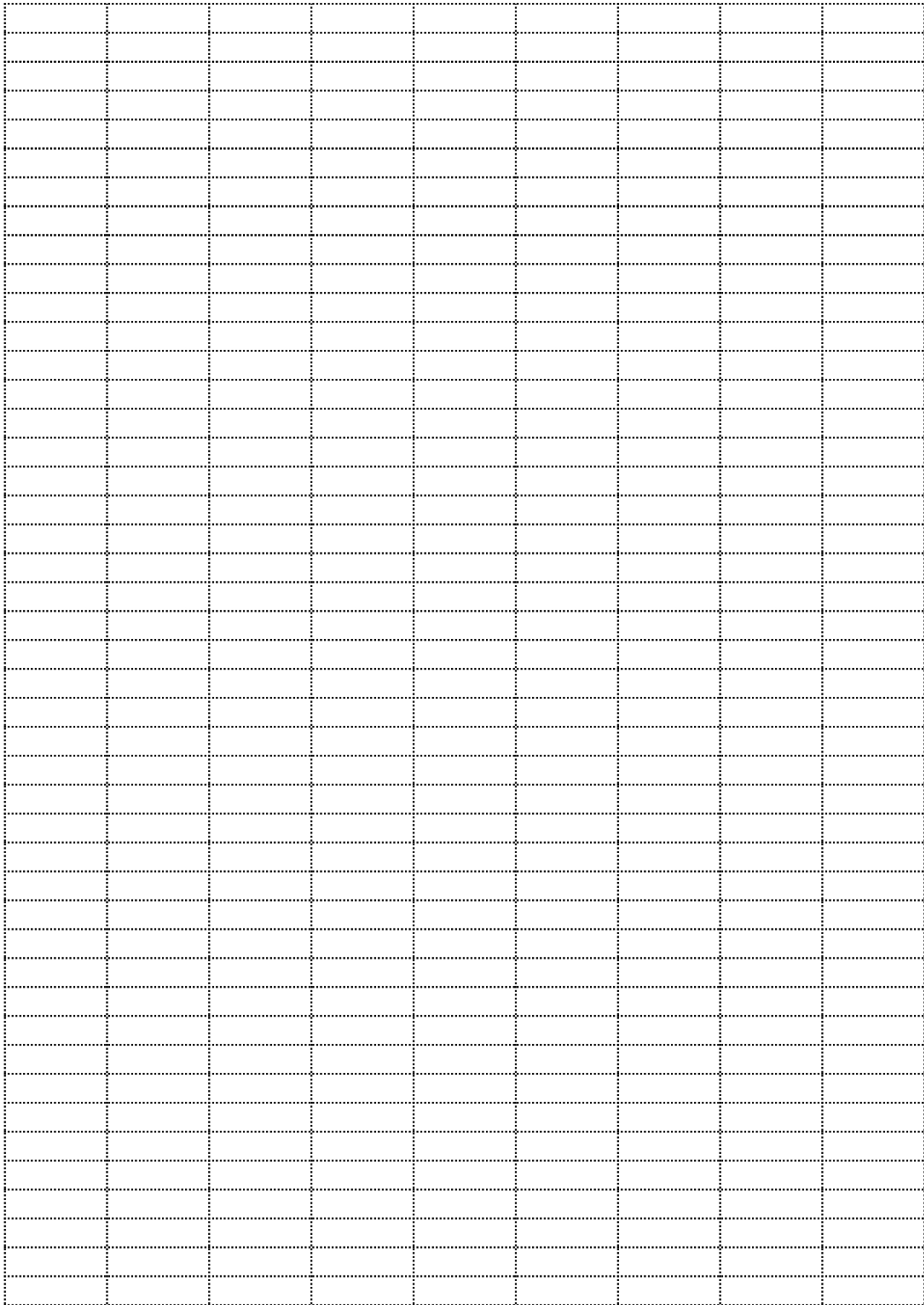
Christine Zachai

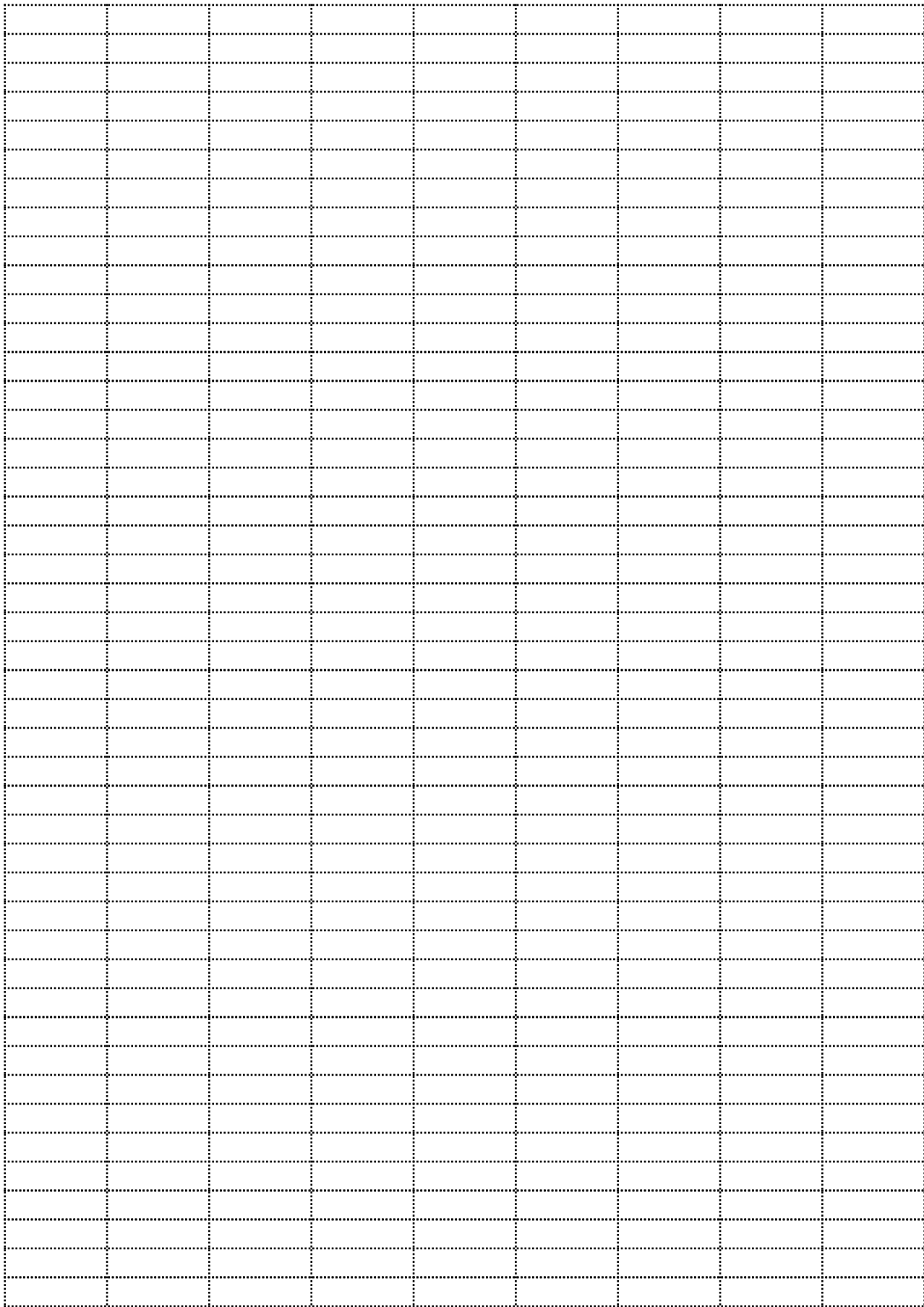
MCF Requests FY 2021		
<i>Organization</i>	<i>FY21 Requested</i>	<i>FY21 Recommended</i>
GENERAL FUND		
American Red Cross	1,000.00	500.00
Another Way	5,000.00	5,000.00
Capstone Community Action	2,000.00	2,000.00
Central Vermont Adult Basic Ed	6,000.00	6,000.00
Central Vermont Council on Aging	10,000.00	5,000.00
Central Vermont Memorial Civic Center	2,000.00	0.00
CIRCLE	3,000.00	3,000.00
Community Harvest of Central VT	5,500.00	5,500.00
Downstreet Housing	5,000.00	5,000.00
Family Center of Washington County	3,500.00	2,500.00
Friends of the Winooski	750.00	750.00
Girlz/Boyz First Mentoring	2,000.00	2,000.00
Good Beginnings of Central Vermont	1,000.00	1,000.00
Green Up Vermont	300.00	300.00
Hyperbaric Vermont	1,500.00	0.00
Just Basics–Montpelier Home Delivery Program	14,100.00	14,100.00
MRPS Partners in Education Corp	1,600.00	0.00
North Branch Nature Center	12,000.00	5,500.00
Orchard Valley Waldorf School	10,000.00	0.00
People's Health & Wellness Clinic	2,000.00	2,000.00
Prevent Child Abuse	1,200.00	1,000.00
Project Independence (Gifford Retirement Community)	2,000.00	0.00
Sexual Assault Crisis Team	5,000.00	3,000.00
Turtle Island Children's Center	5,000.00	0.00
Vermont Association for the Blind & Visually Impaired	500.00	500.00
Vermont Center for Independent Living	5,000.00	5,000.00
Vermont Family Network	500.00	500.00
Vermont River Conservancy	7,000.00	2,000.00
Washington County Diversion Program	2,000.00	2,000.00
Washington County Mental Health Services	10,000.00	4,500.00
Washington County Youth Service Bureau	17,000.00	17,000.00
TOTAL:	143,450.00	95,650.00
ARTS FUND		
AllTogether Now	1,000.00	1,000.00
Capital City Band	1,000.00	750.00
Capital City Concerts	2,500.00	2,500.00
Center for Arts and Learning	2,000.00	2,000.00
Green Mountain Youth Symphony	1,500.00	1,500.00
Green Mountain Film Festival	2,000.00	2,000.00
Lost Nation Theater	7,500.00	7,000.00

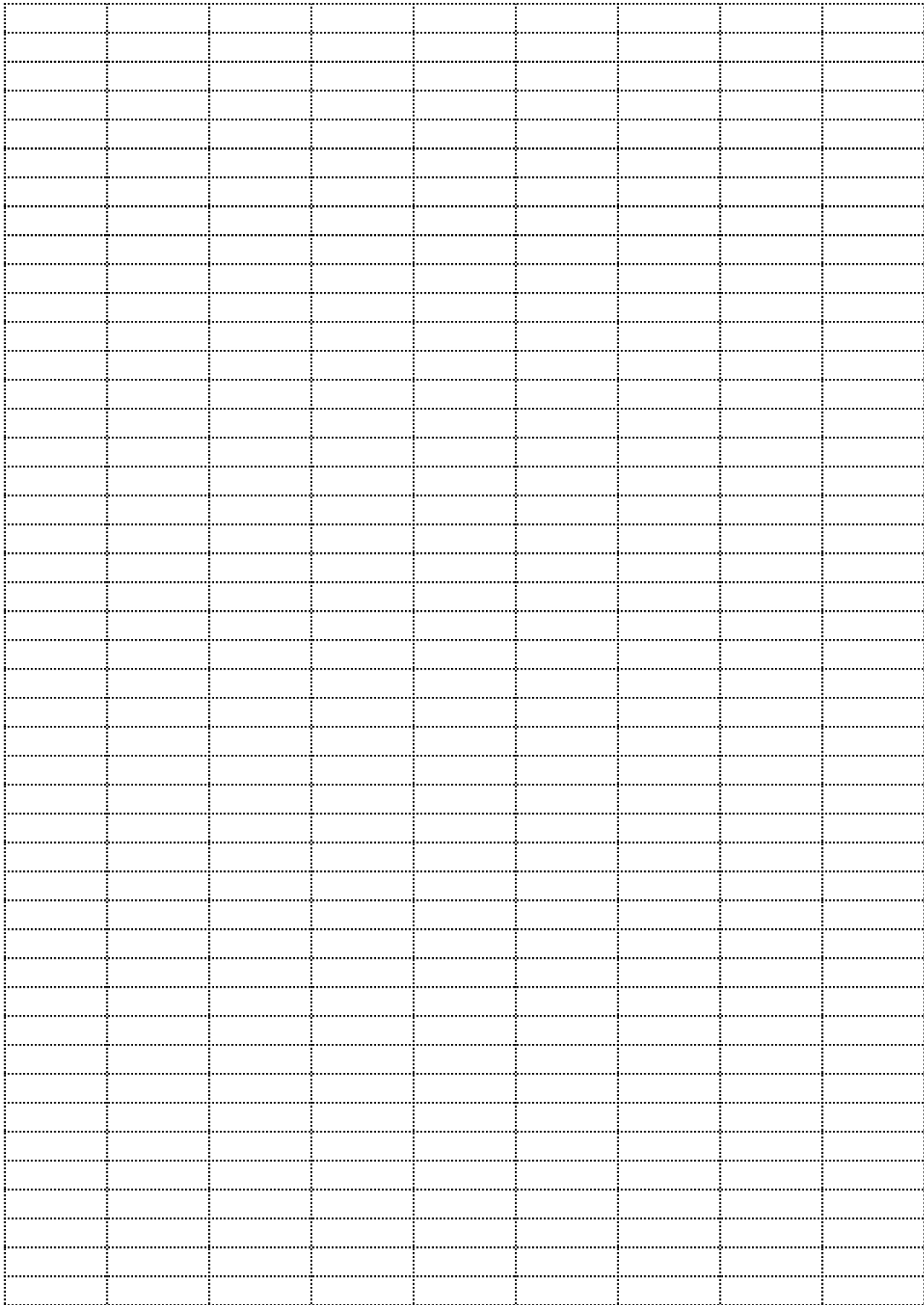
<i>Comparison to FY20</i>							
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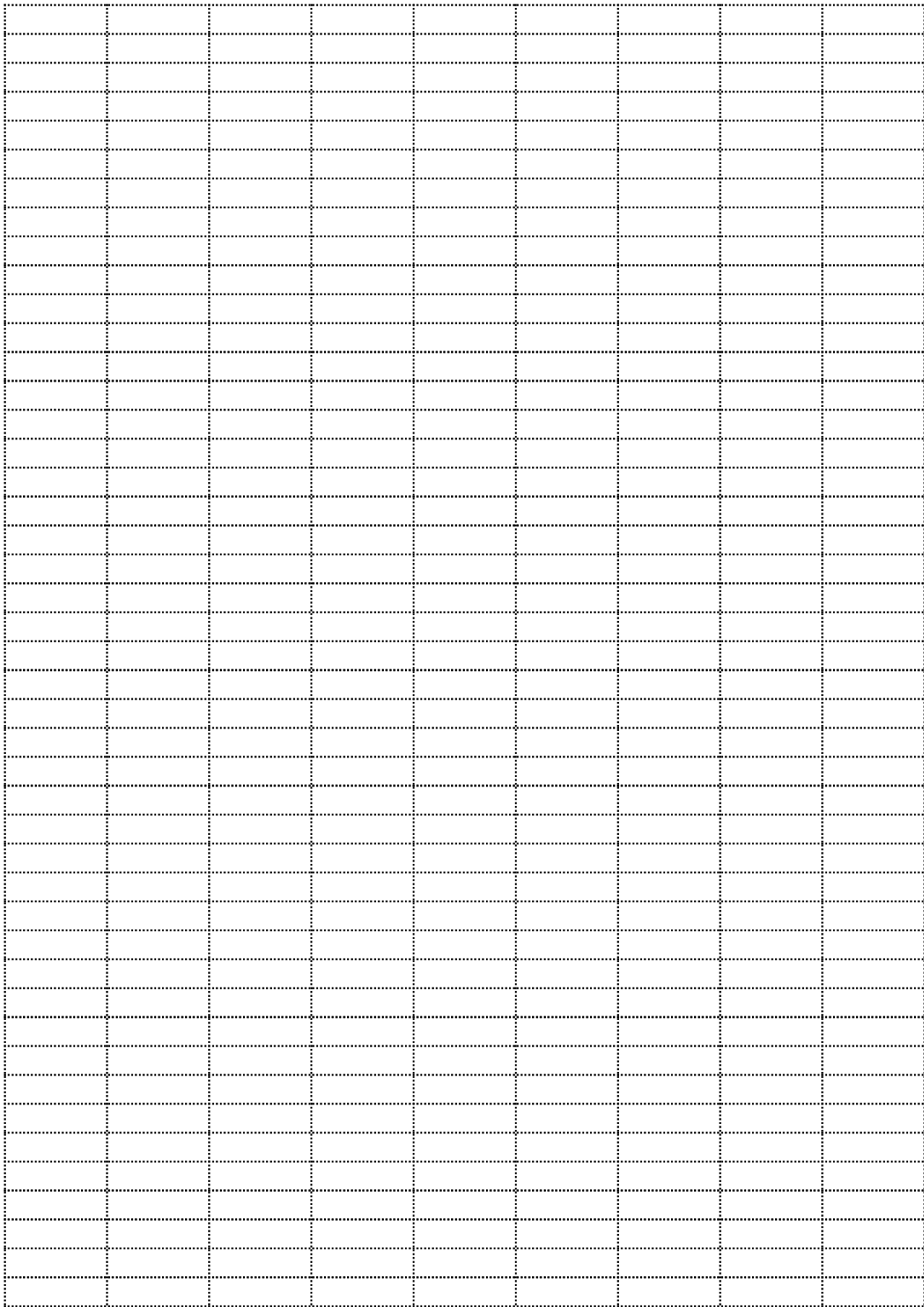
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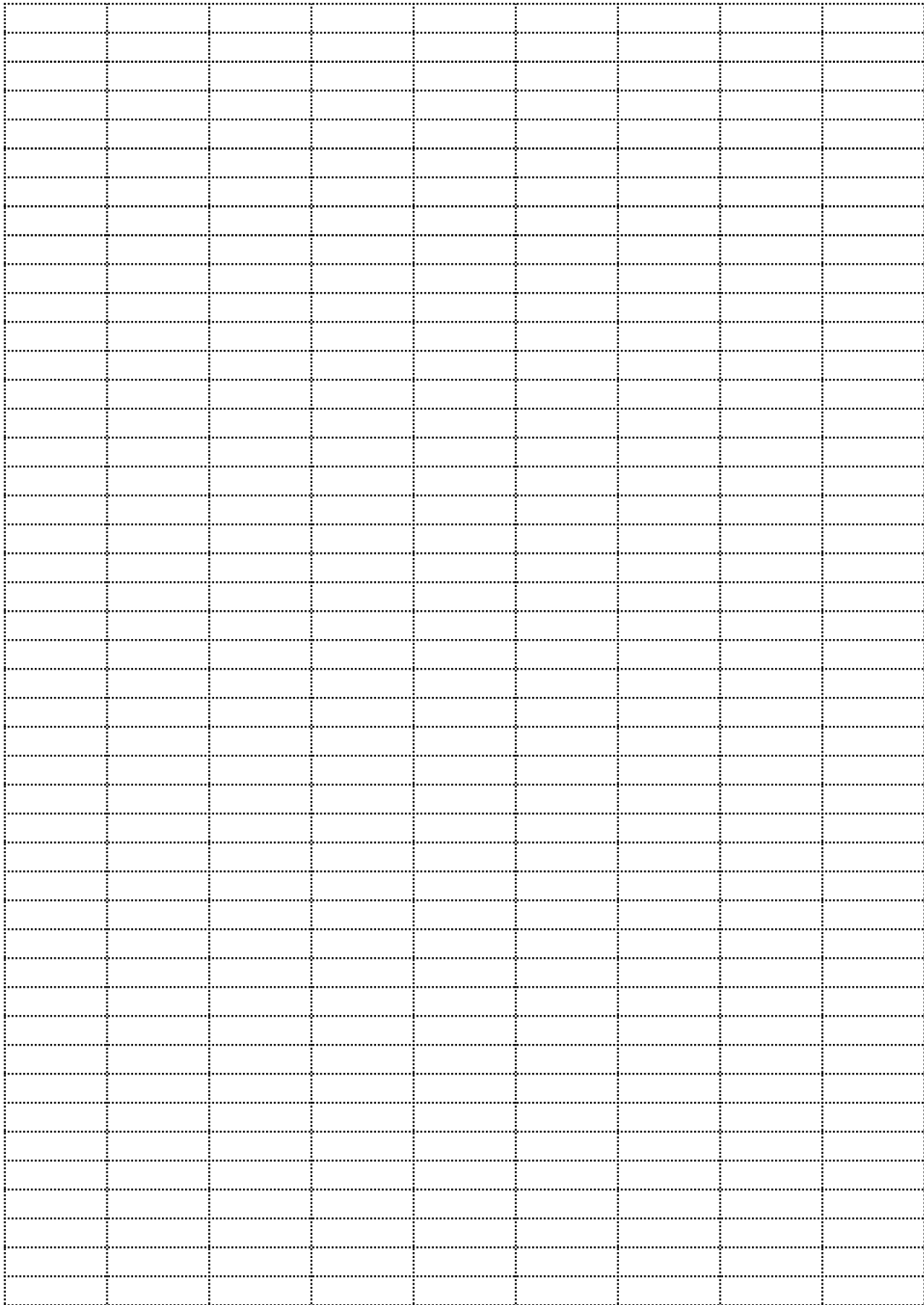


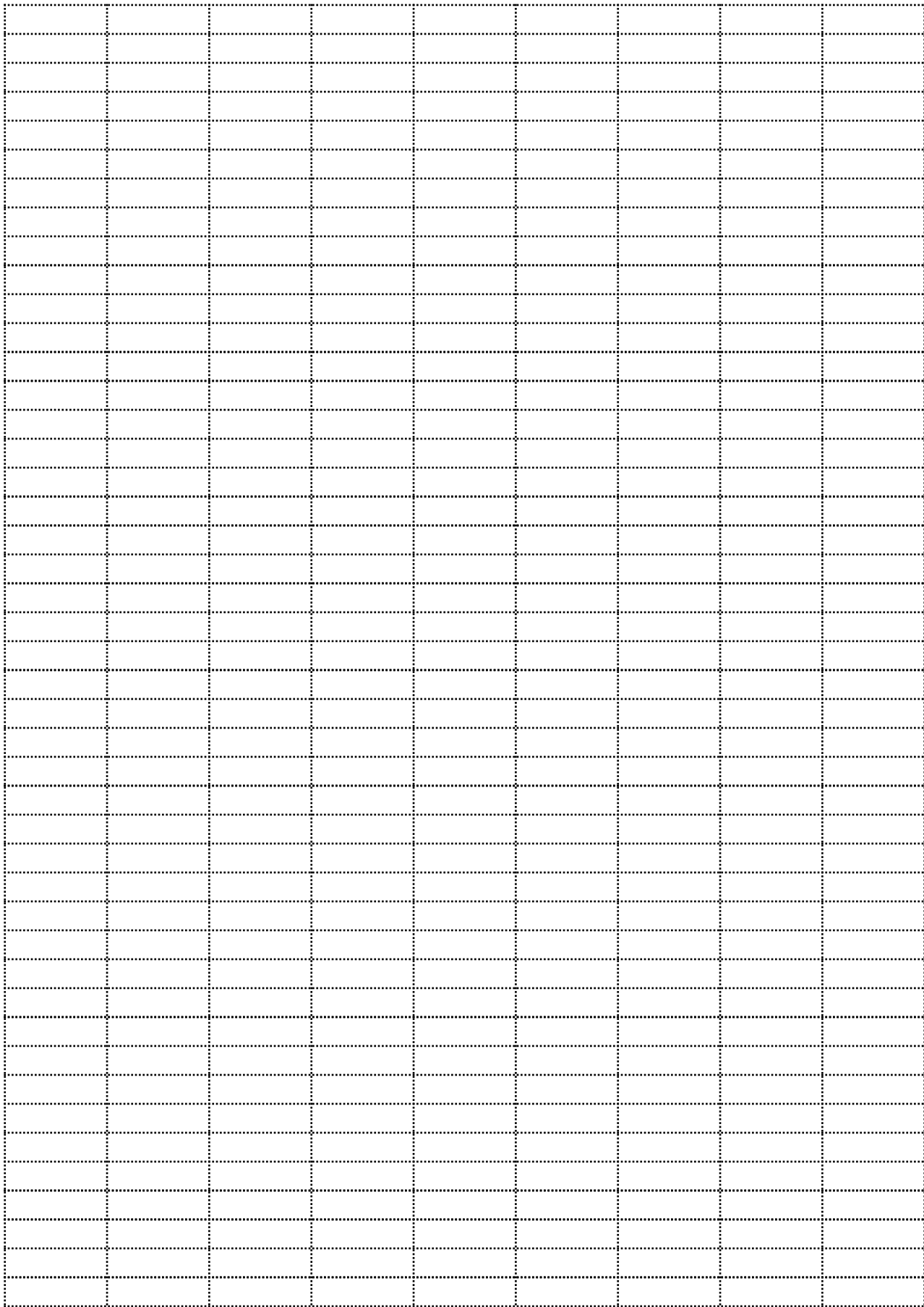


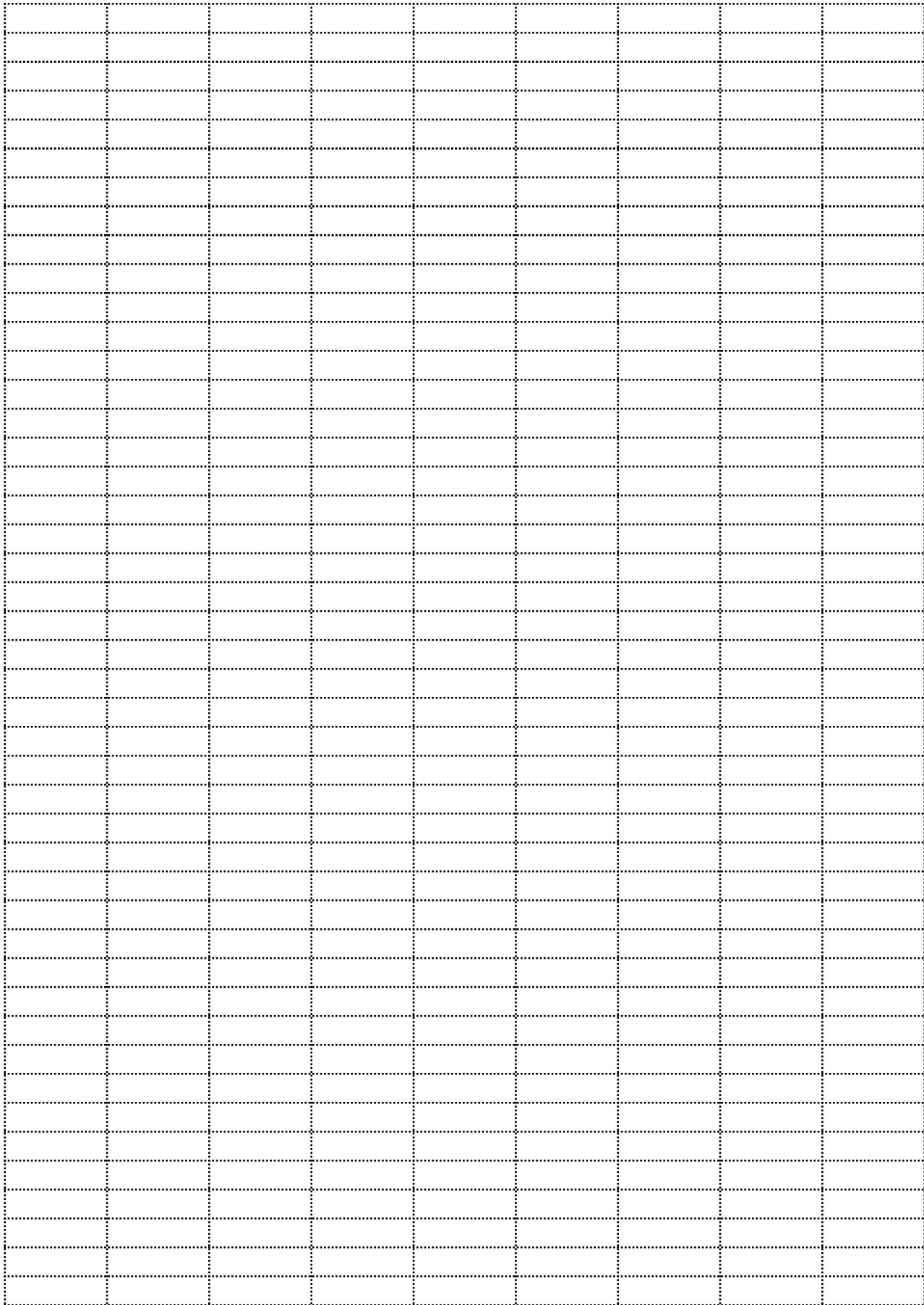


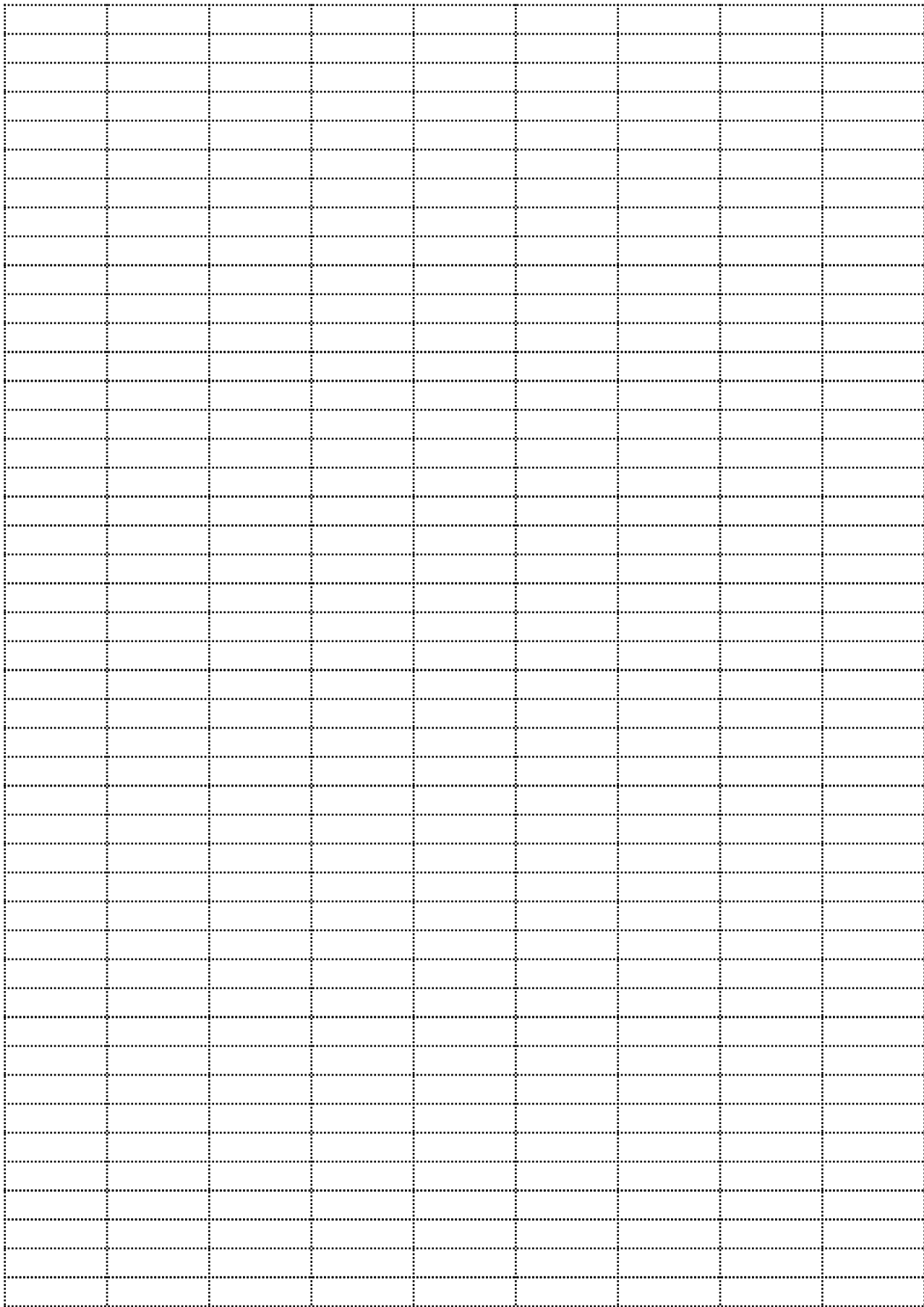


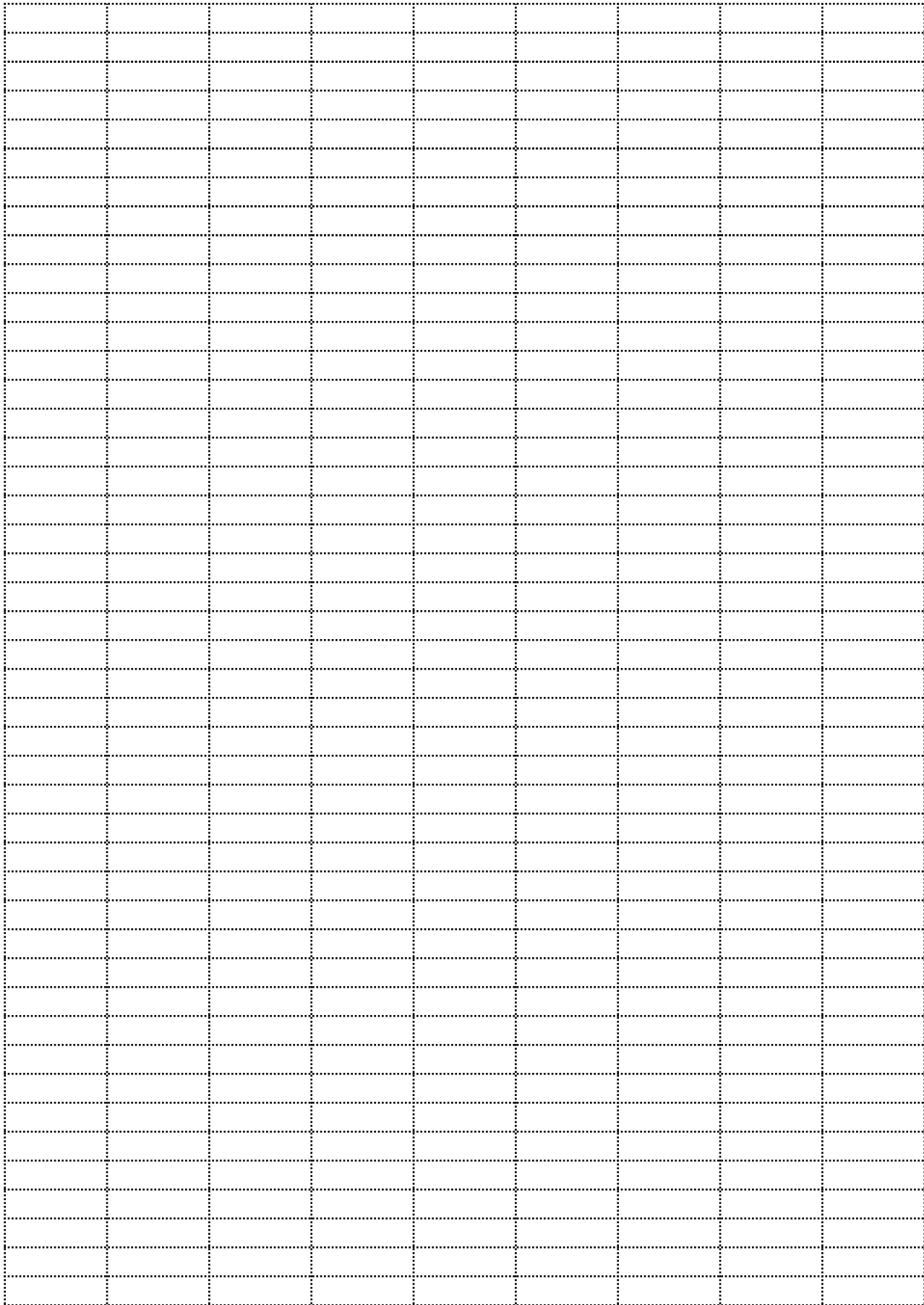


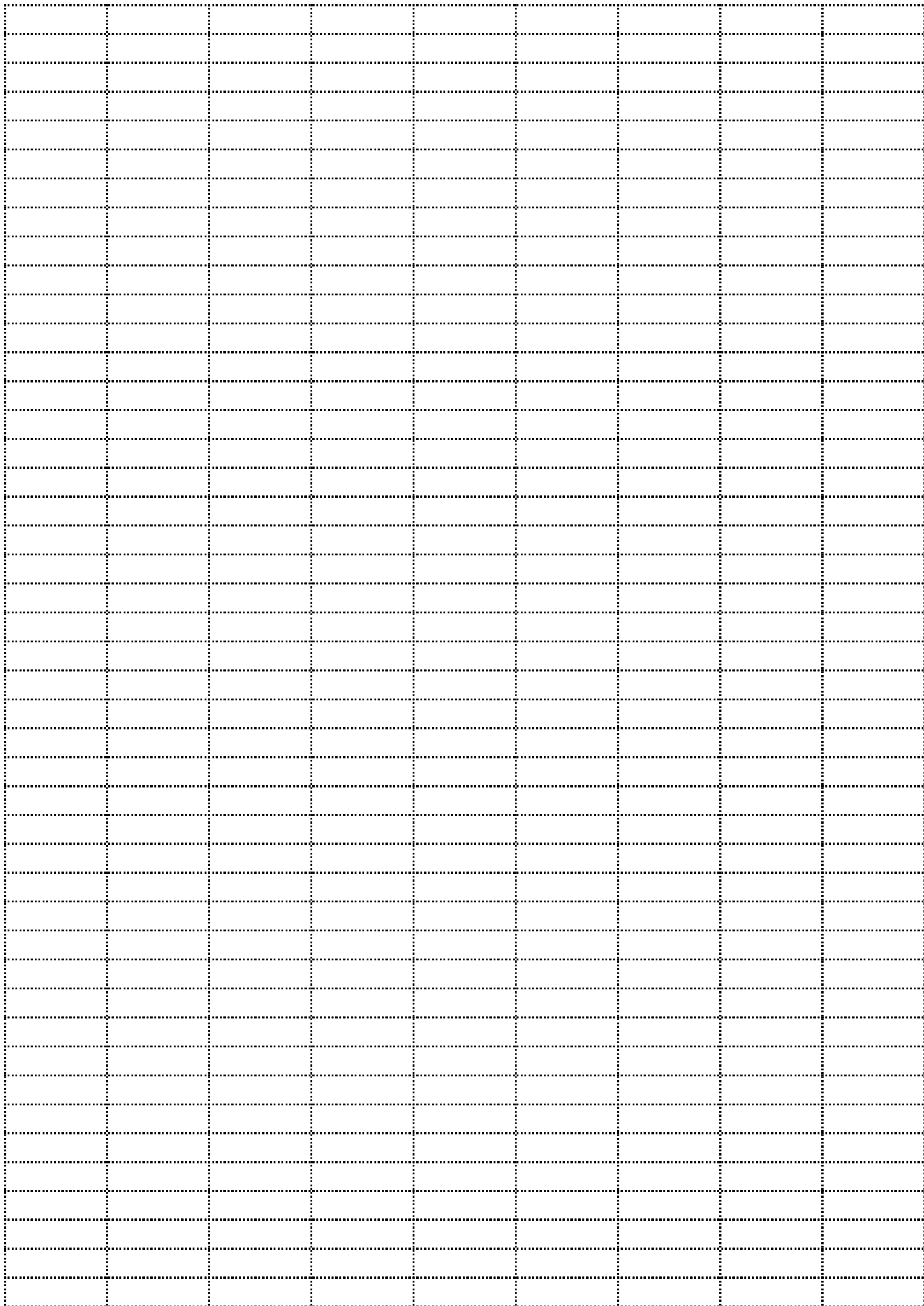


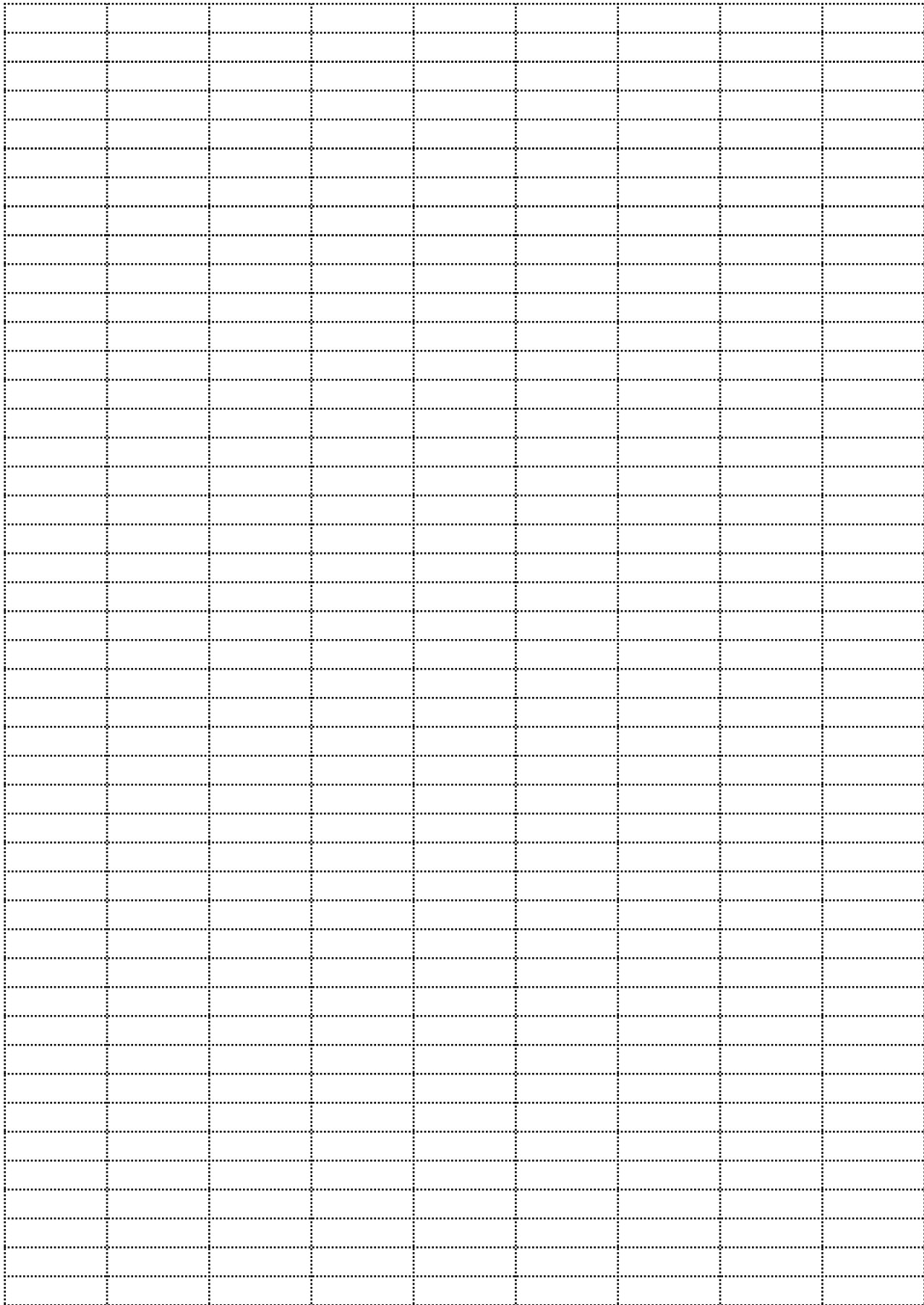


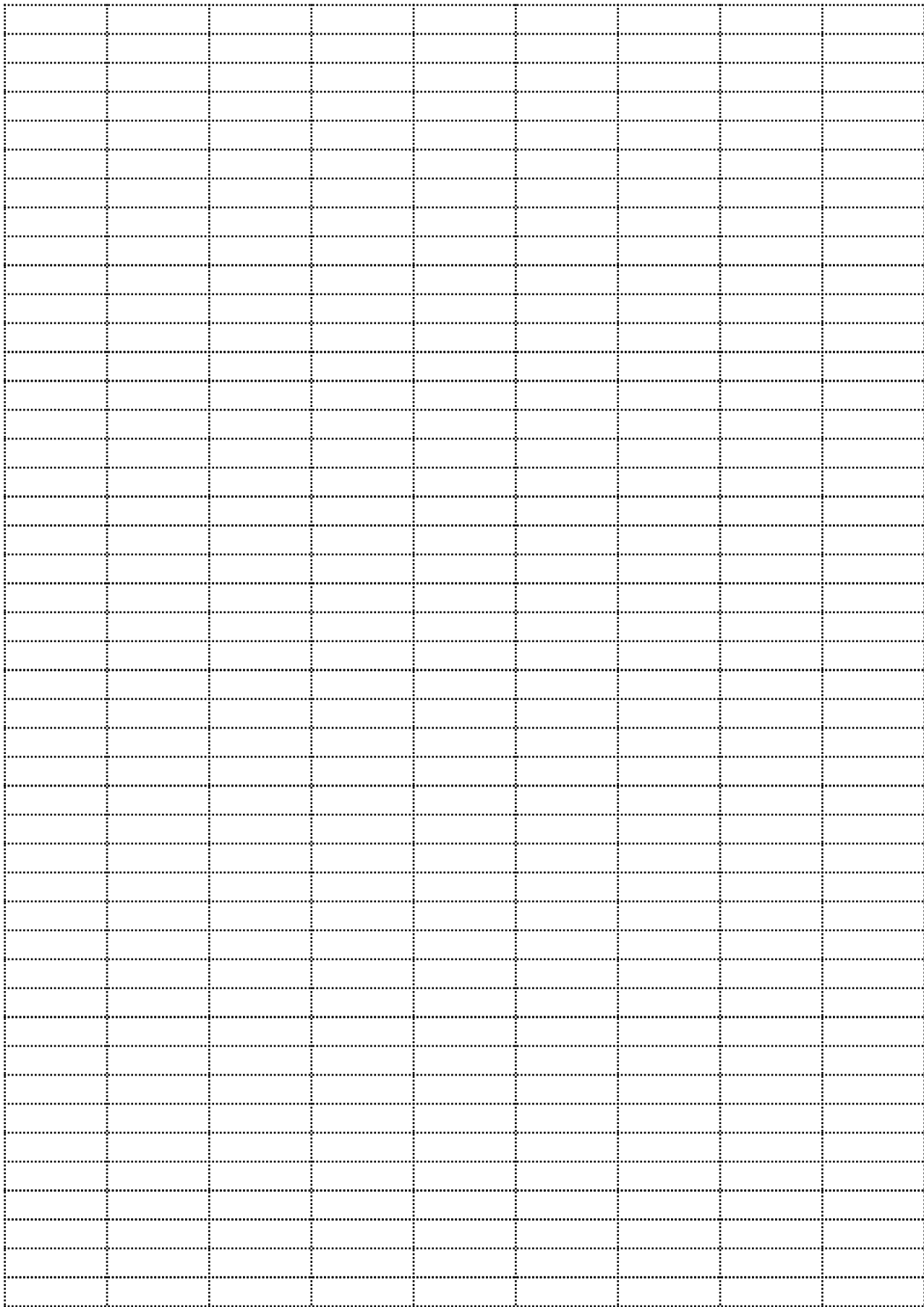


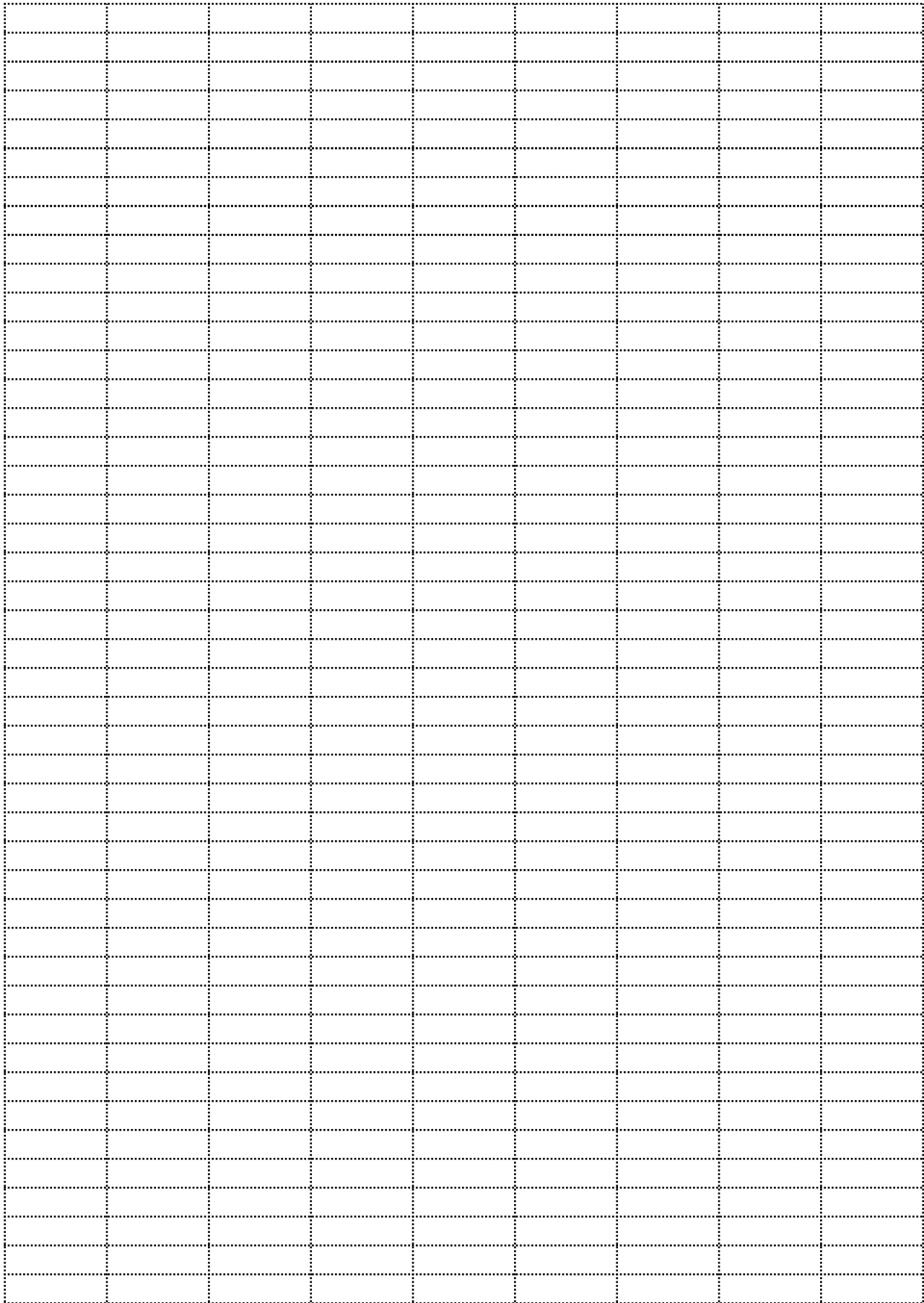


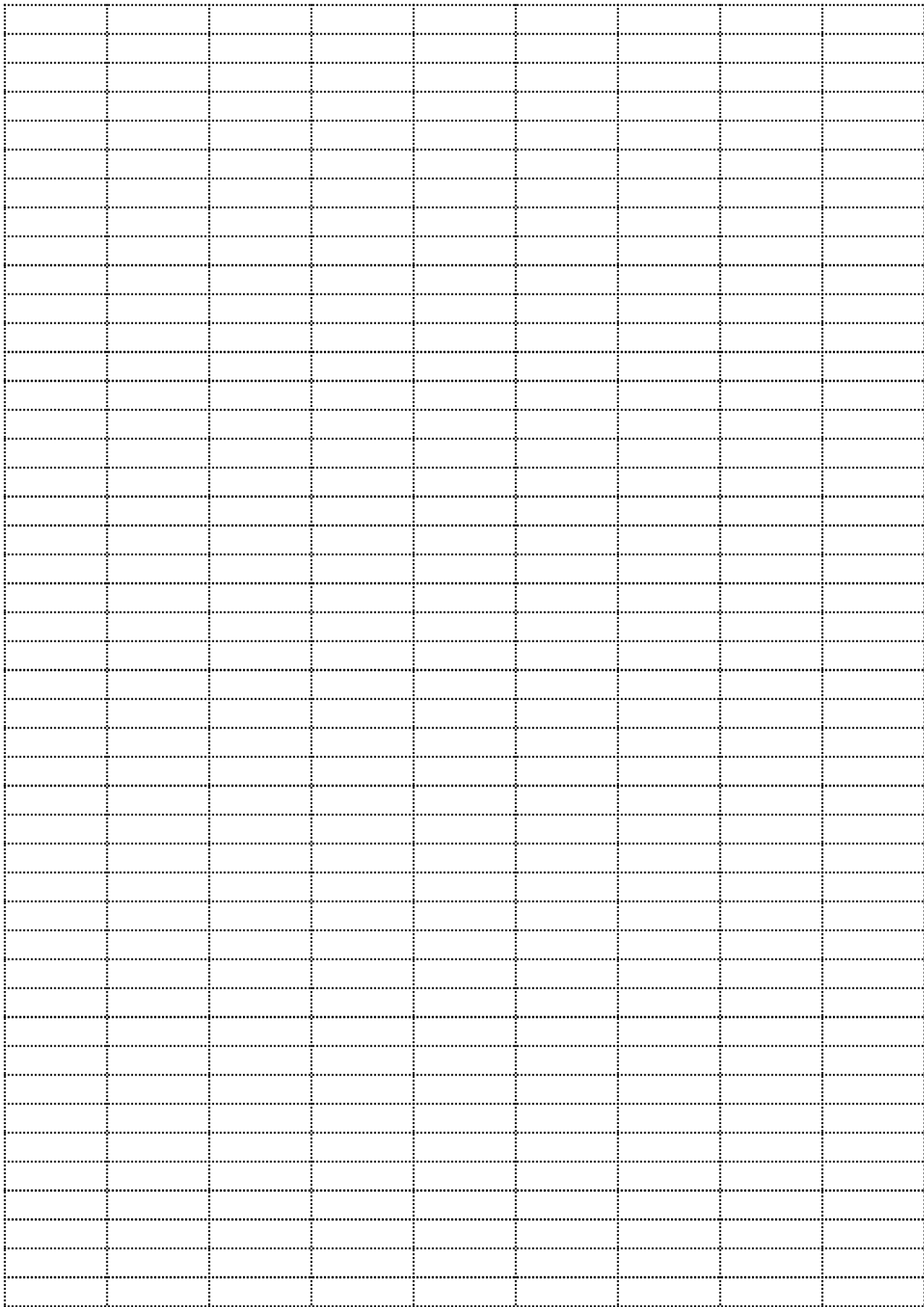


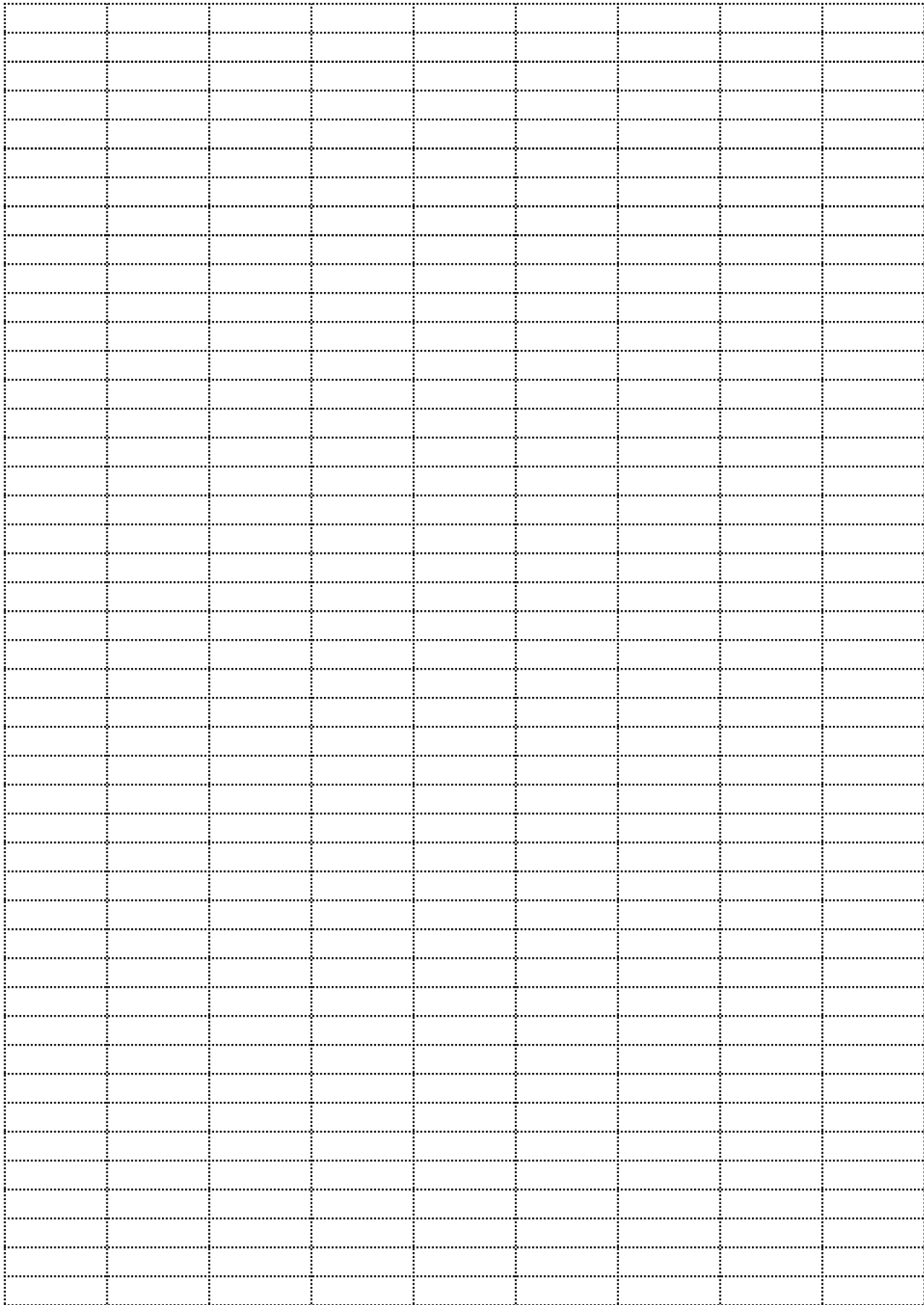


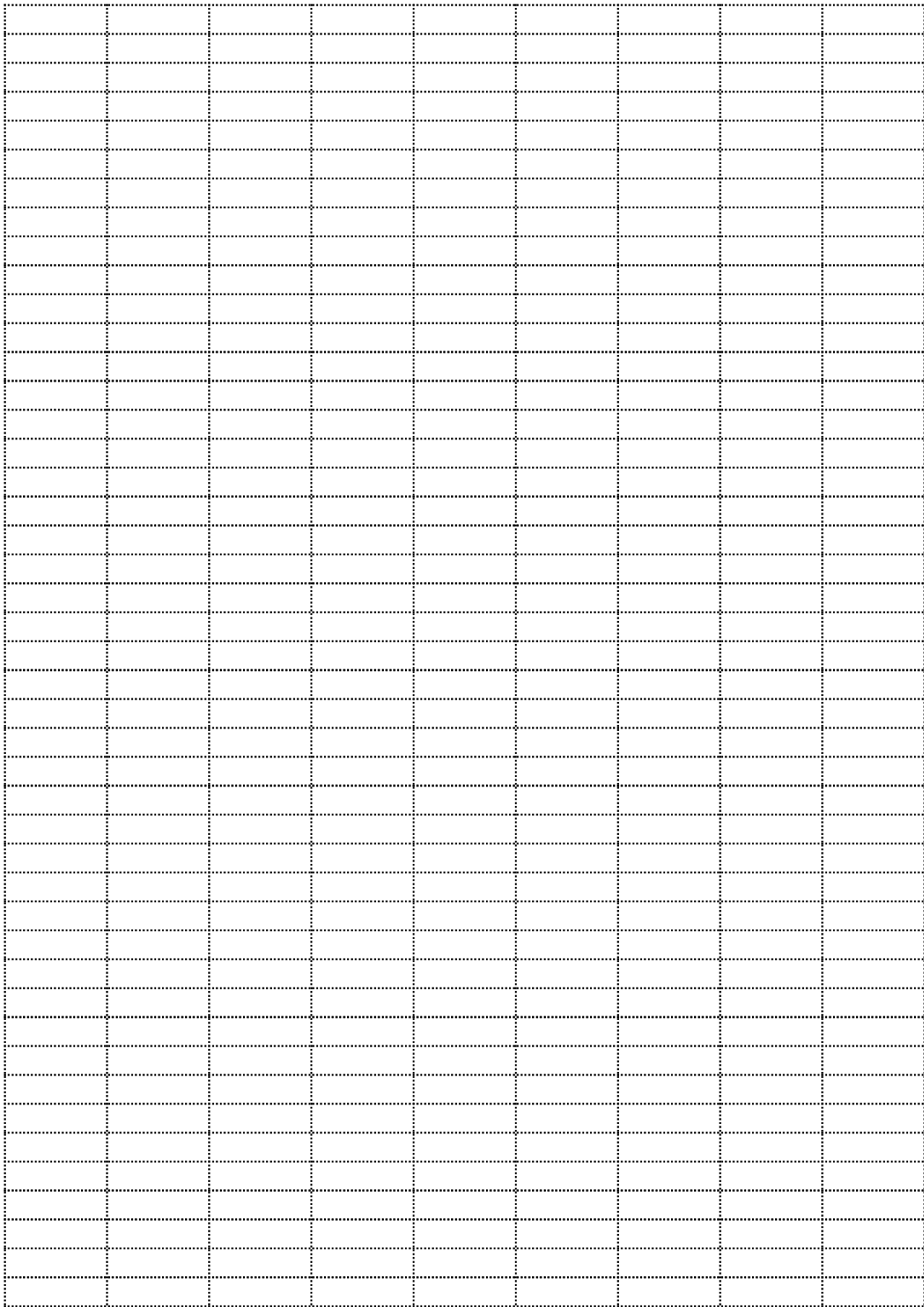


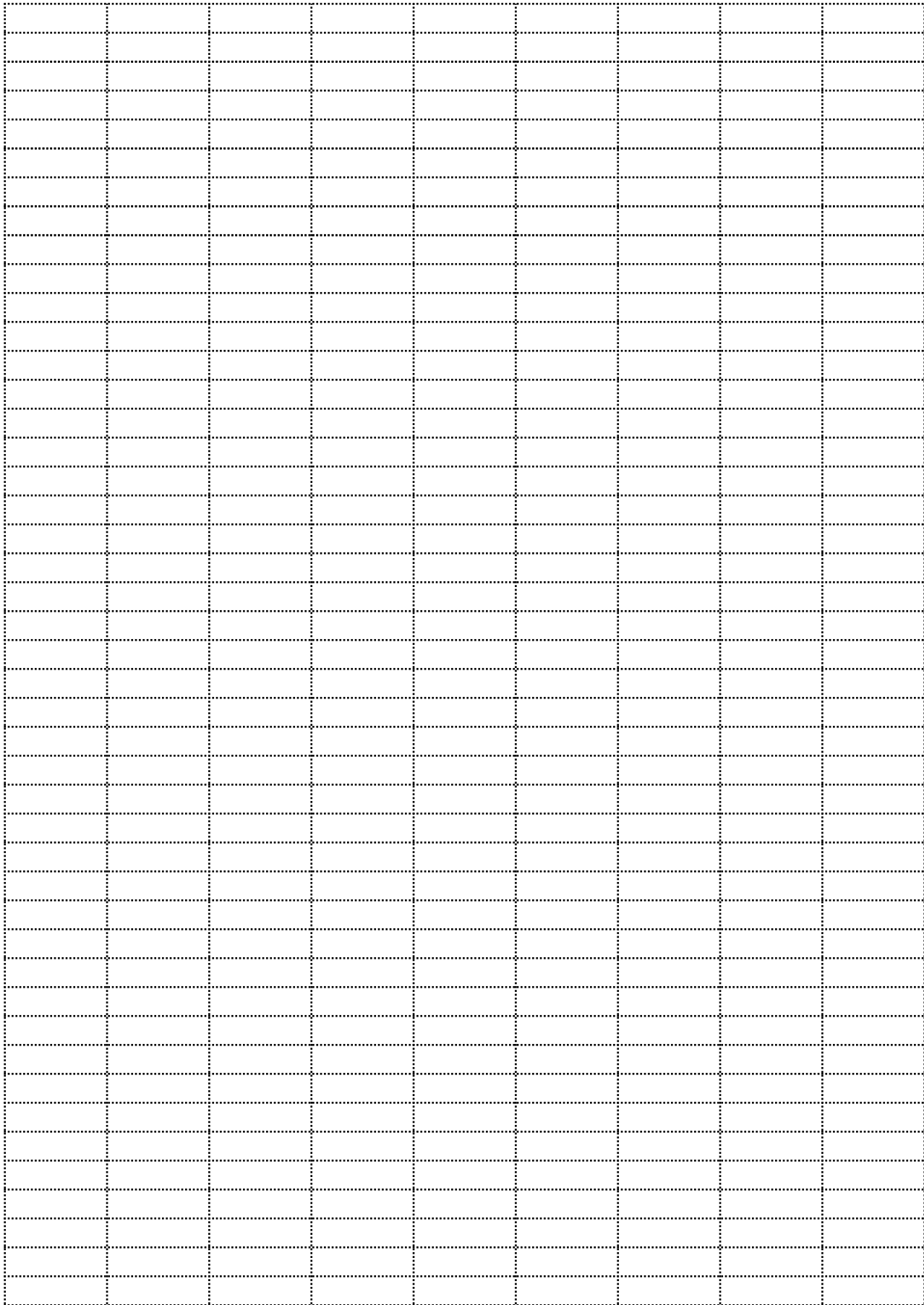


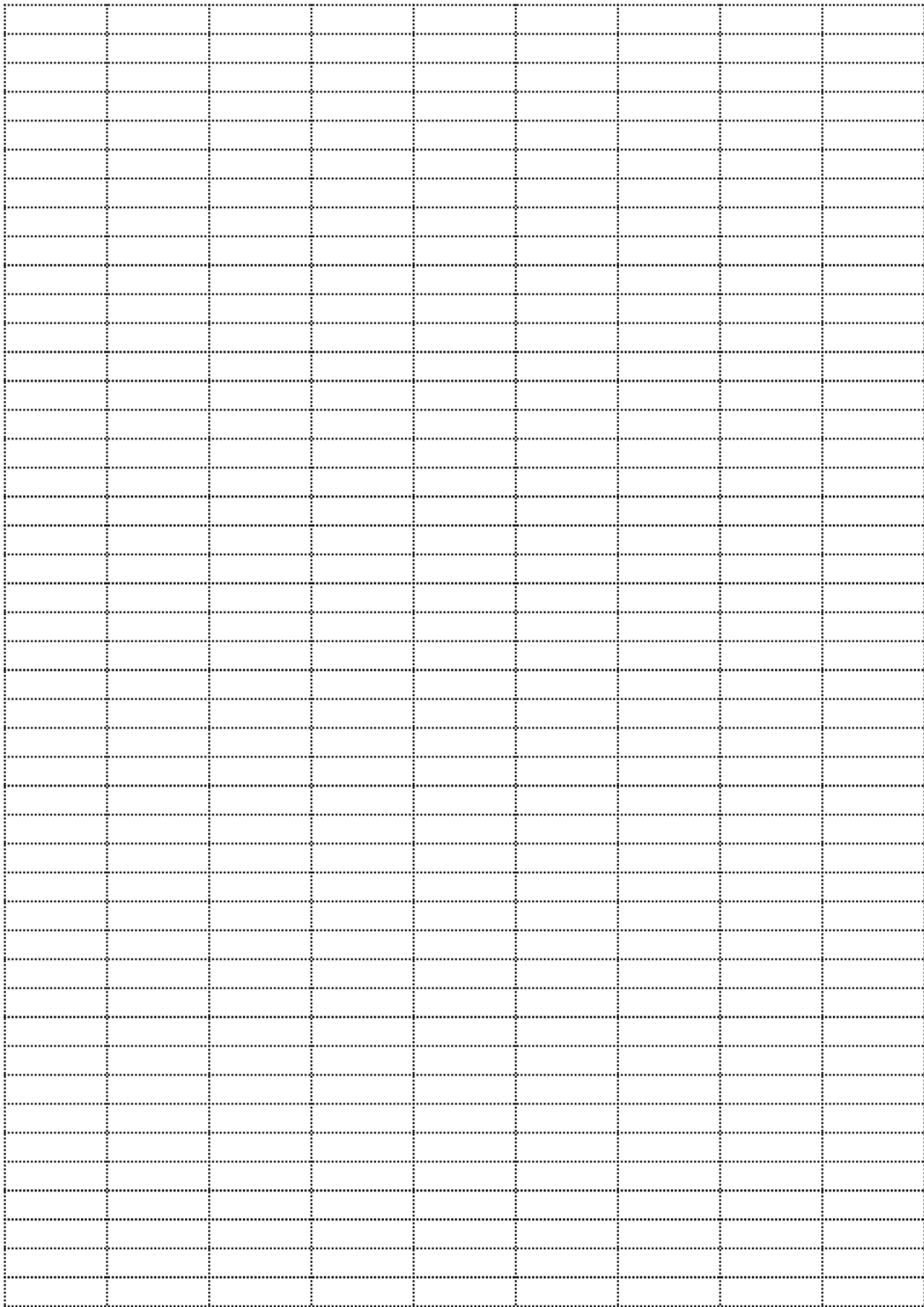


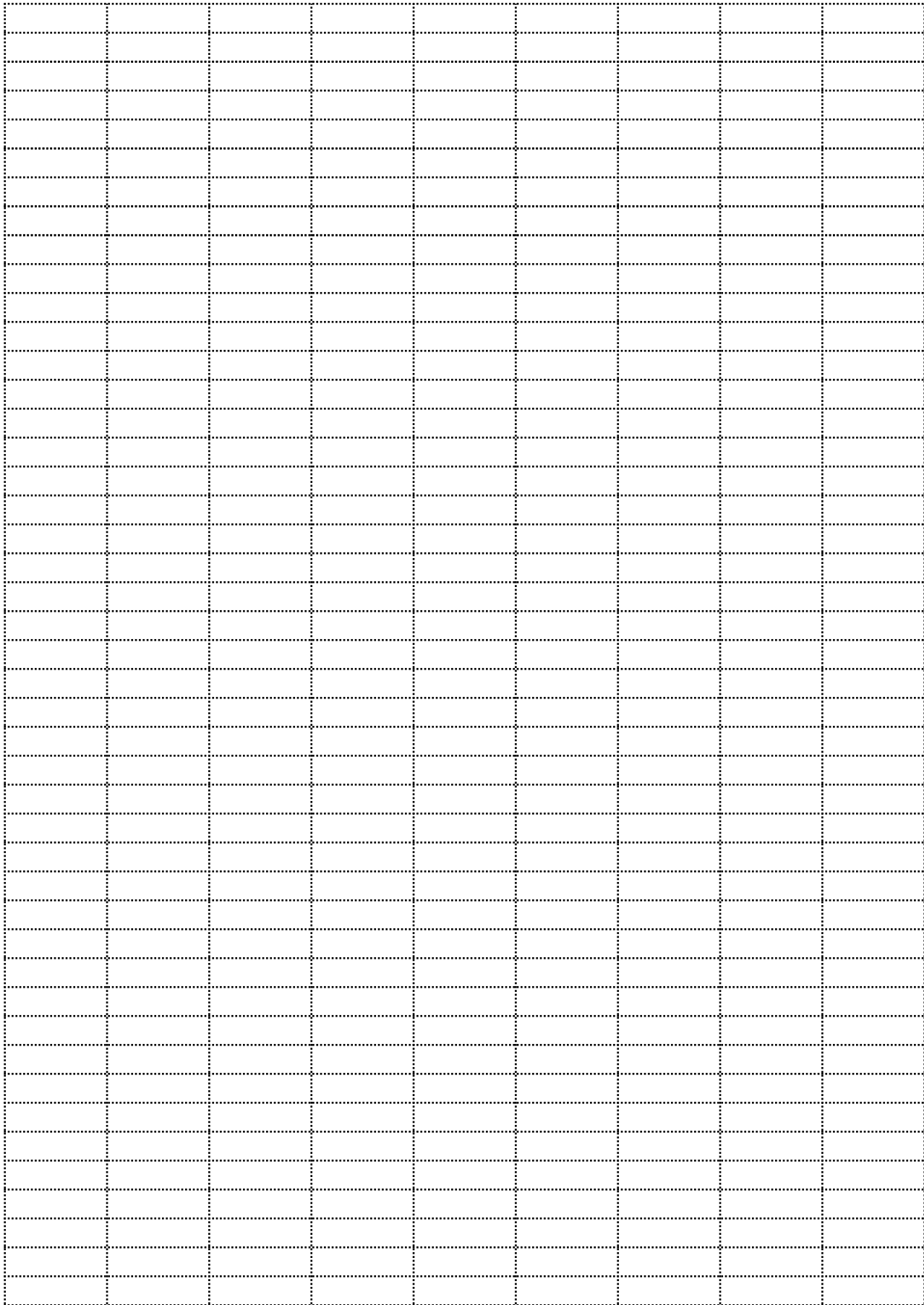


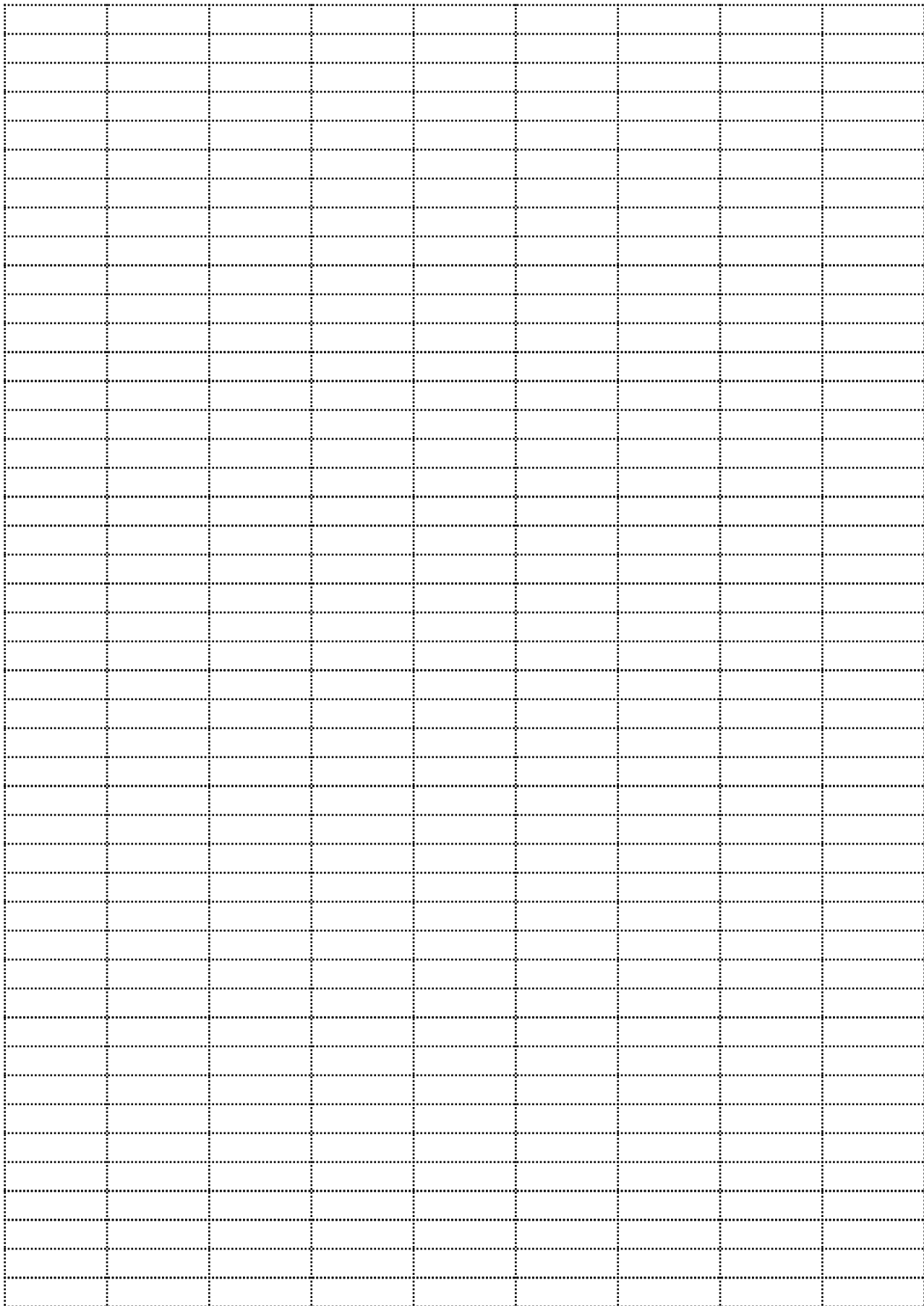


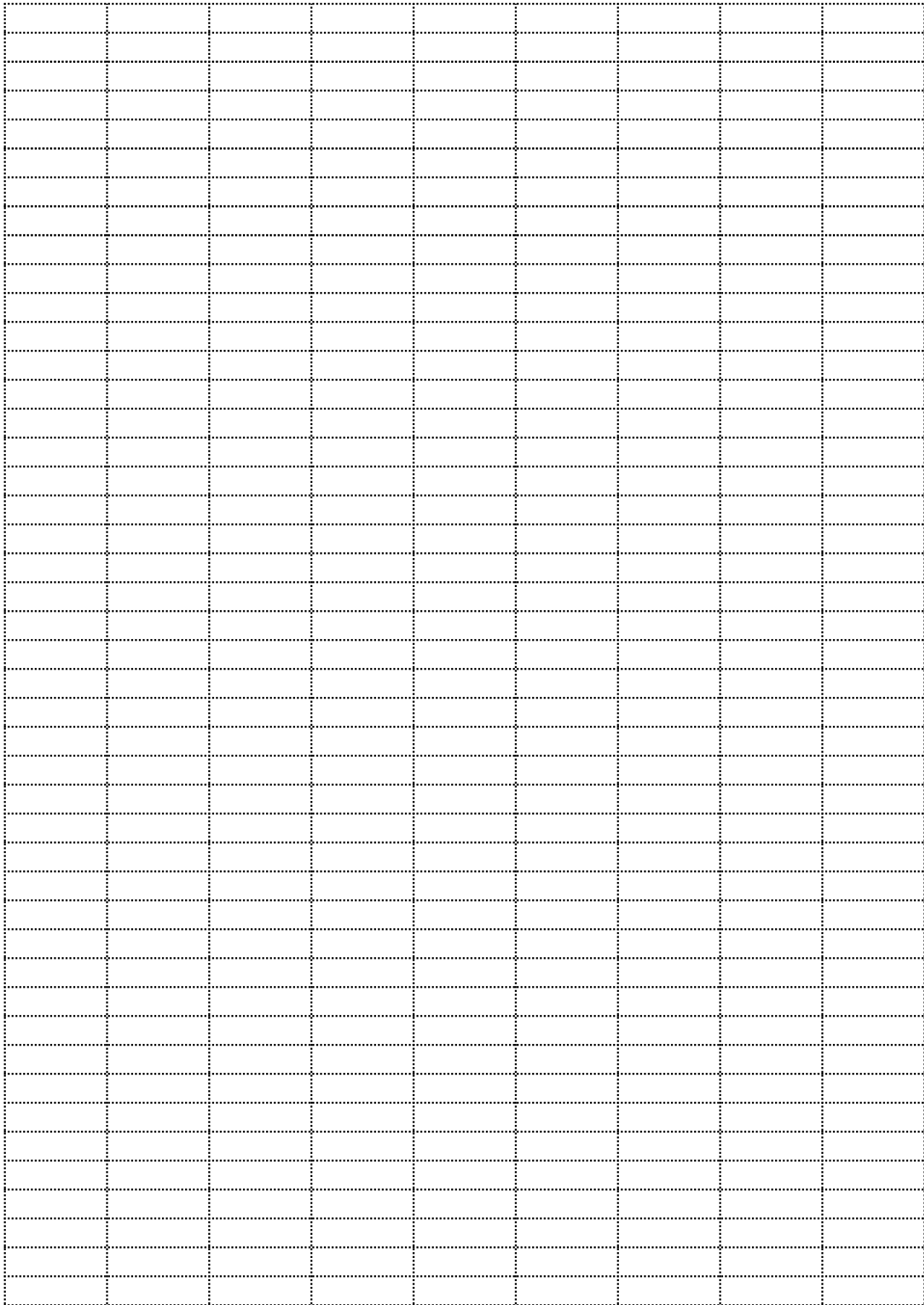


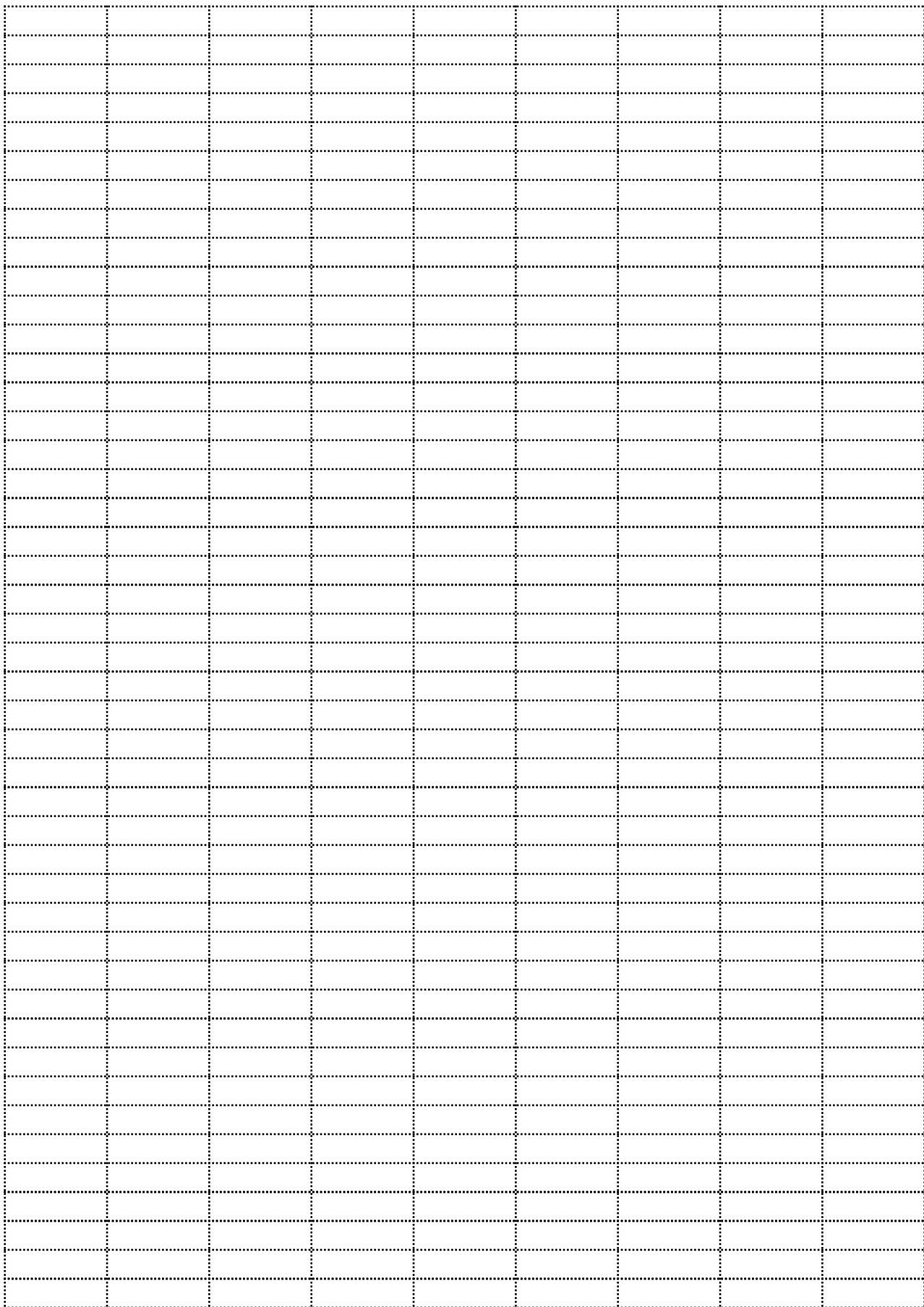


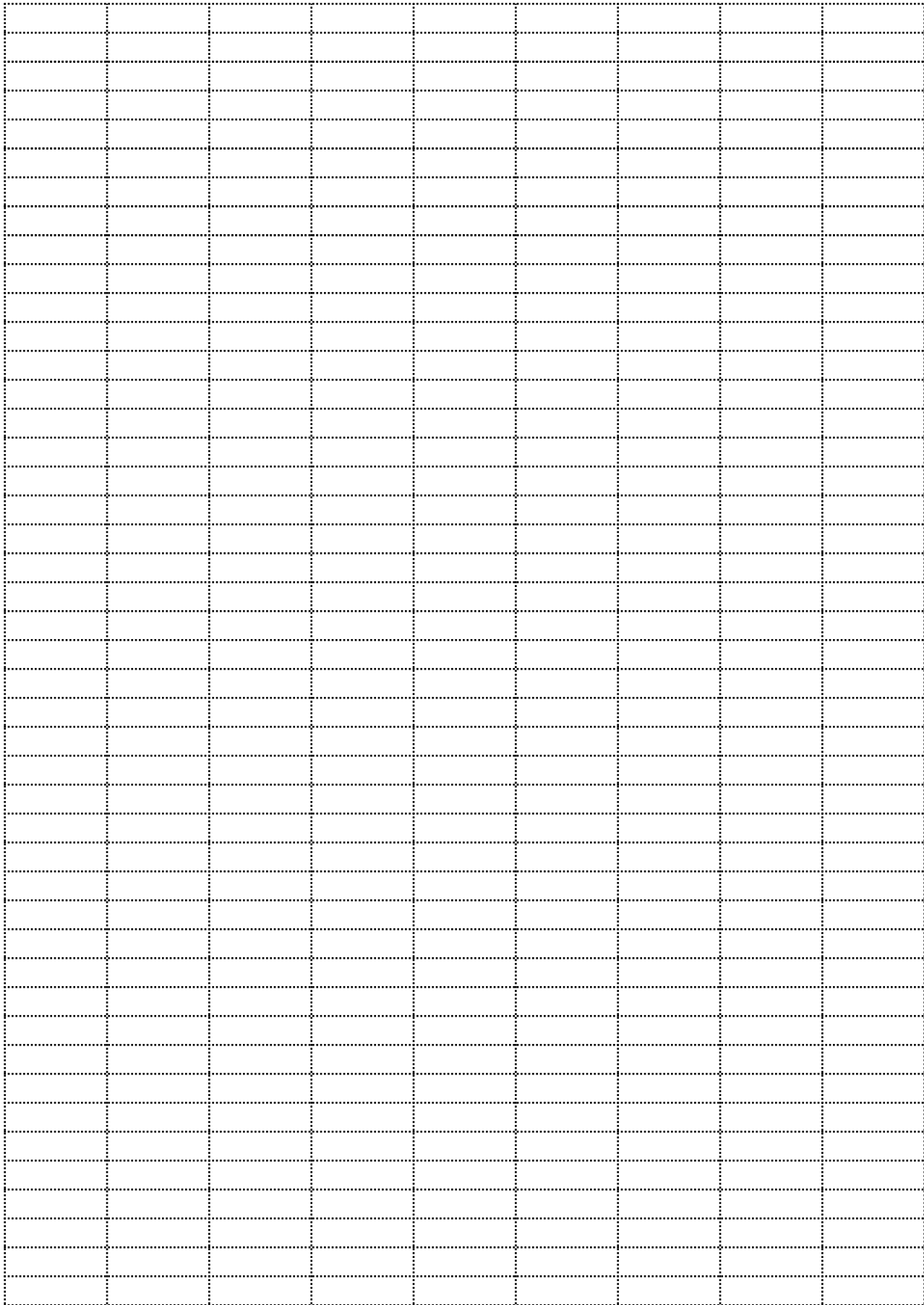


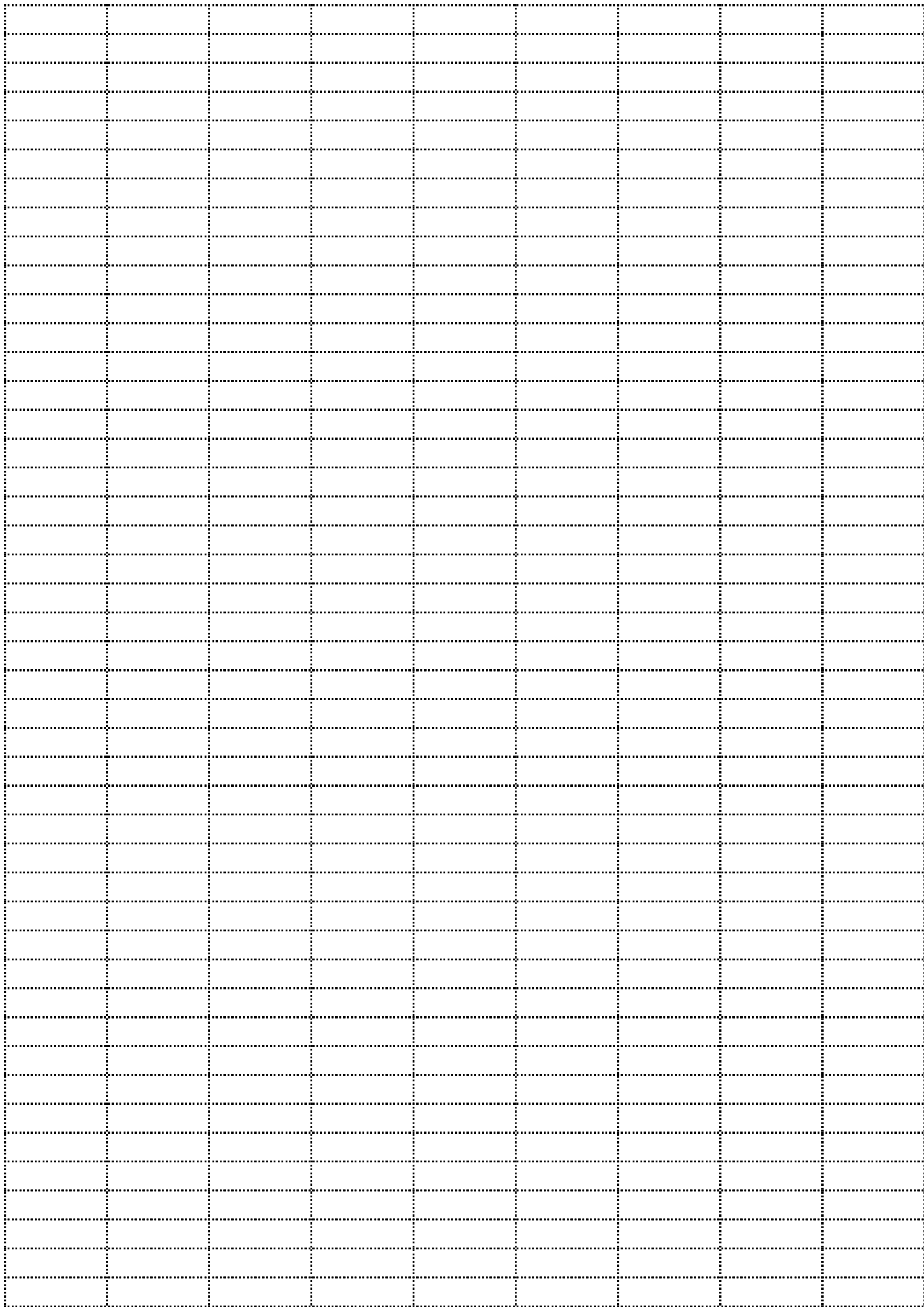


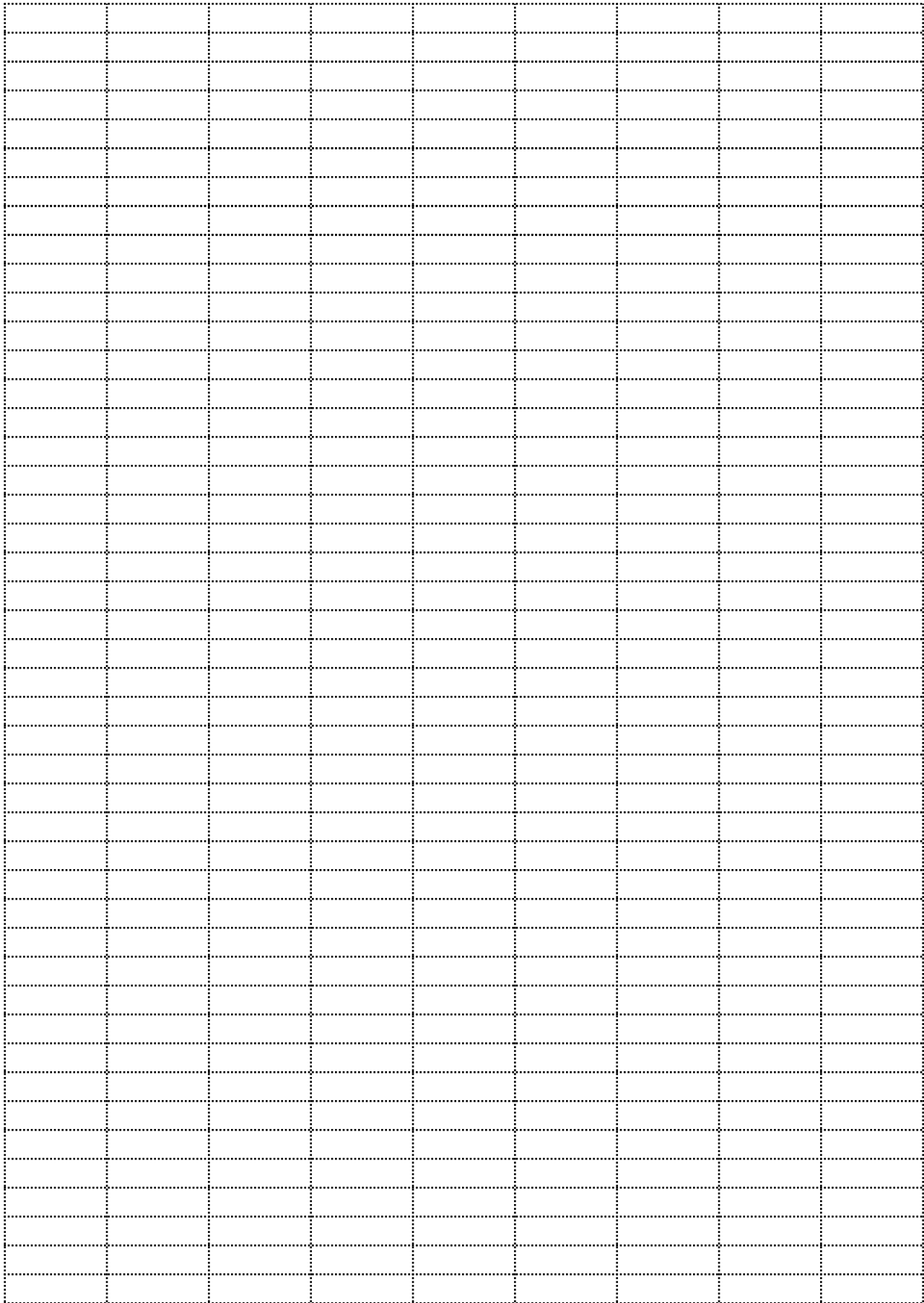


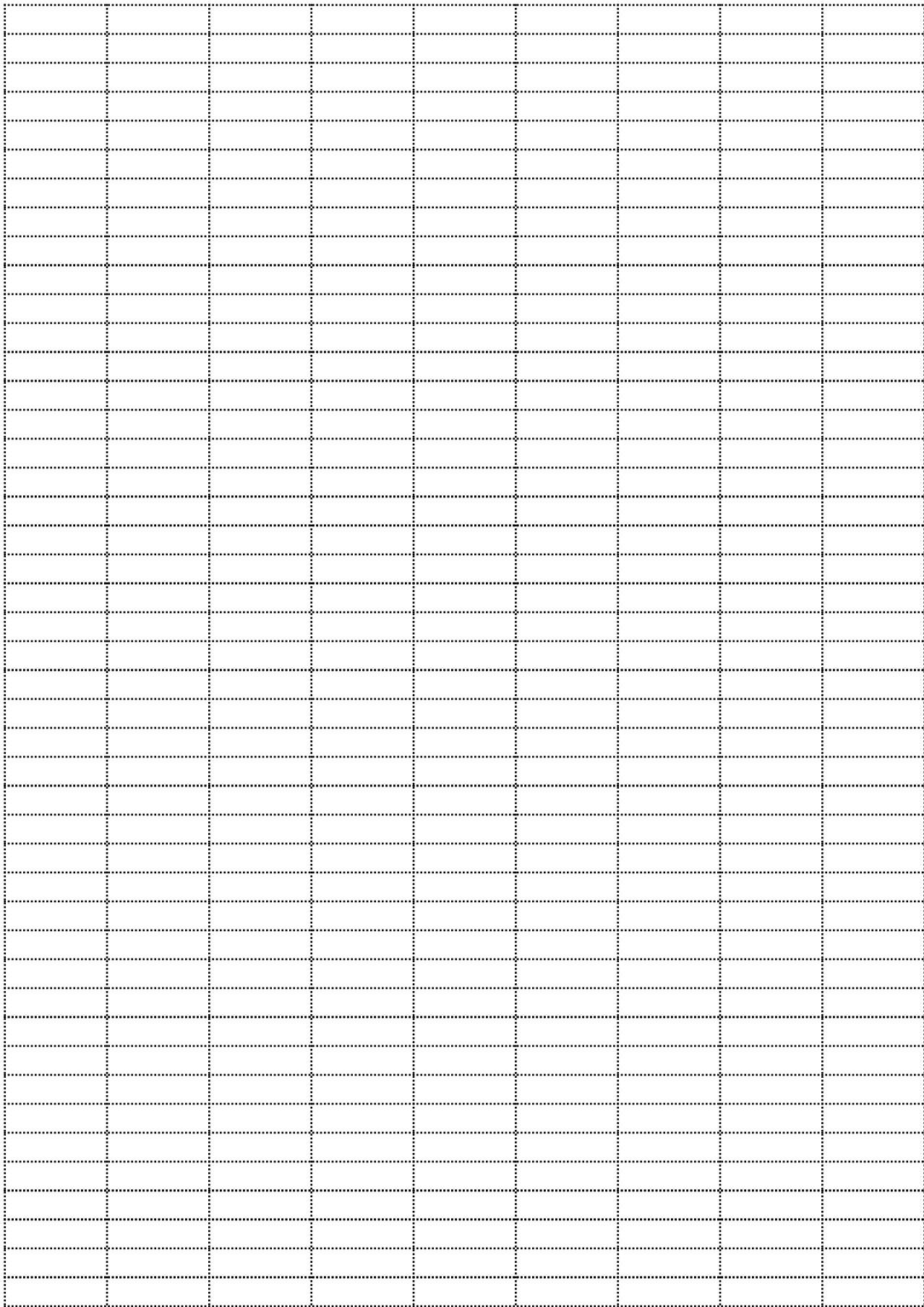


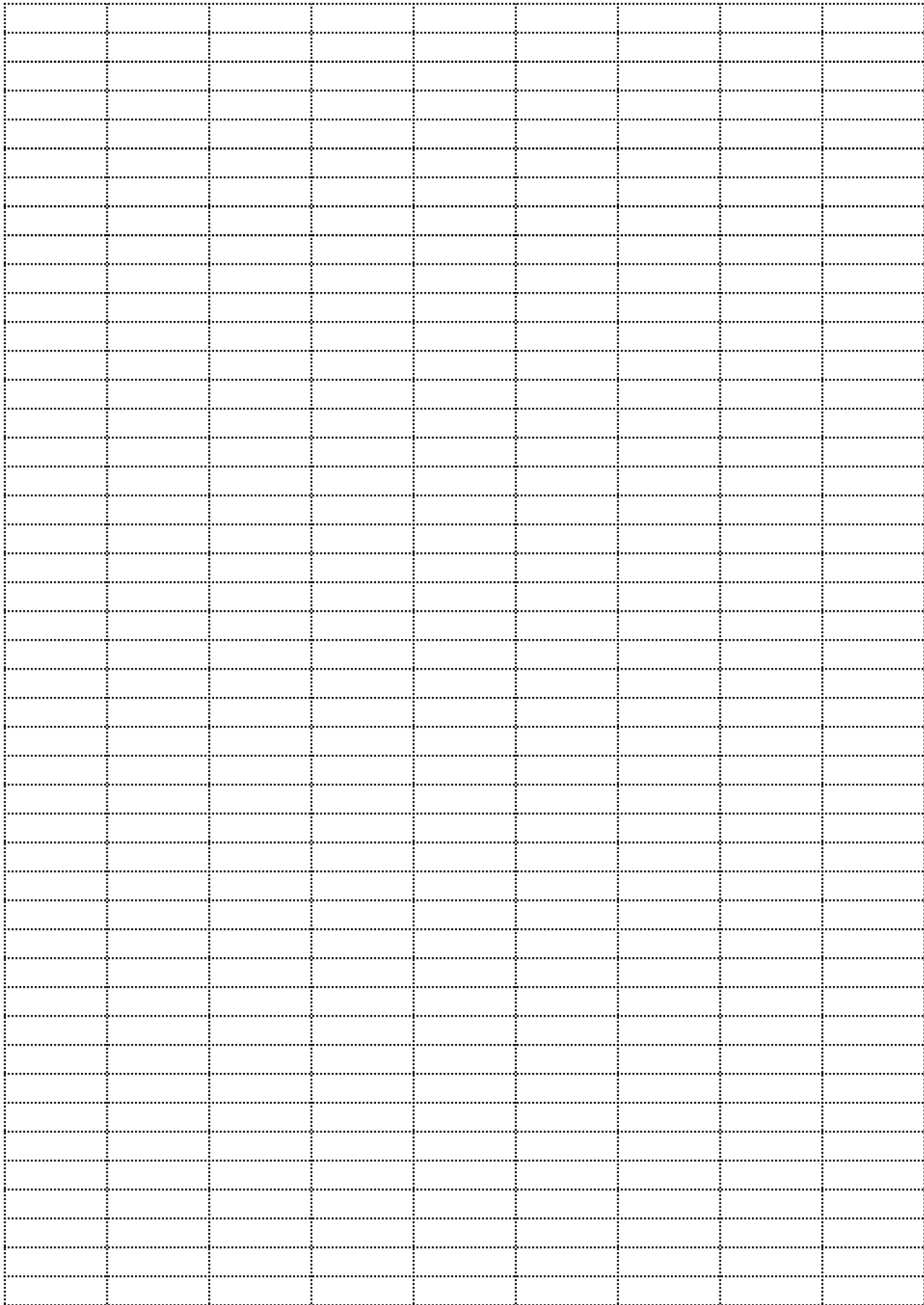


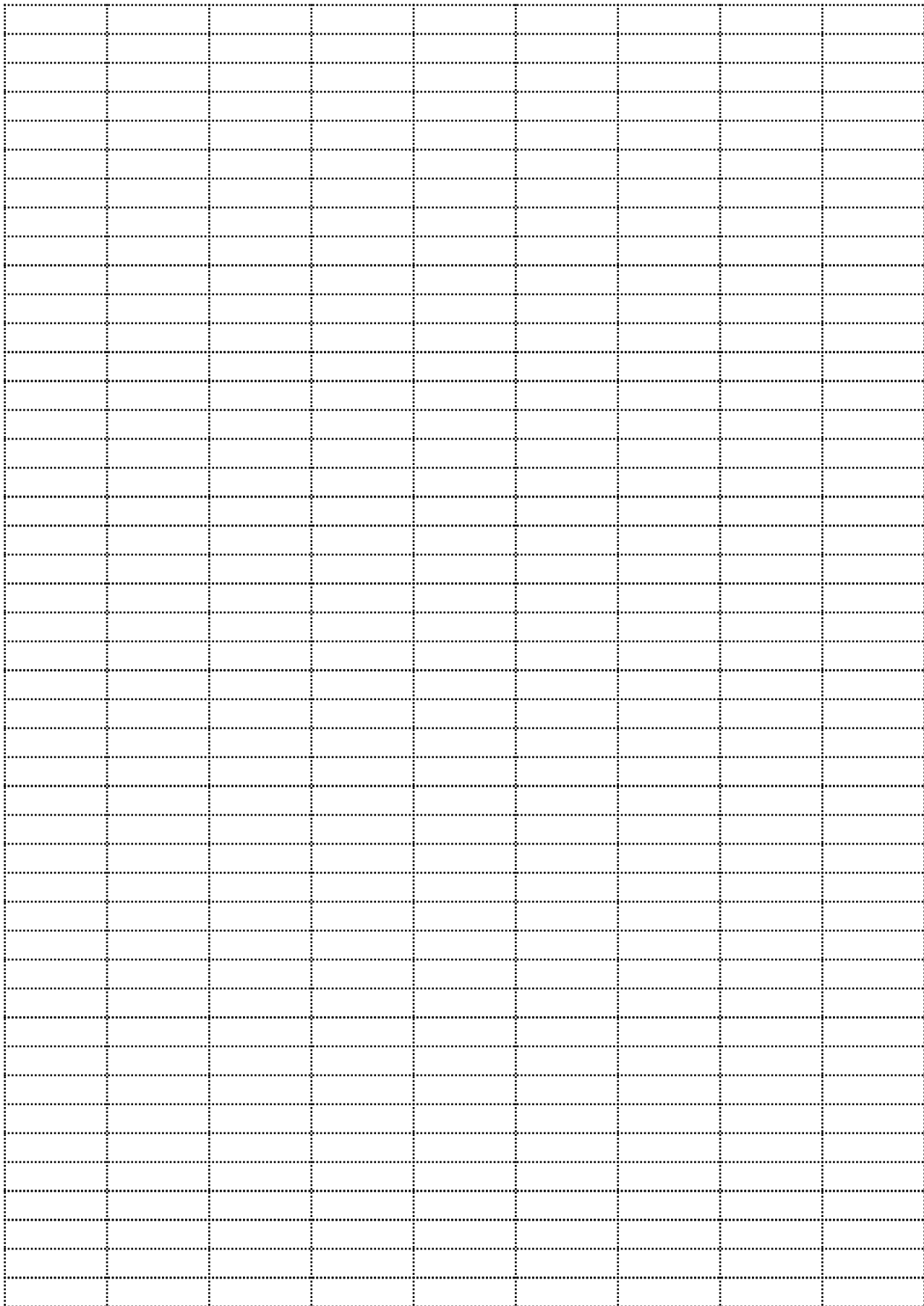


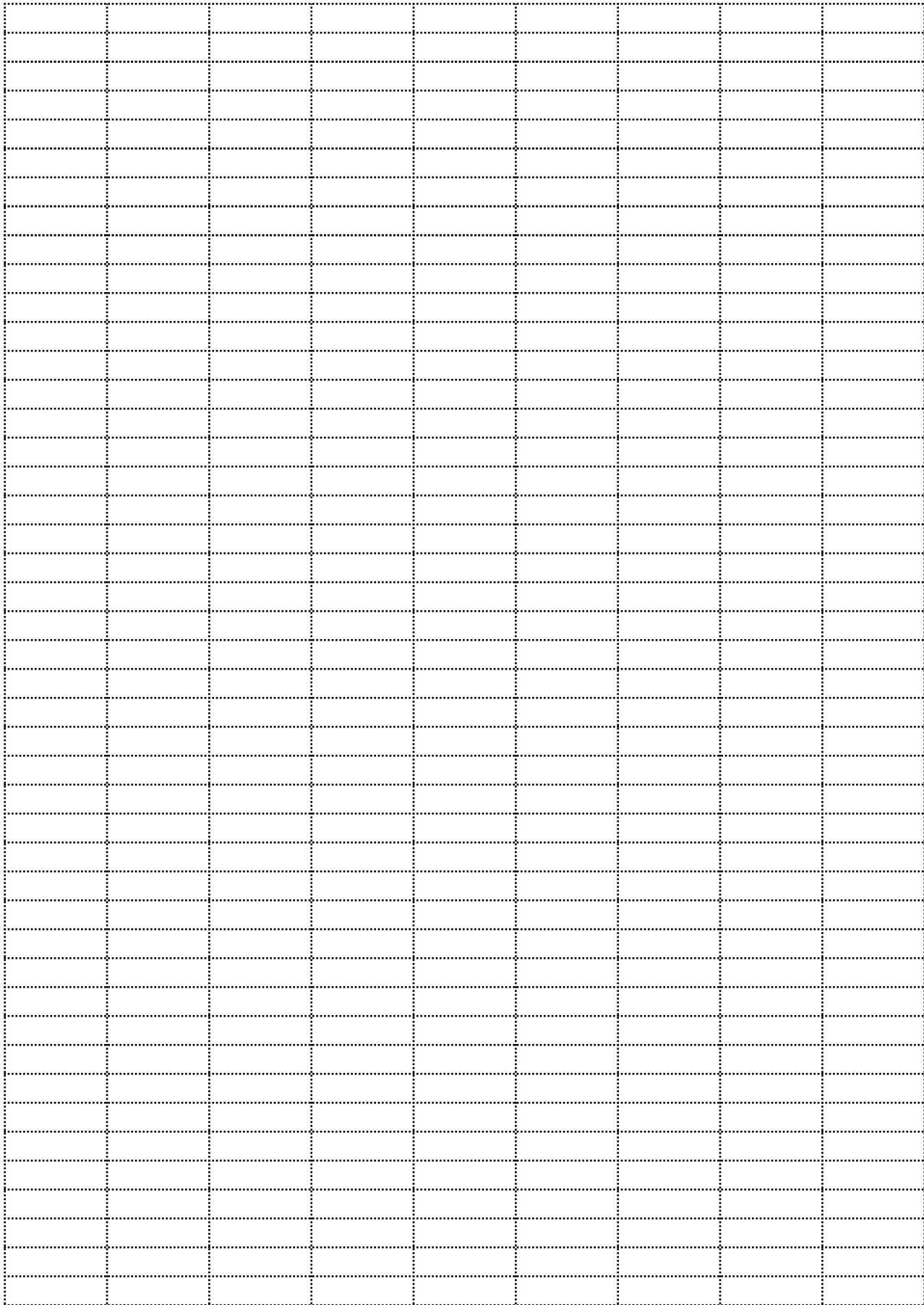


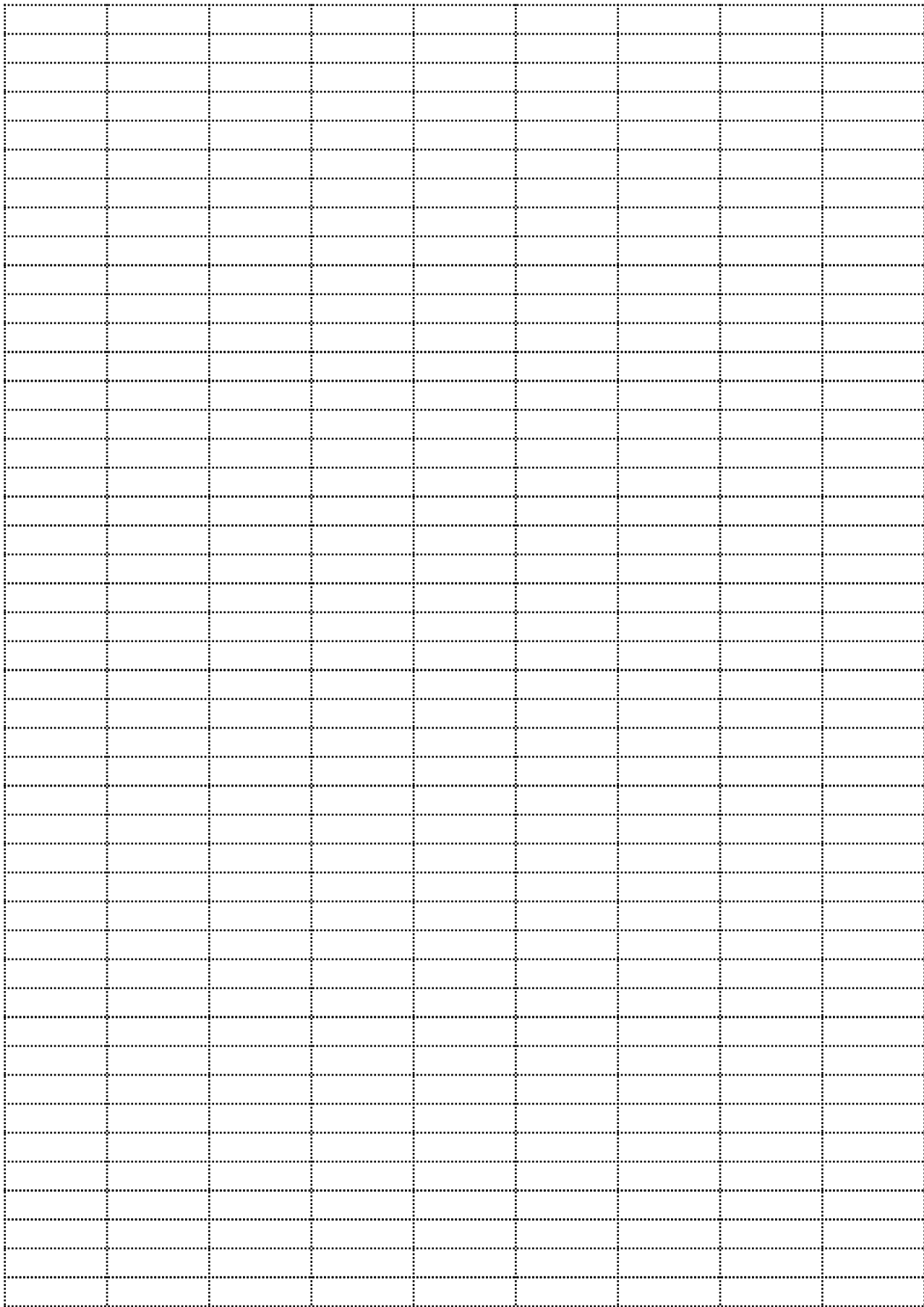


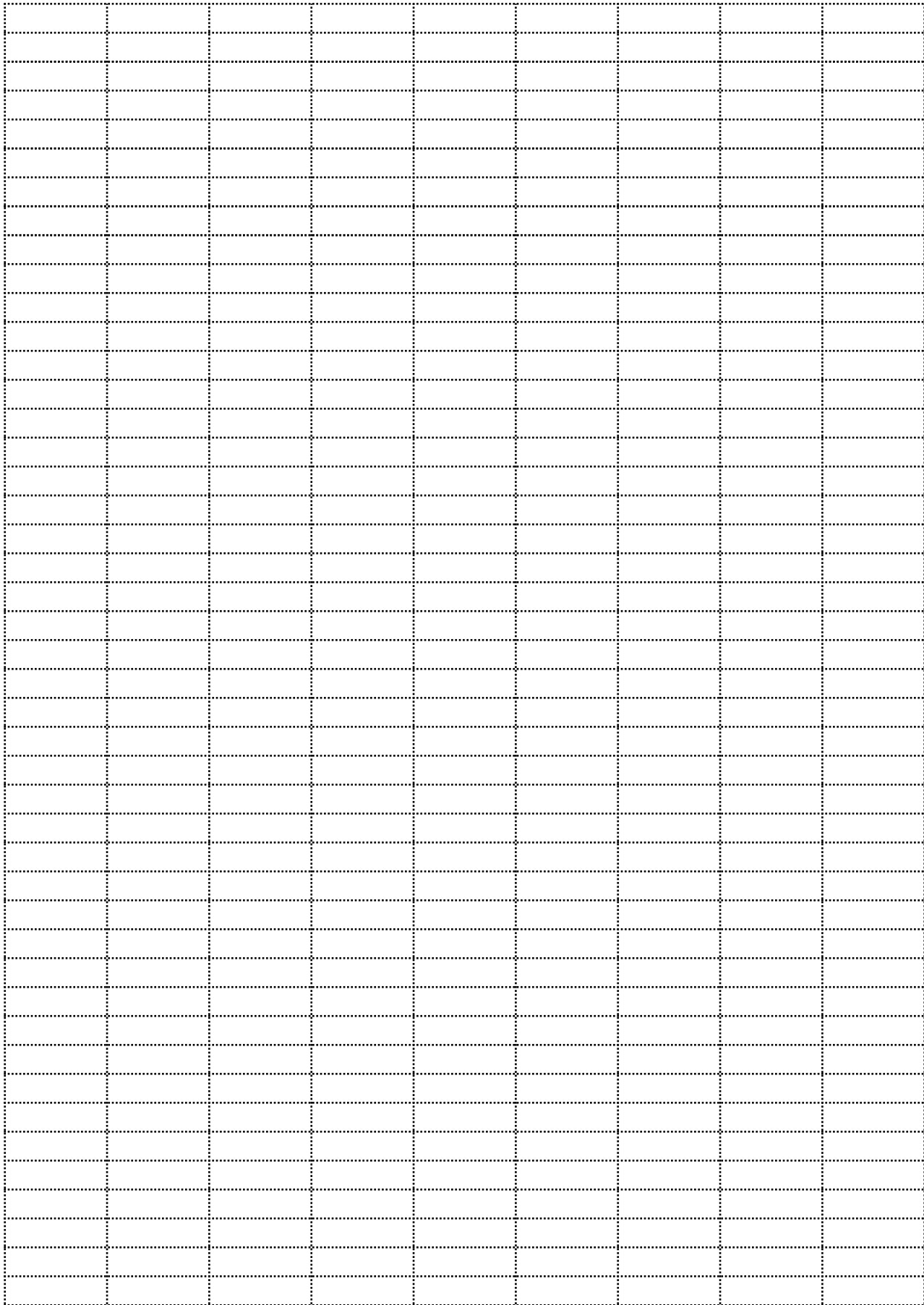


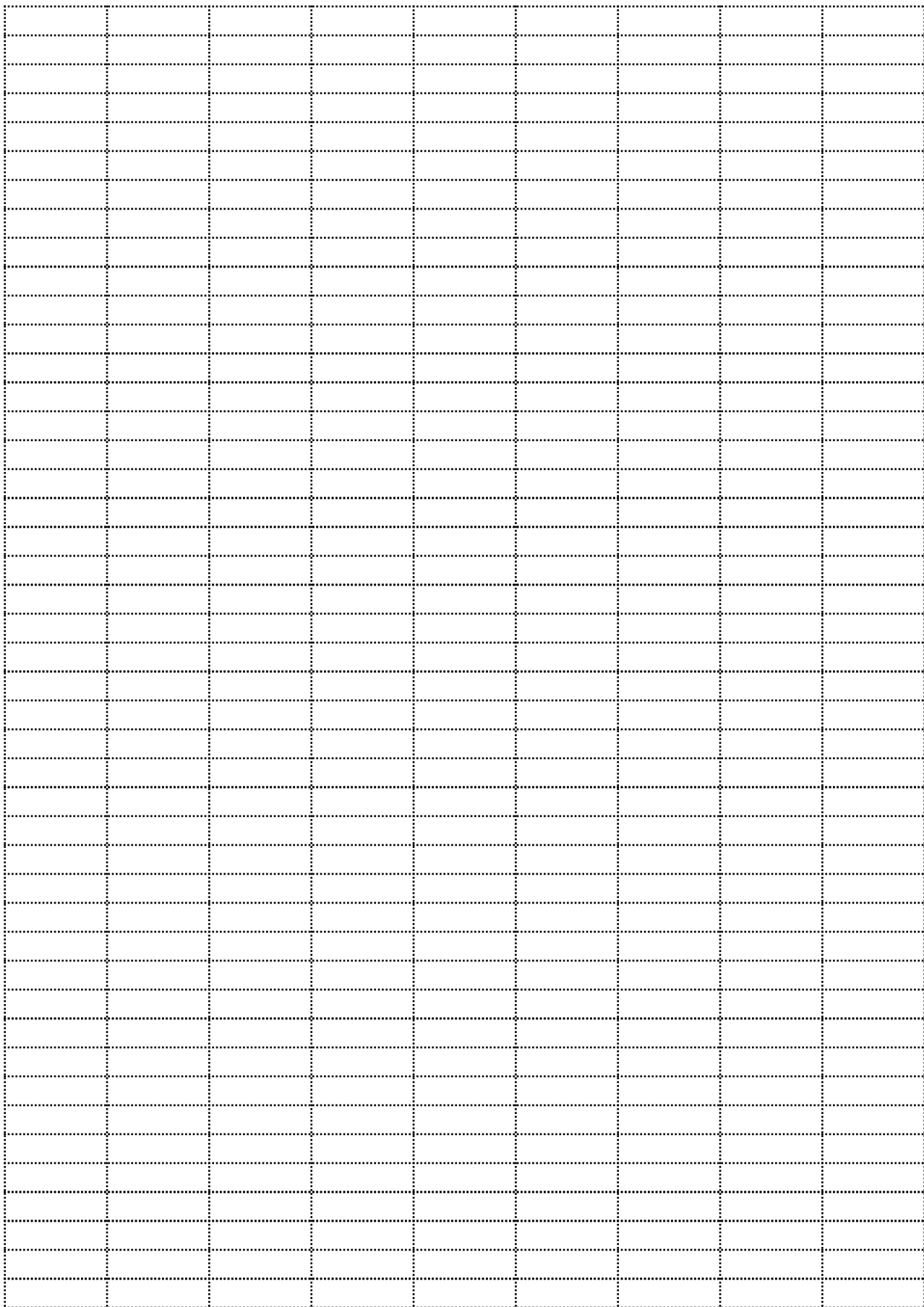


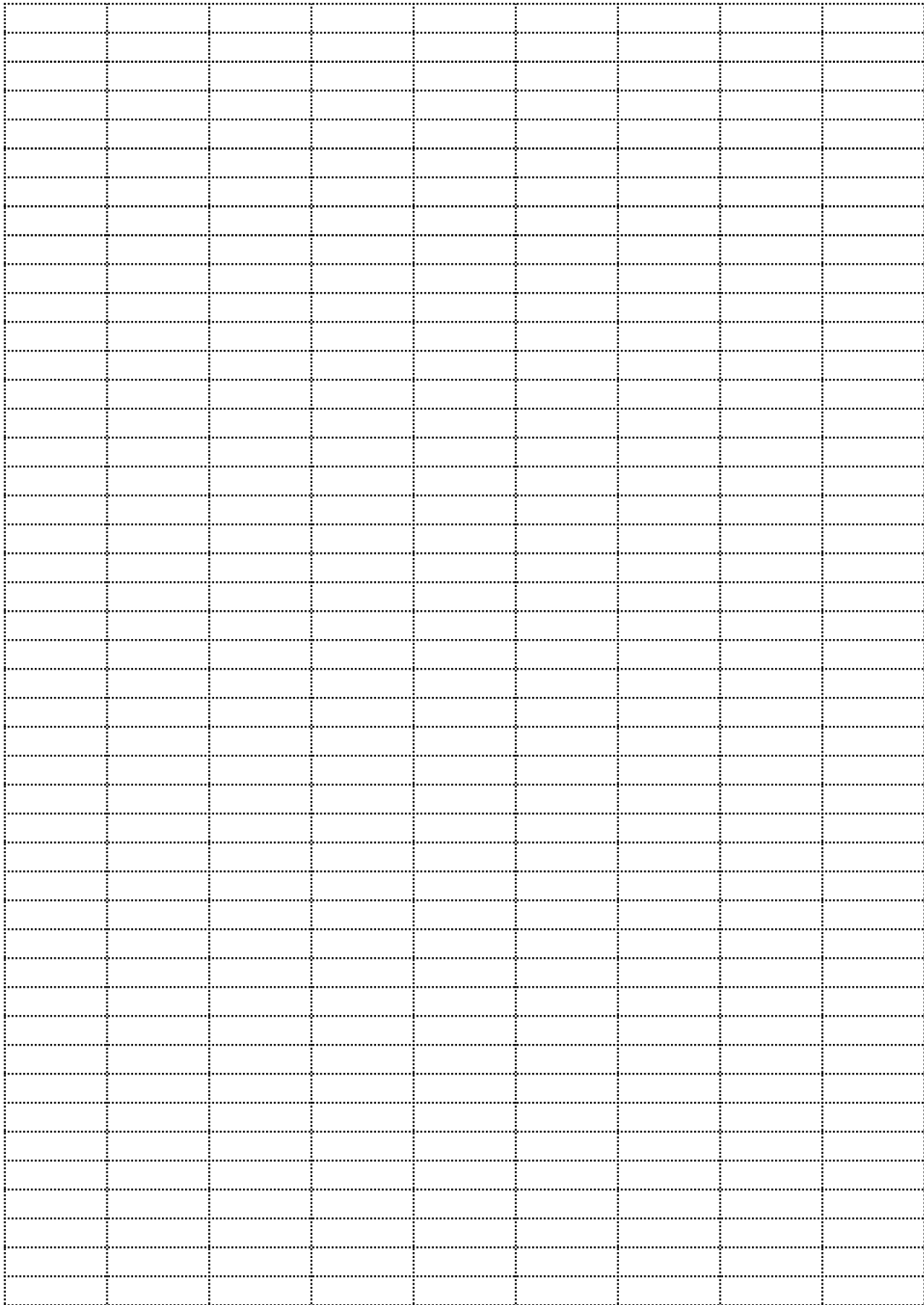


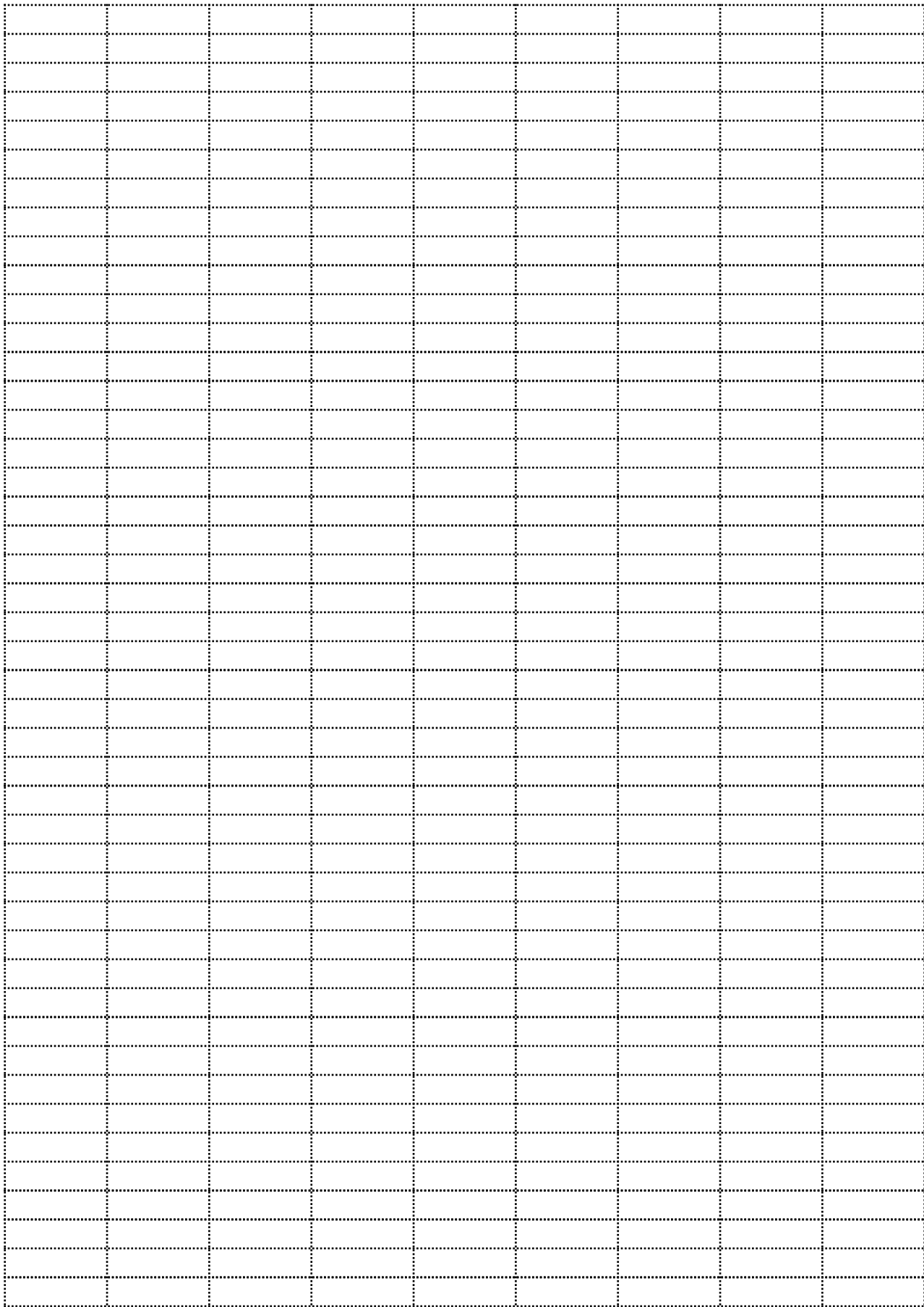


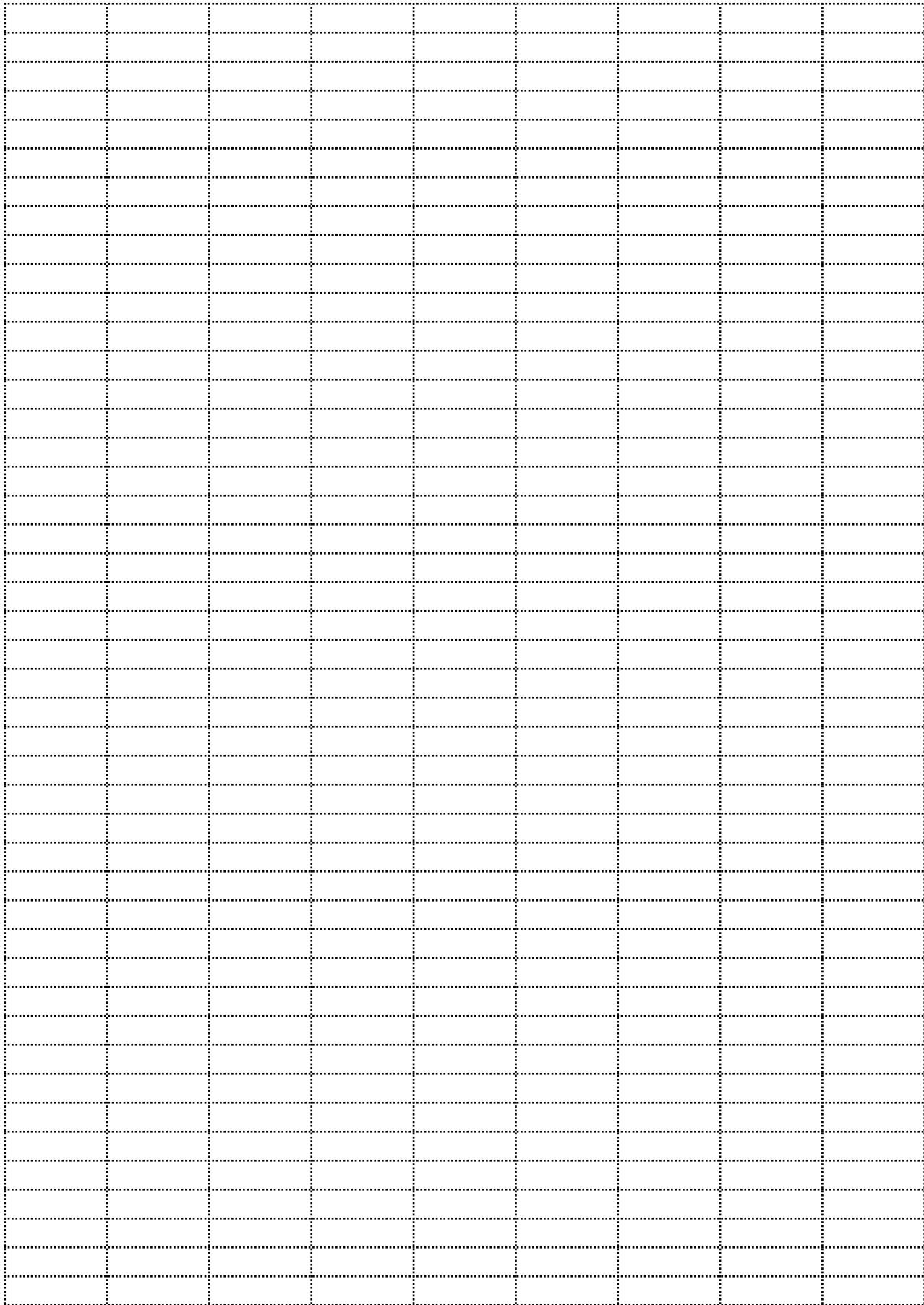


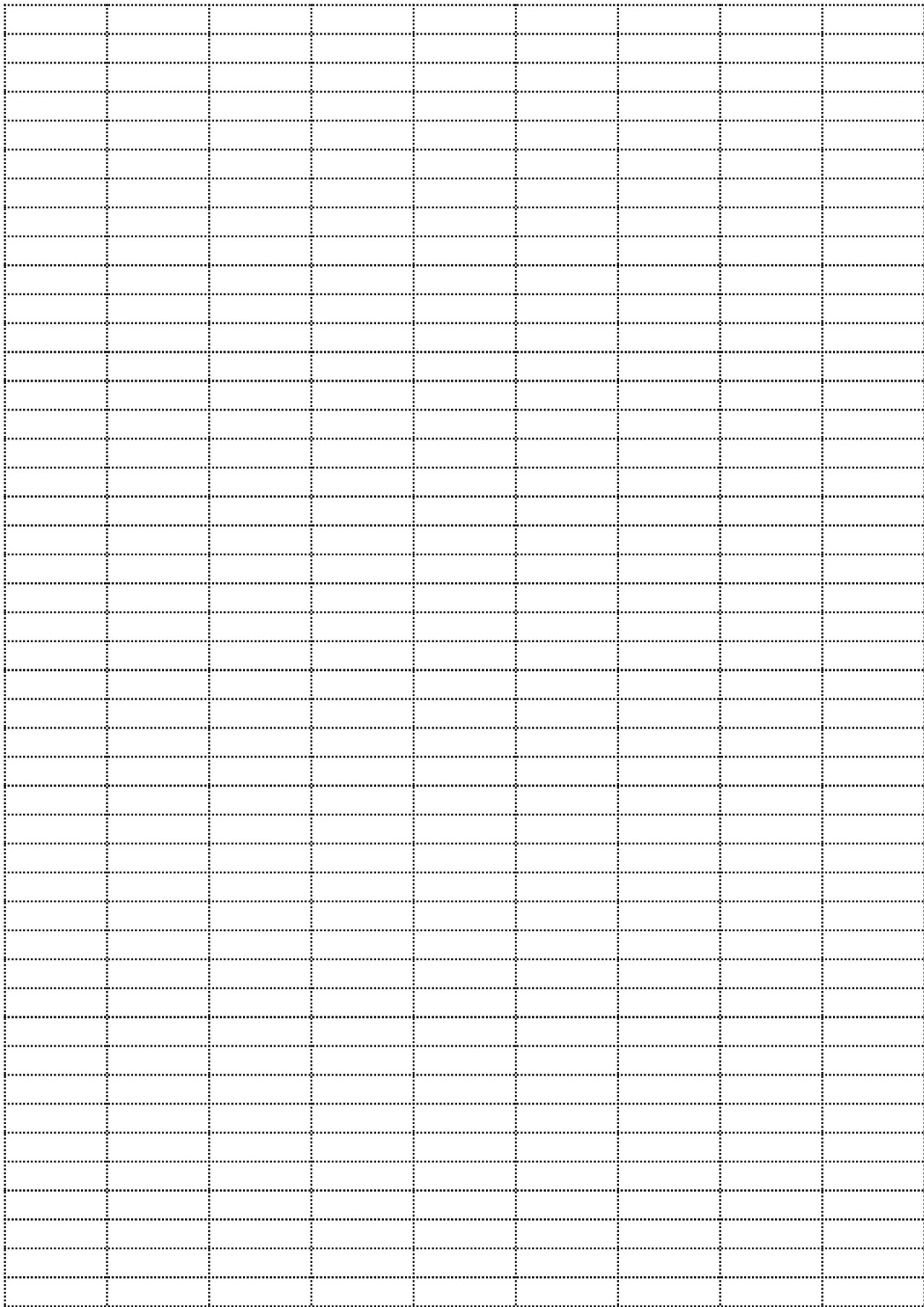


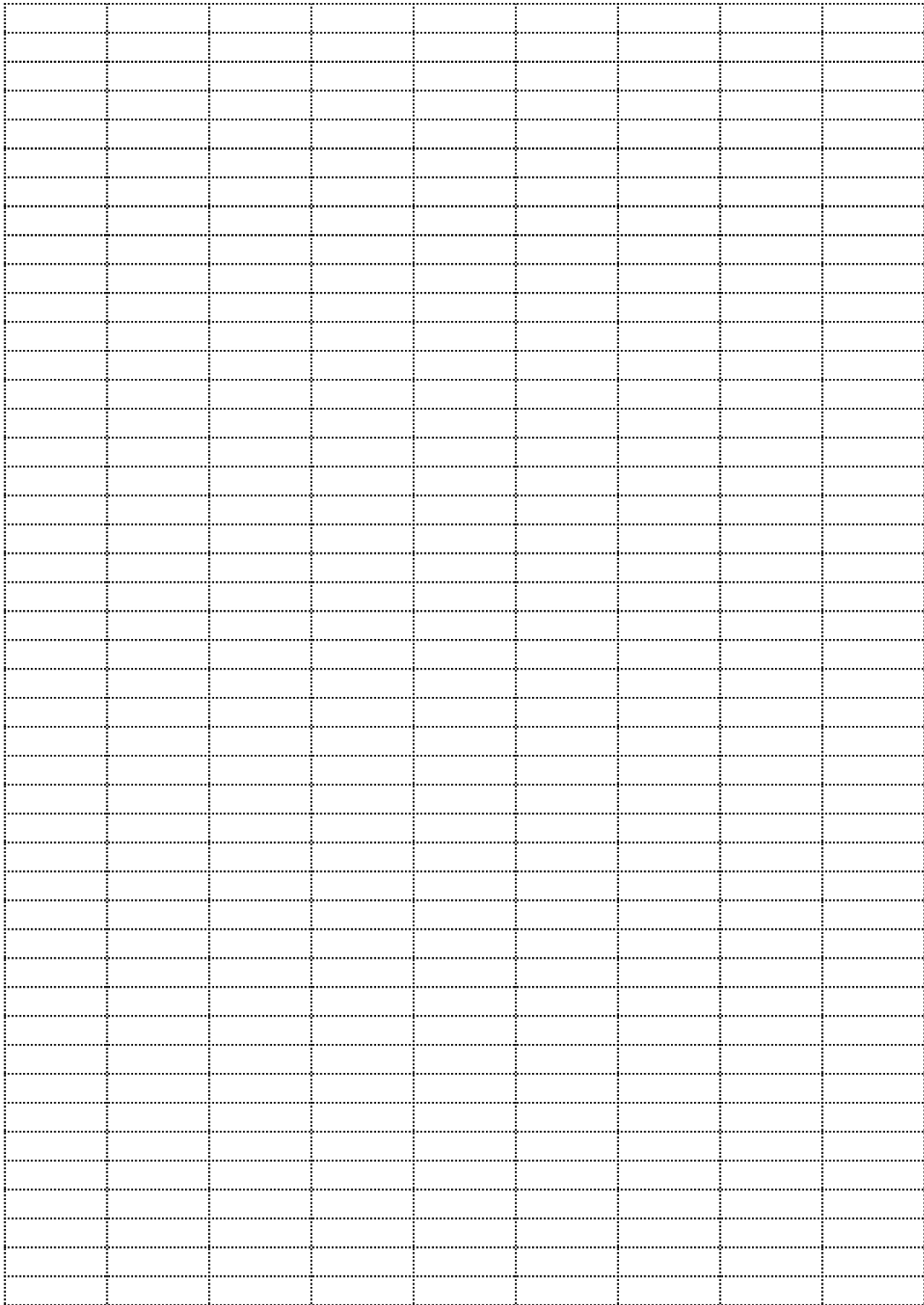


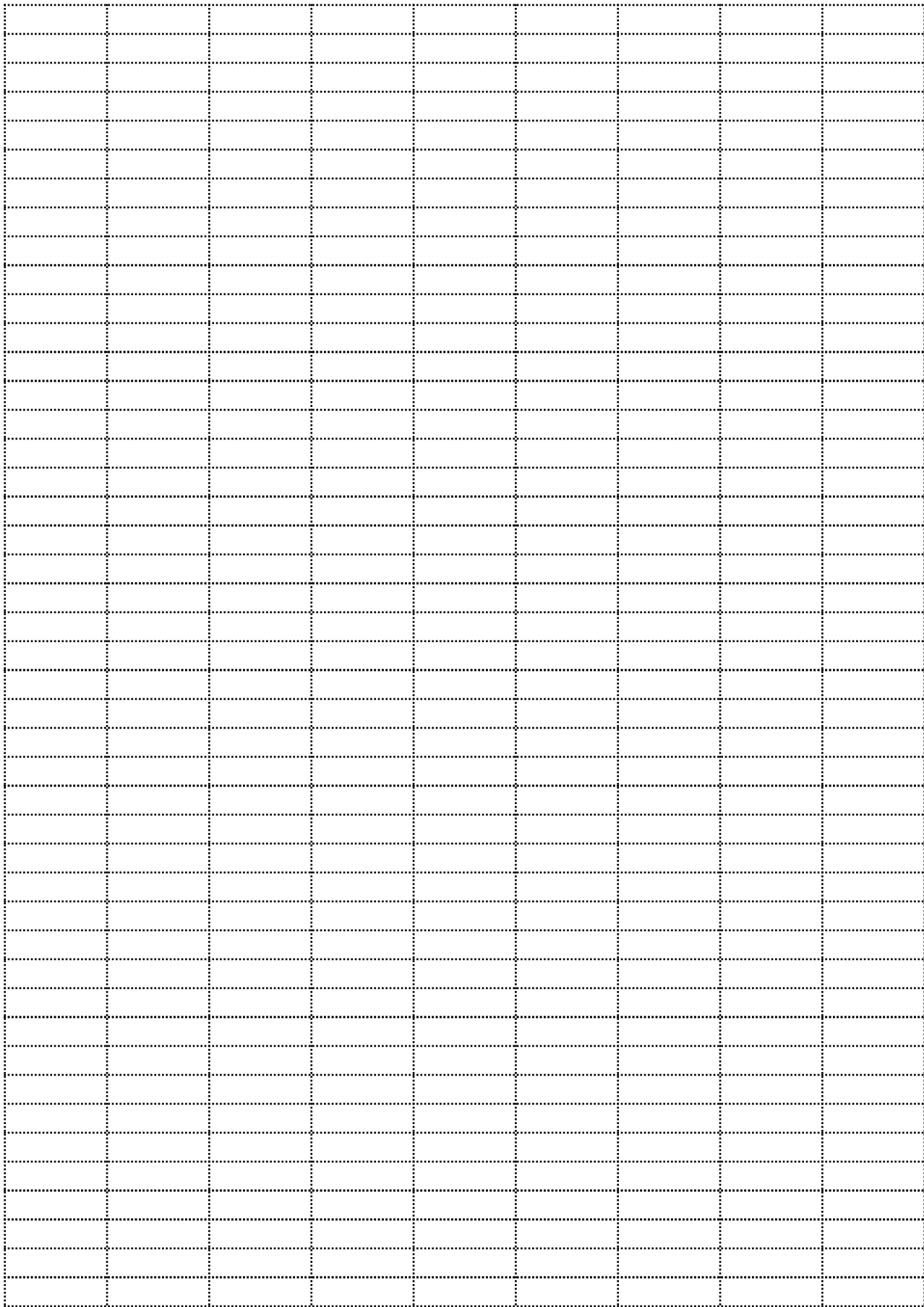


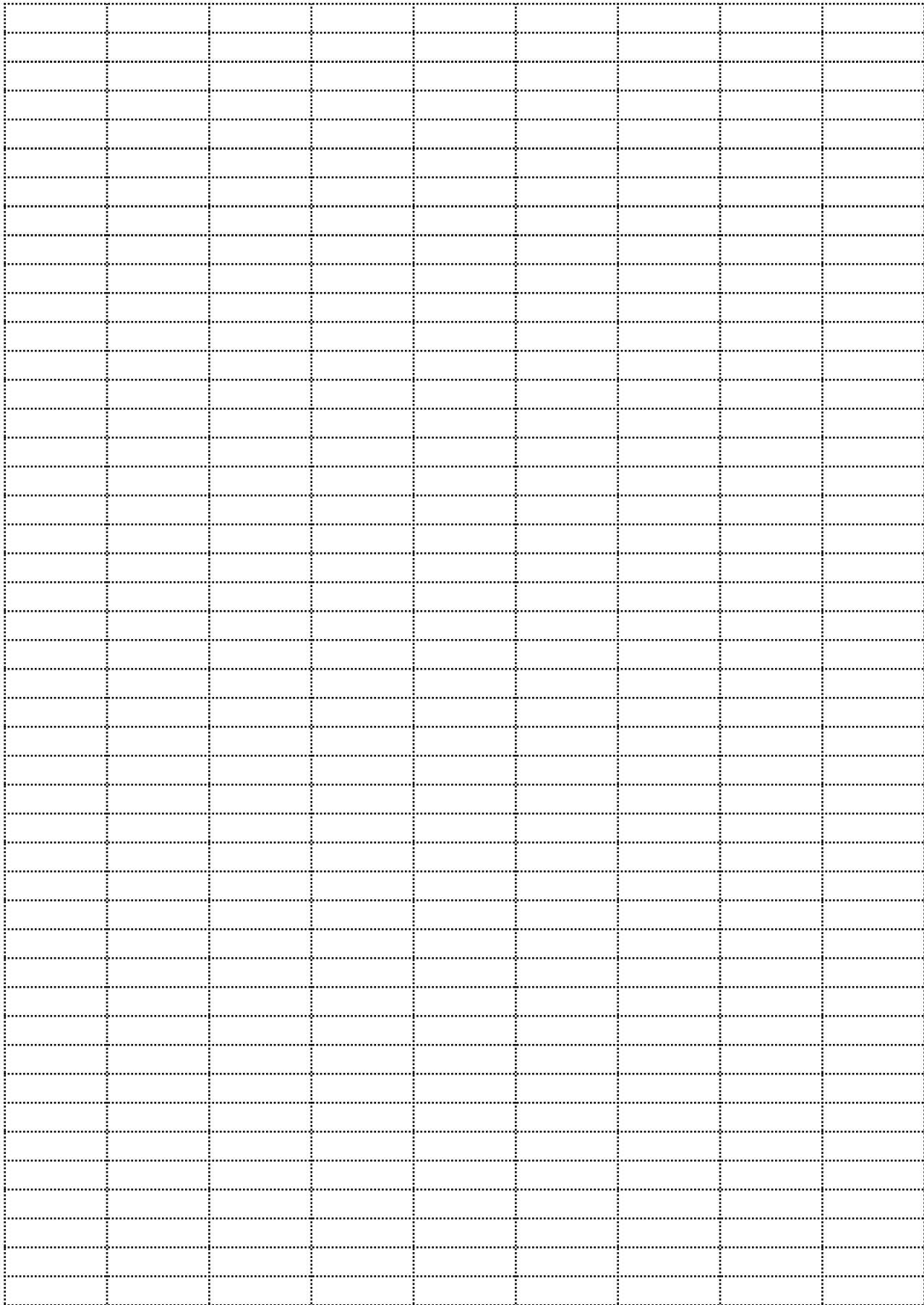


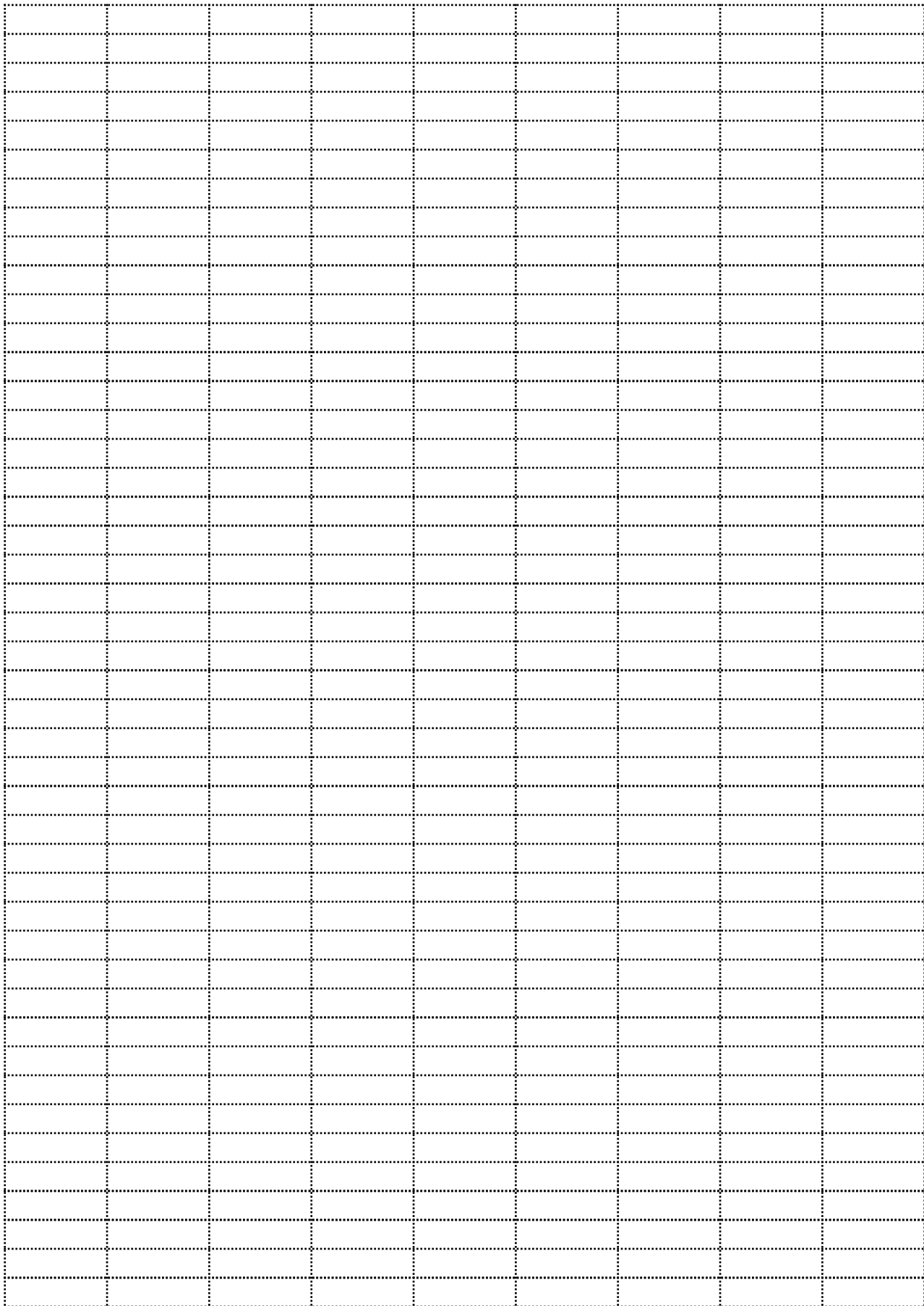


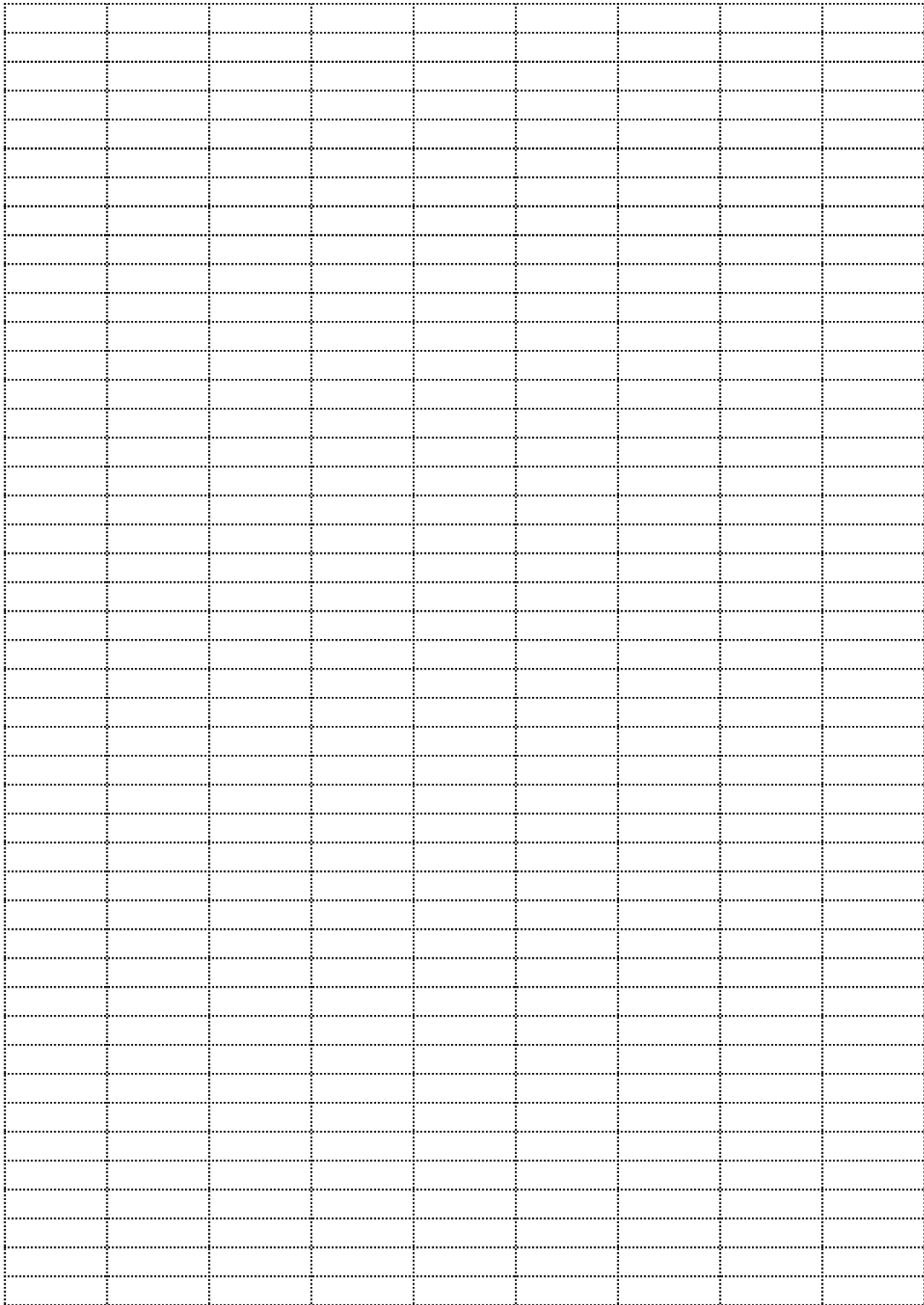


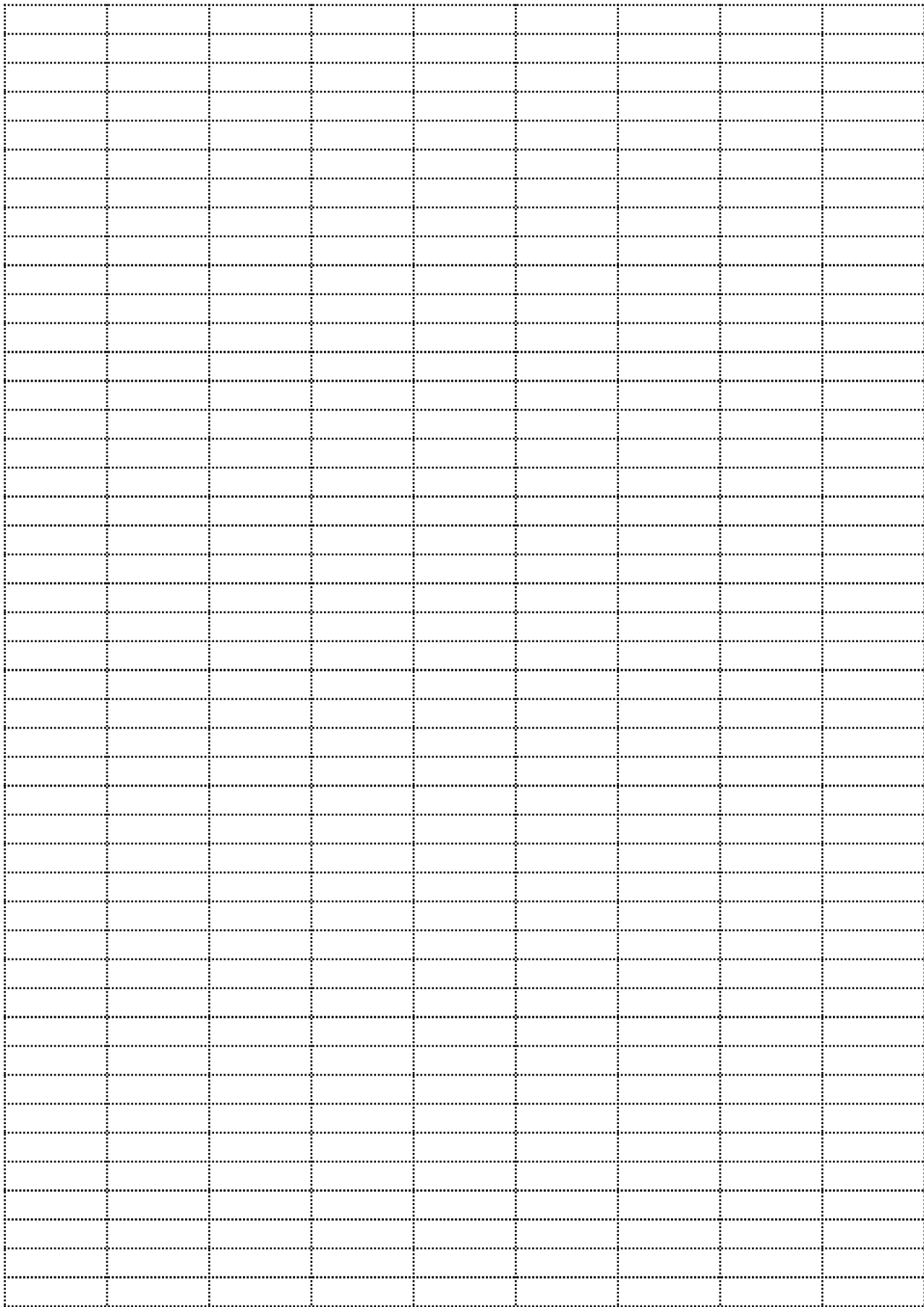


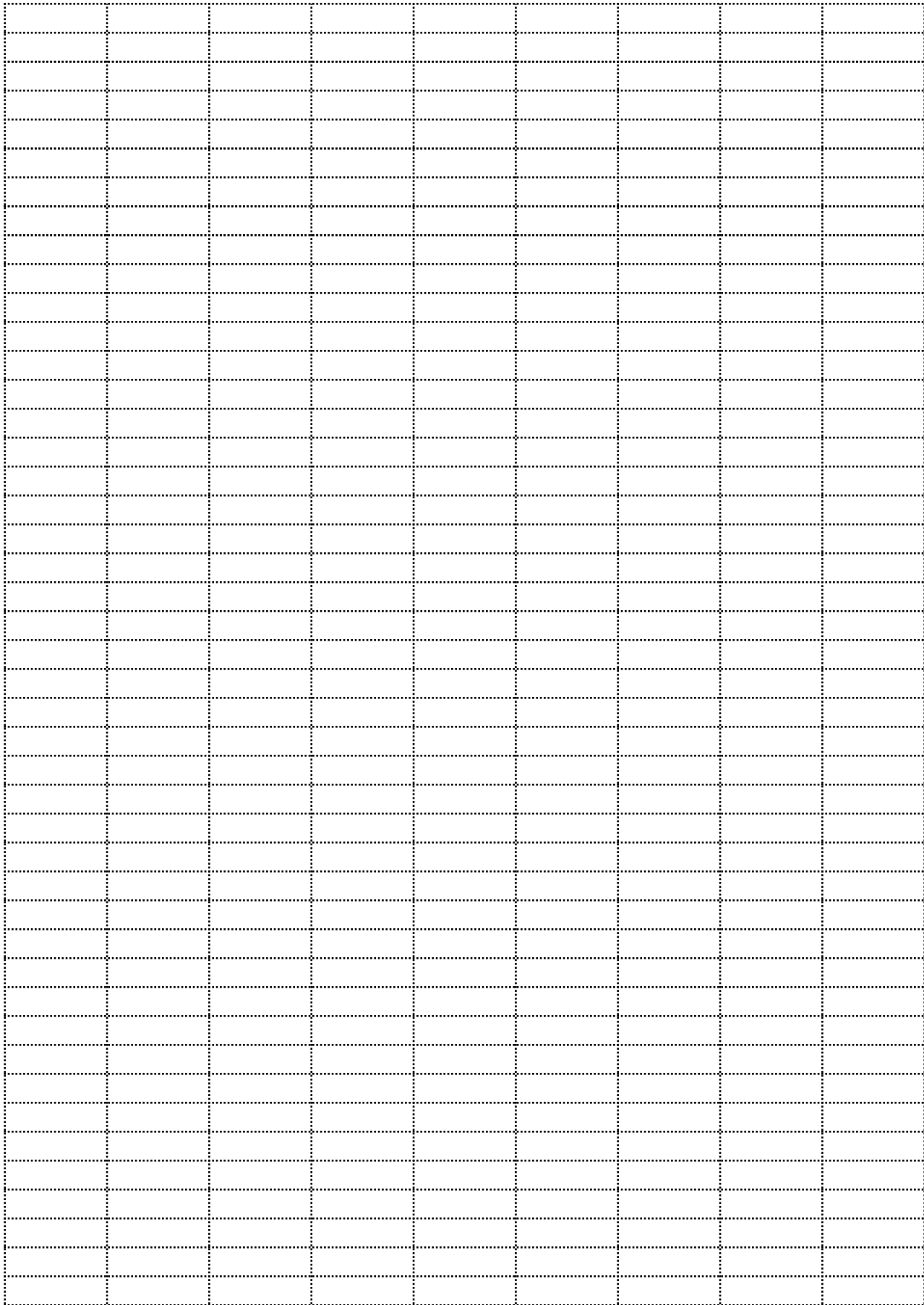


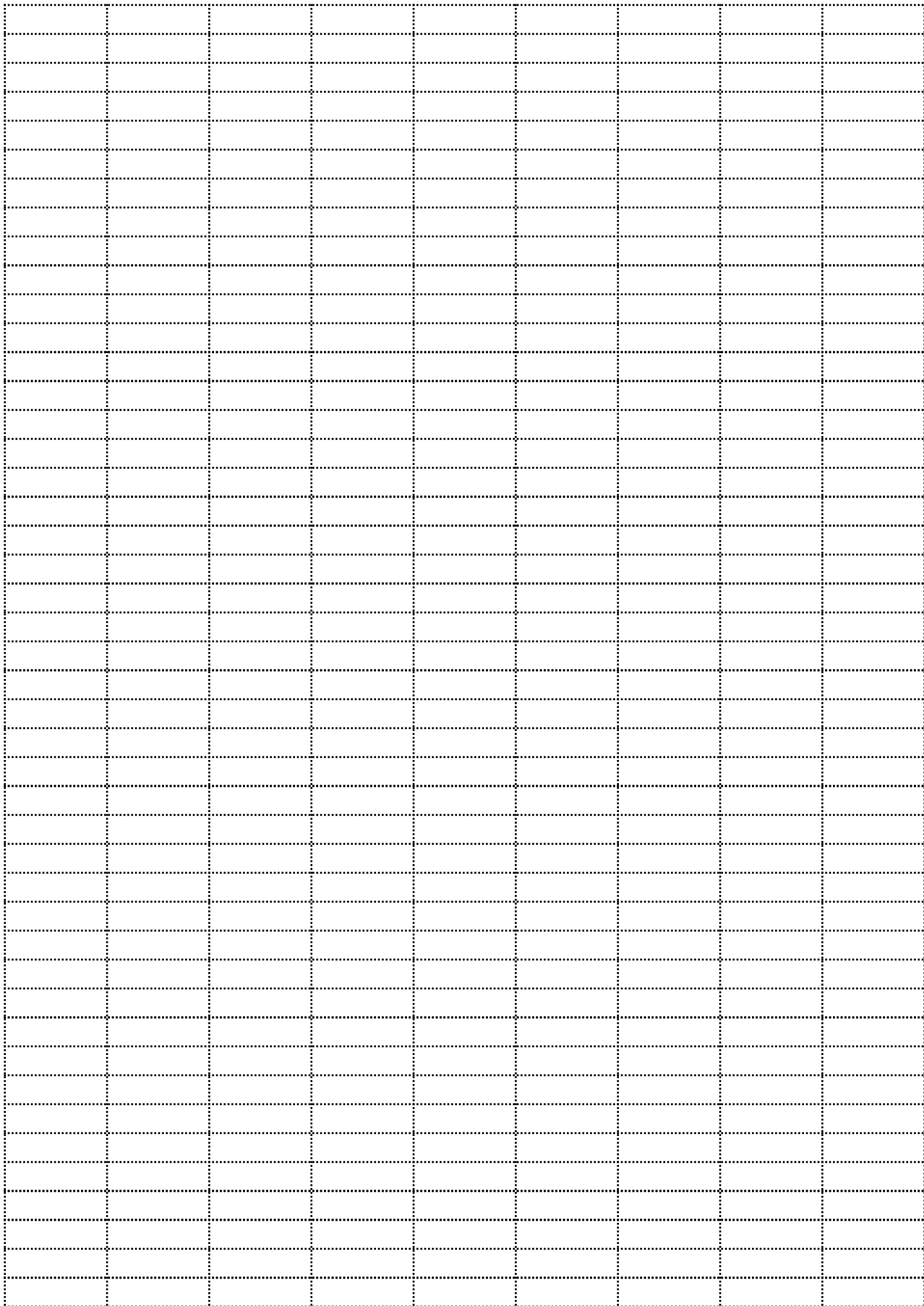


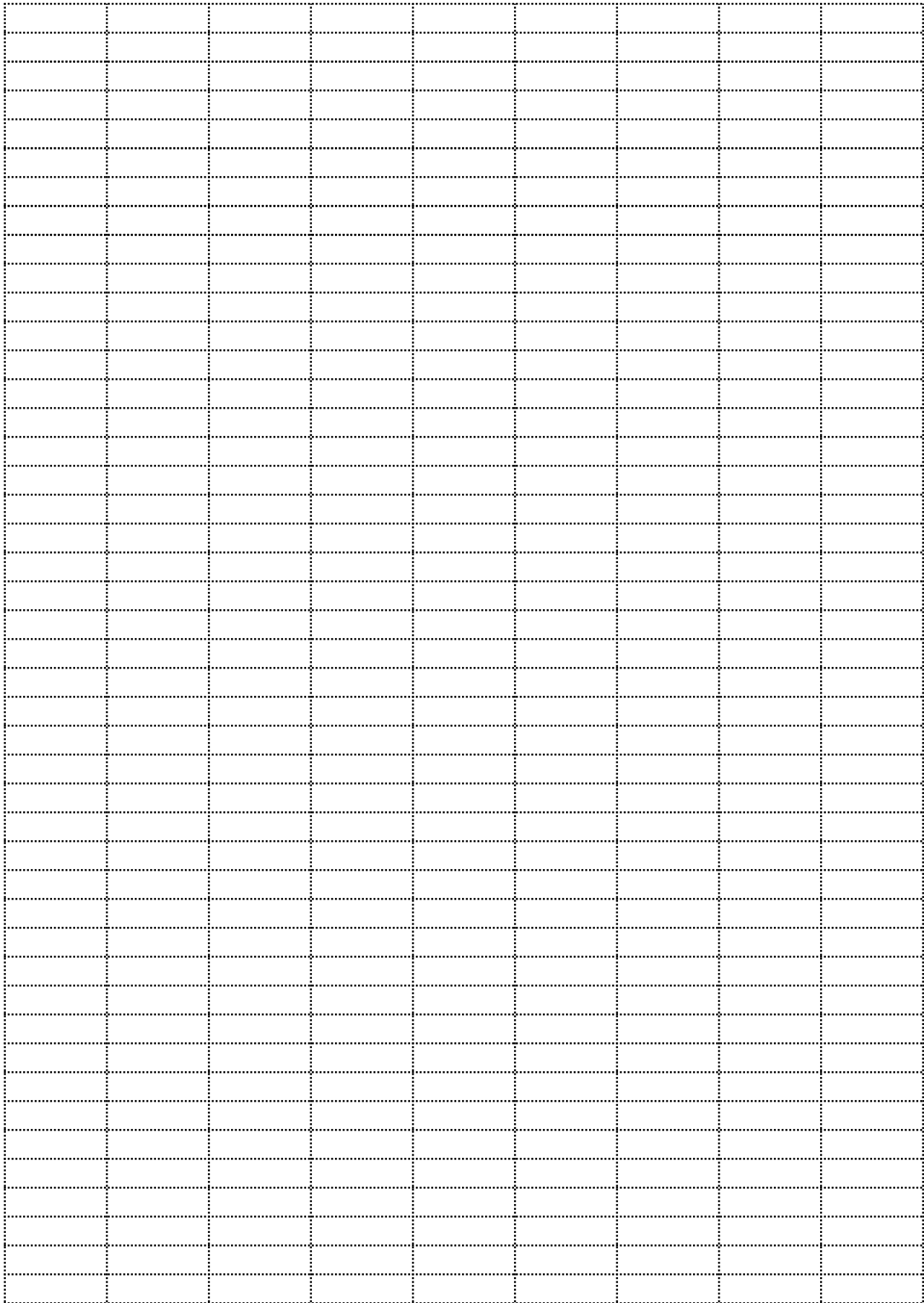


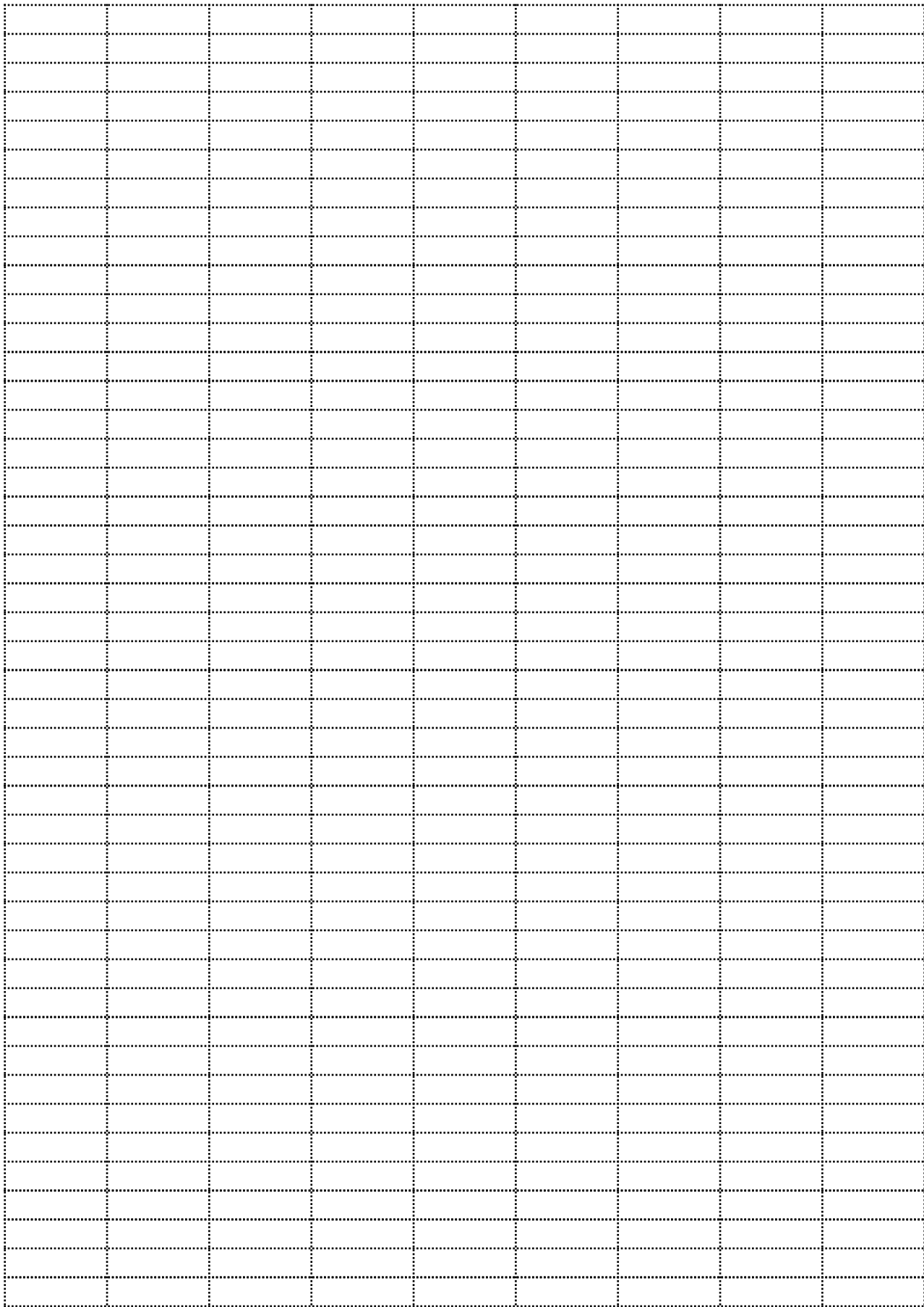


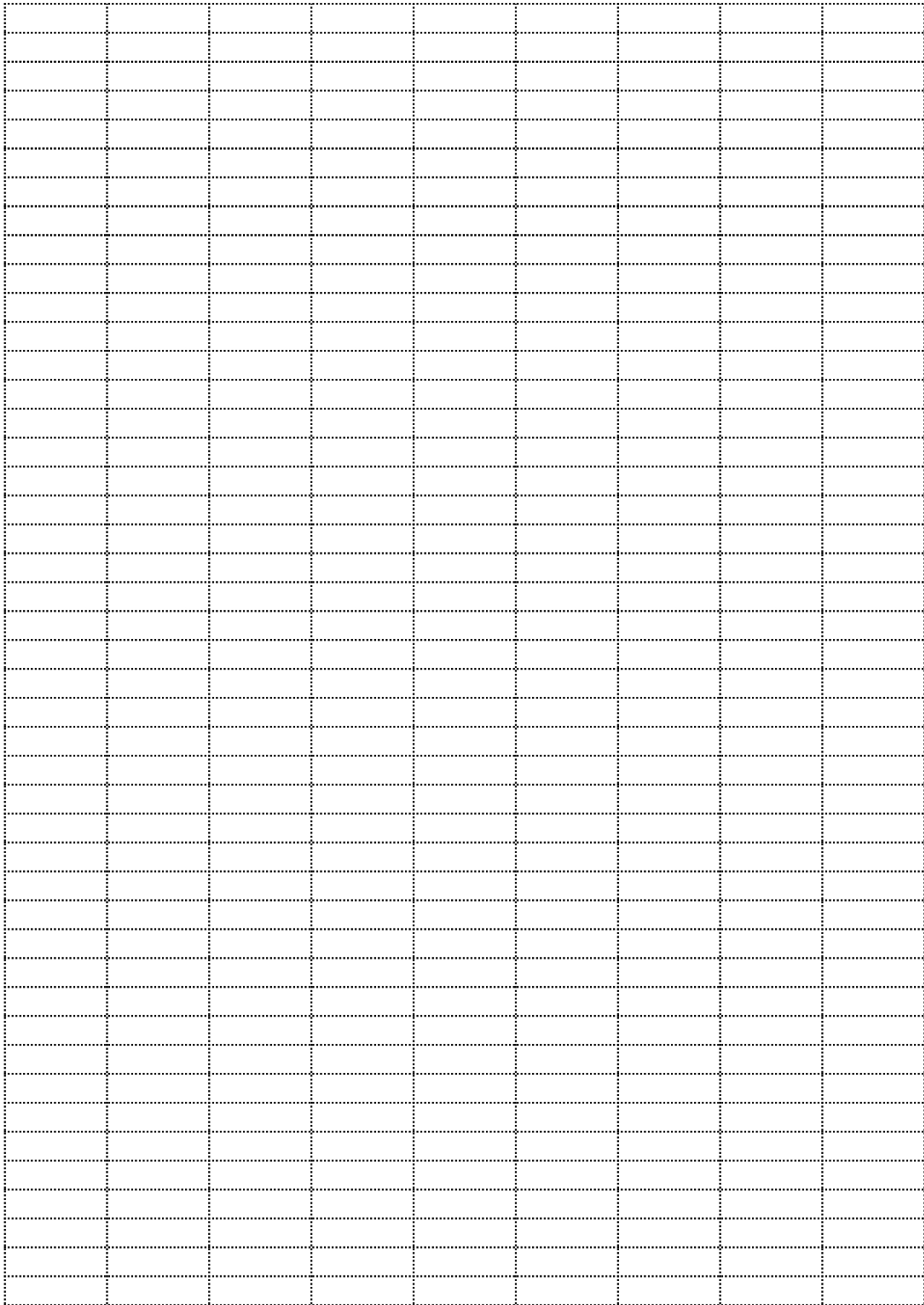


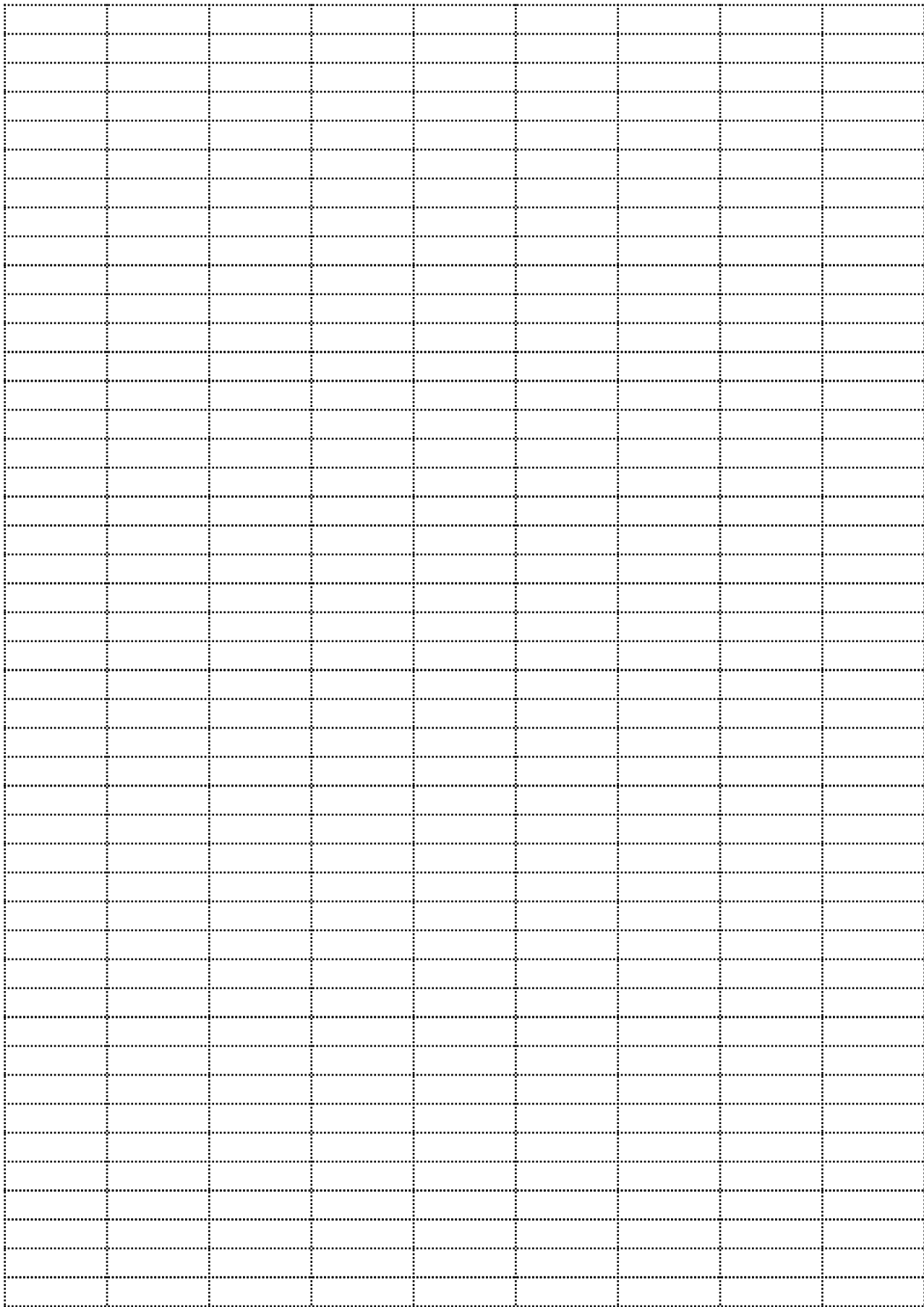


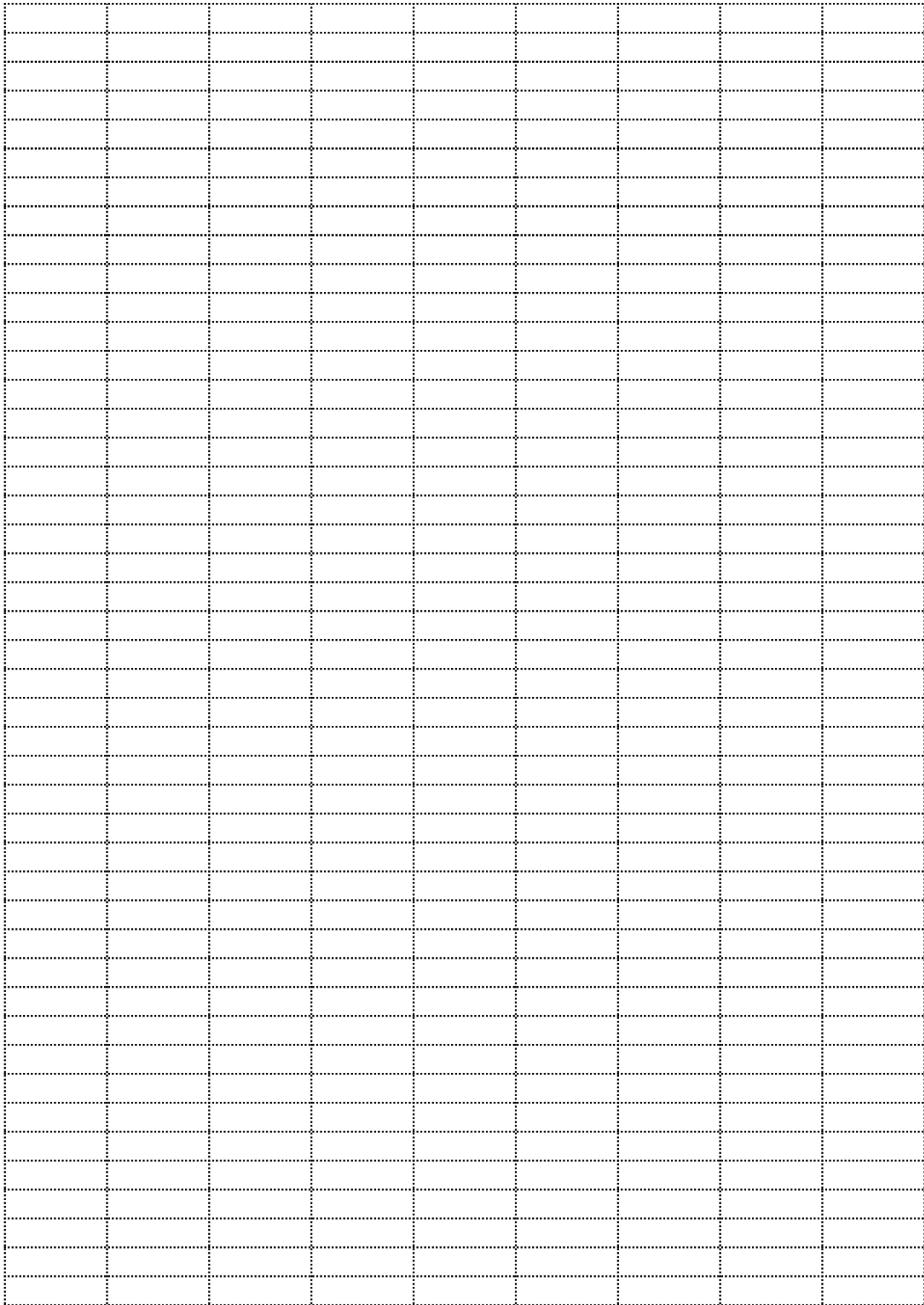














CITY COUNCIL Agenda Item #20-006

Date: January 8, 2020

Consent__ Discussion X

SUBJECT: Confluence Park / Vermont River Conservancy budget request

SUBMITTING DEPARTMENT: Vermont River Conservancy via City Manager's Office

RECOMMENDED ACTION: Receive presentation from the Vermont River Conservancy, consider budget request.

STRATEGIC OUTCOME/PRIOR ACTION: Environmental Stewardship; Thoughtfully Planned Built Environment; Community Prosperity

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: The Council previously authorized the Vermont River Conservancy to use grant funding to study riverfront access issues, and specifically a proposal to improve the newly approved Confluence Park area. Richarda Ericson of the VRC will be presenting and making a financial request.

SUPPORTING DOCUMENTS: Proposal and budget from VRA

INTERESTED PARTIES: City Council, residents, staff

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over the City Manager's Approval line.

The Confluence River Park Phase 3 Proposal & Budget

A part of the new vision for Montpelier's park system is connecting Montpelier residents, workers, and visitors to the rivers that flow through the heart of the city. The newly designated "Confluence River Park" will be located at the confluence of the North Branch and the main stem of the Winooski River and will provide the public with direct access to the flowing waters of these rivers for fishing, boating, and aesthetic appreciation. This new connection between the cityscape and the riverscape will provide new economic opportunities for a variety of recreational activities, a "backyard" for local restaurants, a small-scale performance space, and an overall incentive for people to simply hang out and enjoy downtown Montpelier.

The Confluence River Park will also serve the growing set of new Montpelier residents who are, or will be, choosing Montpelier as a place to live, in part, because of forward-thinking planning for new urban recreational opportunities. Being able to eat lunch while sitting on a granite block at the river edge, or launching a kayak to play in a whitewater park, or casting a fly to coax a rainbow trout out of its hiding place, will be new opportunities for Montpelier residents with the development of the Confluence River Park and the restoration of the rivers for necessary water quality improvements.



The next phase in planning for the Confluence River Park will take us from final Conceptual Design (see image above), which is considered 10% of design

completion, to 75-80% completion. We are calling this Phase 3, and it will include the following tasks:

- Monitor water levels over a more extensive duration to gather information on how ice and higher water levels might impact the lower surfaces of the park.
- Obtain the as-built survey data from adjacent multi-use trail improvements project and conduct limited additional field survey to verify existing conditions and obtain real data with elevations in critical areas.
- Obtain additional geotechnical and engineering guidance to determine the most feasible approach to constructing the project and managing site materials.
- Identify the requirements of the Corrective Action Plan (CAP) amendment and outline the regulatory and local permitting needs for the project. Conduct pre-application meetings with regulatory agencies and begin compiling the required permitting materials.
- Undertake design development / preliminary design to refine the project layout, elevations, detailing, and materials, and constructability based upon the additional data. Refine the cost estimate and the approach to implementation with updated cost estimates.
- Advance technical design to 75-80% level of completion in preparation of future permitting (to be completed in Phase 4). The work will include preparation of the site design and details, site elevations, typical structural elevations and details, stormwater management and erosion control plans, and a cost estimate.

Budget for Phase 3

Expenses:

Design Team (Landscape Architect, Engineer, and Surveyor): \$75,000

VRC Staff Time: \$17,000

Montpelier City Staff time: \$5,000

Total Expense: \$97,000

Income:

City of Montpelier: \$20,000

City of Montpelier In-Kind Staff Time: \$5,000

VRC-secured foundation grants: \$8,000

Conservation Fund (via Conservation Commission): \$5,000

Municipal Planning Grant: \$30,000

Parking Revenue Funds: \$8,000

Alternative Transportation/Bike Ped Grant: \$14,000

Private contributions: \$7,000

Total Income: \$97,000



CITY COUNCIL Agenda Item #20-007

Date: January 8, 2020

Consent ☐ Discussion ☒

SUBJECT: Hearing regarding adoption of interim changes to the River Hazard Area Regulations

SUBMITTING DEPARTMENT: Planning & Community Development

RECOMMENDED ACTION: Council should adopt the two interim river hazard area amendments as proposed (or "as amended" if changes are made by the Council).

STRATEGIC OUTCOME/INITIATIVE: Environmental Stewardship and Thoughtfully Planned Built Environment.

PRIOR ACTION: None.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Interim regulation changes are adopted under 24 V.S.A. 4415.

BACKGROUND INFORMATION: This winter two applications have come forward for projects in the River Corridor. This area is similar to the flood hazard area but in this case is the land near a river that is set aside to allow room for the river to meander across the landscape (as rivers naturally will do). The City adopted these river corridor rules in January 2018 to prohibit new development in these hazardous areas and provided allowances for some accessory structures. The issues we found with these regulations included: 1) the boundaries of the corridor are supposed to be clipped if they run into a road (according to state guidelines for developing maps). We found that this did not happen on Cummings Street. We propose to remove the areas north and east of the road. Second we had a proposal for a new low value accessory structure in the corridor. The application made sense but could not be approved. We suggest some clarifying language regarding accessory structures to ensure our goals are met regarding protections of property and river health as well as having reasonable rules about adding sheds, garages and other structures that could eventually need to be removed if the river channel adjusted.

SUPPORTING DOCUMENTS: A memo is attached with the strike out of the relevant provisions as well as the map showing the change to Cumming Street.

INTERESTED PARTIES: Montpelier Planning Commission.

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman", written over the City Manager's Approval line.

MEMORANDUM

To: Mayor Anne Watson
City Council

From: Mike Miller, Director of Planning & Community Development

Re: Recommended interim changes to the River Hazard Area Regulations

Date: December 12, 2019

The following are the proposed additions for Section 711.D of the River Hazard Area regulations:

711.D An accessory structure within the river corridor may be permitted provided it is not for human habitation and the following:

(1) Accessory structures with a footprint less than 150 square feet in size may be permitted provided the project meets both of the following:

- a. The new structure is not within 50 feet of a stream or river bank; and
- b. The applicant acknowledges the inherent risk to property by developing in the river corridor.

(2) Accessory structures with a footprint less than 480 square feet in size may be permitted provided the project meets all of the following:

- a. The new structure is not within 50 feet of a stream or river bank;
- b. The new structure is not closer to the river or stream than the existing principal structure; and
- c. The applicant acknowledges the inherent risk to property by developing in the river corridor.

(3) Accessory structures with a footprint greater than, or equal to, 480 square feet in size may be permitted if the project meets all of the following:

- a. The new structure is not within 50 feet of a stream or river bank;
- b. The new structure is not closer to the river or stream than the existing principal structure;
- c. The new structure is of low-value (i.e. less than \$10,000) and used for storage of low-value contents; and
- d. The applicant acknowledges the inherent risk to property by developing in the river

corridor.

(4) Applicants may request a waiver from the provisions of subsections 711.D(2)(b) and/or 711.D(3)(b). Applications for such a waiver request shall show the following:

- a. The site or lot characteristics make siting a similar structure in conformance with the requirement either not possible or not practicable; and
- b. The waiver is the minimum necessary for the project.
- c. Where the Development Review Board approves a waiver, the Development Review Board may condition such approval including by limiting:
 - i. the size of structures;
 - ii. the number of structures; and/or
 - iii. the location of structures within the River Corridor.

Also, the River Corridor map will be amended to remove the River Corridor from the east side of Cummings Street (See attached map).

Please let me know of any questions or comments at the meeting on December 11th, the hearing on December 18th or by email at mmiller@montpelier-vt.org.

MM





CITY COUNCIL Agenda Item #20-008

Date: January 8, 2020

Consent ____ Discussion X

SUBJECT: Amendment to 10-714 of the Code of Ordinances- Winter Parking Ban: Prohibited overnight parking (adding two sections of streets), 2nd Public Hearing.

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Conduct 2nd Public Hearing. Receive presentation from staff. Take no action to change it now.

STRATEGIC OUTCOME/INITIATIVE: Public Health and Safety; Sustainable Infrastructure

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Council must approve ordinance amendments.

BACKGROUND INFORMATION: After further staff review, we no longer recommend to make amendments at this time. Staff will make a presentation explaining our strategy.

SUPPORTING DOCUMENTS: None

INTERESTED PARTIES: DPW, Fire, PD, residents

CITY MANAGER'S APPROVAL:

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CITY COUNCIL Agenda Item #20-009

Date: January 8, 2020

Consent ☐ **Discussion** ☒

SUBJECT: Dog Ordinance Discussion

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Receive a recommendation for edits to the Animal and Noise Ordinance from City Manager's staff. Council should discuss options and opt to hold public hearings regarding any proposed changes, if any.

STRATEGIC OUTCOME/PRIOR ACTION: Councilor Bate introduced a discussion on the dog and noise ordinances at the November 13th, 2019 Council Meeting. Council asked for staff to present recommendations for Council to then discuss.

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: As directed, staff has benchmarked local and regional Ordinances that address the definition of nuisance dogs. Benchmarked communities and resources include the model dog ordinance from the Vermont League of Cities and Towns, other Vermont City ordinances, and ordinances from communities in New Hampshire and Massachusetts.

SUPPORTING DOCUMENTS: Nuisance Dog Ordinance Benchmarking Memo and Report and the Vermont League of Cities and Towns: Model Dog Control Ordinance with Guidance

INTERESTED PARTIES: Council, City Manager's Office

CITY MANAGER'S APPROVAL:

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Mayor Anne Watson

William Fraser
City Manager

City Council Members:

Dona Bate
Conor Casey
Ashley Hill
Lauren Hierl
Glen Coburn Hutcheson
Jack McCullough

Cameron Niedermayer
Assistant City Manager

MEMORANDUM

To: Mayor Watson & City Council Members
From: Cameron Niedermayer, Assistant City Manager
Re: Dog Nuisance Ordinance Benchmarking
Attachments: Vermont League of Cities and Towns: Model Dog Control Ordinance with Guidance, Nuisance Dog Ordinance Benchmarking Report
Date: December 3, 2019

As directed, staff has benchmarked local and regional Ordinances that address the definition of nuisance dogs. Benchmarked communities and resources include the model dog ordinance from the Vermont League of Cities and Towns, other Vermont City ordinances, and ordinances from communities in New Hampshire and Massachusetts.

The trend in almost all of the ordinances is to keep the level of specificity low in terms of definition regarding duration, noise level, or counting nuisance noises. When any of the benchmarked communities do enforce a time period for barking or other sound disturbances- it tends to be generous. Out of the Vermont Cities that were researched, only Winooski put a time limit in their ordinance, stating that nuisance dogs are those who are “disturb the quiet, comfort and repose of others by barking, whining, calling, or howling for a continuous period of 30 minutes or more”.

Most of the Vermont Cities in this report (Barre, Rutland, and Burlington) have the same ordinance language- stating that a nuisance dog is one that “barks, whines, howls, cries, or makes a noise commonly made by such animals in an excessive and continuous fashion so as to disturb the peace and quiet of any other person”. This language allows for flexibility and gives their Council or selectboard the option of employing greater nuance in how to regulate the behavior of their community’s dogs. It also acknowledges that the nuisance noise does have to cause a specific harm to an individual. The Vermont League of Cities and Towns’ suggested language also does not have an included time limit or other duration indicator, but does suggest that it could be useful in some communities.

Based on the commonality of not including any other type of metric on barking, etc. other than duration, staff recommends keeping the verbiage of the current Montpelier Ordinance defining nuisance dogs the same as it currently reads:

“Nuisance” shall mean any dog that:

- a. Chronically disturbs the quiet, comfort, and repose of others by barking, whining, calling, or howling for a continuous period of twenty (20) minutes or more.
 1. This definition shall not apply to:
 - i. dogs in a kennel/boarding facility which has received a zoning permit under the City’s Zoning Regulations; or
 - ii. “Working farm dogs” barking in order to herd or to protect livestock or poultry or to protect crops.
- b. Causes damage to property.

The City of Montpelier’s current ordinance acknowledges that the behavior must be chronic, gives a timeframe that is more limited than other communities, and insures protections for businesses and industry that may be impacted.



Vermont League of Cities and Towns
**MODEL DOG CONTROL ORDINANCE
WITH GUIDANCE**



Model Dog Control Ordinance Guidance

This most recent iteration of VLCT's model dog control ordinance endeavors to take a somewhat new approach to the age old problem of how best to regulate man's best friend. Rather than placing the burden of punishment on dogs, this model ordinance attempts to place it with those best positioned to change their behavior and who are ultimately responsible for their actions – their owners. Specifically, the ordinance designates any owner who has violated the ordinance a set number of times within a given timeframe (both to be determined by the selectboard) as a "reckless dog owner." In this case, the ordinance would require the owner to either submit proof of successful completion of a behavior modification program, which is designed to improve their understanding of dog ownership responsibilities, or face impoundment of the animal.

The model ordinance also takes a new approach to enforcement. Instead of treating all ordinance violations the same by imposing the same fine, this new model takes into consideration the impact of the harm that dogs inflict upon society by instituting a tiered enforcement structure. For example, a dog running at large, particularly one with an unknown rabies history, poses a substantially greater risk to the public health and safety than an owner who fails to pick up after their dog. This model reflects that difference by allowing towns to impose different fine amounts for different offenses while retaining the ability to escalate fines for subsequent violations. Under the newly amended model ordinance, towns also have the option of ticketing owners of "potentially vicious dogs" [i.e. dogs that chase a person, attack another domestic pet or animal, etc.].

WHY ADOPT A DOG CONTROL ORDINANCE?

There are various reasons for adopting a dog control ordinance. Does your town have a problem with dogs running at large? Do homeowners complain to you about having to pick up the mess left behind by someone else's dog? Is the peace and tranquility of your quiet town disrupted by the sound of incessant whining, barking, and howling echoing throughout the valley? If the answer to any of these questions is yes, then your town should consider adopting a dog control ordinance.

Few fields of law demand so much immediate attention, elicit such reactionary responses, draw the concern and ire of the public, or are as confusing to administer and enforce as Vermont's dog laws, which is why MAC has developed this model dog control ordinance to help you. An ordinance is a local law that allows a selectboard to regulate the conduct of all its inhabitants, including dogs and their owners. An ordinance sets expectations the townspeople have for dogs and their owners' behavior, and notifies people of potential consequences when these expectations are not met, including impoundment and fines. An ordinance may not solve or address all of your town's dog related problems but, when coupled with a commitment to enforcement, an ordinance will likely lessen the frequency of these infractions.

THE "POTENTIALLY VICIOUS DOG" OPTION

The Vermont Supreme Court has made it abundantly clear that a "town's right to control dogs that bite does not give rise to a generalized duty to control vicious dogs." *Rubin v. Town of Poultney*, 168

Vt. 624 (1998). Existing state law provides limited authority to regulate the behavior of aggressive dogs. Twenty V.S.A. § 3546 requires a selectboard to investigate and hold a hearing when there is a written complaint of a "vicious" dog -- a dog that: (1) bites a person; (2) off of the dog owner's premises; and (3) causes the bitten to require medical attention. All three of the above criteria must be met before triggering a selectboard's statutory duty to investigate. However, this is just the minimum the law requires. For various reasons, a selectboard may want to take on more responsibility by regulating aggressive dogs before they get to this point. In such instances, a selectboard can use a local ordinance to potentially head off more dangerous consequences by extending a town's authority over (and responsibility for) aggressive dogs beyond its basic legal obligations in order to better protect the public.

This model ordinances gives selectboards the option of employing greater flexibility to regulate the behavior of aggressive dogs, so long as they are willing to take on the additional responsibility that comes with such regulation. Specifically, this model gives the selectboard the authority to regulate dogs that are deemed to be "potentially vicious," (see VLCT's Model Dog Control Ordinance bracketed sections, marked "Optional"). It also gives the selectboard the option to choose whether to regulate bites that occur on the owner's premises. Before making the decision about whether a town will regulate such conduct, the selectboard should be aware of the associated responsibility that results from adopting an ordinance. According to the Dog Bite Law Center, approximately 70% of all dog bites occur on a dog owner's property which means choosing this option may result in a marked increase in vicious dog hearings. In addition, there is a risk of increased liability exposure to the town if the ordinance is adopted but not carefully enforced. Consequently, a town instituting these options should be sure to hold a hearing when a complaint is received and adhere to the processes laid out for "vicious" dog hearings, including rendering a protective order when necessary. Furthermore, a town incorporating this option should anticipate an associated increase in administrative and enforcement costs related to compliance. All of these factors must be weighed against the projected benefits of addressing these issues through an ordinance.

HOW TO CUSTOMIZE THIS MODEL ORDINANCE

In addition to referring back to this guidance, as needed, it is important that you read our resource entitled "How to Use MAC Model Ordinances" before making any revisions to or adopting this model. Please also refer to our other useful resource on this topic, The Big Book of Woof, and our resources on ordinance adoption more generally (Municipal Policies and Ordinances Info Sheet; Quick Guide to Ordinance Adoption, Amendment, or Repeal; and Ordinance Notice Requirements Info Sheet).

This model ordinance should be customized to suit the particular needs of your municipality, giving careful consideration to each element in light of your community's resources and expectations. Opportunities for editing this ordinance are designated with brackets or "Optional" italicized text. You must remove, replace, or accept the customizable language before adopting the ordinance. The selectboard should consult with law enforcement to ensure that the provisions of the ordinance are relevant and realistic in terms of the resources needed for enforcement.

This model ordinance has been developed for illustrative purposes only. VLCT makes no express or implied endorsement or recommendation of any ordinance, nor does it make any express or implied guarantee of legal enforceability or legal compliance, or that any ordinance is appropriate for any particular municipality. Each municipality is advised to seek legal counsel to review any proposed ordinance before adoption and / or use. VLCT PACIF members are advised to seek input from their municipality's loss control specialist regarding insurance considerations and risk avoidance.

Select and copy below this line.

TOWN OF _____

ORDINANCE REGULATING DOGS AND WOLF-HYBRIDS

SECTION 1. AUTHORITY. This ordinance is adopted by the Selectboard of the Town of _____ under authority of 20 V.S.A. § 3549, 24 V.S.A. §§ 2291 (10), (14), and (15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this ordinance is to regulate the keeping of dogs and wolf hybrids and to provide for their leashing, muzzling, restraint, impoundment and destruction, in order to protect the public health and safety of the Town, and preserve the quiet enjoyment of its residents' homes and properties.

SECTION 3. DEFINITIONS. For purposes of this ordinance, the following words and phrases shall apply:

- A. "Dog" means any member of the canine species. For purposes of this ordinance, this term shall also include "wolf-hybrids" and "working farm dogs" except as otherwise stated.
- B. "Domestic animal" means cattle, sheep, goats, equines, deer, American bison, swine, poultry, pheasant, Chukar partridge, Coturnix quail, psittacine birds, ferrets, camelids, ratites (ostriches, rheas, and emus), and water buffalo. The term shall include cultured fish propagated by commercial fish farms.
- C. "Domestic pet" or "pet" means any domestic dog, domestic cat, or ferret.
- D. "Enforcement Officer" means any Town Constable, Police Officer, Animal Control Officer, Humane Officer, or any other person designated as an Enforcement Officer by the Selectboard.
- E. "Impoundment" means being held by the Town at a place designated by the Selectboard. Such place may or may not be operated by the Town, and may or may not be within Town limits.
- F. "Owner" means any person who has actual or constructive possession of a dog. The term also includes those persons who provide food and shelter to a dog.
- G. **[Optional, See Guidance:** *"Potentially vicious dog" means a dog that, while running at large: inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring, another domestic pet or animal or a person from attack or assault or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or*

otherwise provoking the dog.]

- H. “Premises” means the home and real property of the dog owner.
- I. “Running at large” means that a dog is not:
 - 1. on a leash; or
 - 2. in a vehicle; or
 - 3. on the owner’s premises;
 - 4. on the premises of another person with that person’s permission; or
 - 5. clearly under the verbal or non-verbal control of its owner.
- J. “Wolf hybrid” means an animal that:
 - 1. is the progeny of a dog and a wolf (*Canis lupus* or *Canis rufus*); or
 - 2. is advertised or otherwise described or represented to be a wolf hybrid; or
 - 3. exhibits primary physical and/or behavioral wolf characteristics.
- K. “Working farm dog” means a dog that:
 - 1. is bred or trained to herd or protect livestock or poultry or to protect crops; and
 - 2. is used for those purposes; and
 - 3. is registered as a working farm dog pursuant to State law.

SECTION 4. NUISANCES.

- A. **Prohibitions.** An owner of a dog shall not allow, permit, or suffer such dog to create a nuisance. The following activities shall be deemed nuisances:

Nuisance One: Lack of current license and/or rabies tag

A dog without a collar or harness with the current license and/or valid rabies tag securely attached.

Nuisance Two: Running at large

A dog running at large in the Town.

Nuisance Three: Failure to remove waste

A dog that defecates in any public area or on the private premises of another person and whose owner does not immediately remove the fecal material and dispose of it in a sanitary manner.

Nuisance Four: Unconfined dog in heat

A female dog in heat not confined to a building or other secured enclosure, except while under the direct control of the owner.

Nuisance Five: Disturbing the Peace

A dog that disturbs the quiet, comfort and repose of others by barking, whining, calling, or

howling for a continuous period of [insert number] minutes or more. [If applicable, insert the following: "This regulation shall not apply to dogs in a kennel or boarding facility which has received a zoning permit under the Town's Zoning Regulations. The zoning permit will govern the use of the kennel or boarding facility."]

[Optional, See Guidance: Nuisance Six: Potentially vicious dog]

A dog that while running at large: inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring, another domestic pet or animal or a person from attack or assault or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog.]

- B. **Exemptions for Working Dogs.** The provisions of the sections pertaining to running at large and disturbing the peace shall not apply to working farm dogs if the working farm dog is:
1. barking in order to herd or protect livestock or poultry or to protect crops; or
 2. running at large in order to herd or protect livestock or poultry or to protect crops.

SECTION 5. COLLAR AND LICENSE. Each dog shall be licensed according to the laws of this State and shall wear a collar or harness with the current license attached. A dog that is visiting from out of state must wear a collar or harness with a current license from its home state attached. A dog that is found without a collar or harness and license shall be in violation of this Ordinance and may be immediately impounded.

SECTION 6. ENFORCEMENT. A violation of this Ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the [insert name of county] County Superior Court, at the election of the [insert either "Selectboard" or "Enforcement Officer"].

Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer shall have authority to issue tickets and represent the Town at any hearing.

Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

SECTION 7. PENALTIES AND COSTS.

- A. The Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance in the following amounts for each violation:

Failure to remove waste

1st Offense: warning or \$____ fine

Waiver Fee: \$____

2nd Offense: \$____ fine

Waiver Fee: \$____

3rd & Subsequent Offense: \$____ fine

Waiver Fee: \$____

Disturbing the peace

1st Offense: warning or \$____ fine

Waiver Fee: \$____

2nd Offense: \$____ fine

Waiver Fee: \$____

3rd & Subsequent Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

Unconfined Dog in Heat

1st Offense: warning or impoundment and/or \$____ fine

Waiver Fee: \$____

2nd Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

3rd & Subsequent Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

Lack of current license and/or rabies tag

1st Offense: warning or impoundment and/or \$____ fine

Waiver Fee: \$____

2nd Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

3rd & Subsequent Offense: impoundment/or and \$____ fine.

Waiver Fee: \$____

Running at large

1st Offense: warning or impoundment and/or \$____ fine

Waiver Fee: \$____

2nd Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

3rd & Subsequent Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

[Optional, See Guidance: *Potentially vicious dog*]

1st Offense: warning or impoundment and/or \$____ fine

Waiver Fee: \$____

2nd Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

3rd Offense: impoundment and/or \$____ fine

Waiver Fee: \$____

- B. The Enforcement Officer is authorized to recover a waiver fee in lieu of a civil penalty, in the stated amount, for any person who declines to contest a municipal complaint and pays the waiver fee.
- C. Determining the sequences of offenses for violations of this Ordinance shall be as follows: a subsequent violation that is identical to, and that occurs within __ months of, a previous violation shall be considered a higher offense (i.e., second, third, or subsequent offense). Any subsequent identical violation that occurs after __ months of a previous identical violation shall be considered a new first offense.
- D. **Reckless Dog Owner.** Any owner who has violated this Ordinance __ times, whether the offenses are identical or not, within a __ month period shall provide proof to the Enforcement Officer of successful completion of a behavior modification program, pre-approved by the

Selectboard, and designed to improve the owner's understanding of dog ownership responsibilities, within ___ months from the date of notification. The Enforcement Officer shall issue a notification of this requirement, in writing by regular mail postage prepaid, to the owner's last known address. Failure to provide such certification within the time allotted shall subject the offending dog(s) to immediate seizure and impoundment.

- E. For purposes of calculating the sequence of offenses, offenses shall be counted against the owner.
- F. A warning shall not be counted towards the calculation of the number of offenses under this Ordinance.

SECTION 8. IMPOUNDMENT.

- A. **Grounds for Impoundment.** Any dog may be immediately impounded if the dog:
 - 1. has been determined by an Enforcement Officer to be a "potentially vicious dog," which presents an imminent danger to people or other animals;
 - 2. has reportedly bitten a person off [insert "or on" if the ordinance will apply to all dog bites, regardless of location] the premises of its owner;
 - 3. is in violation of State licensing law;
 - 4. has an unknown rabies vaccination history or is suspected of having been exposed to rabies;
 - 5. is running at large;
 - 6. is an unconfined dog in heat; or
 - 7. is found without a collar or harness and license.
- B. **Notice of Impoundment.** The officer who impounds a dog shall, within twenty-four (24) hours, give notice to the owner thereof either personally, by telephone call, or by regular mail postage prepaid at the owner's last known address. Such notice shall inform the owner of the nature of the violations, the dog's location, and the necessary steps to have it returned to the owner.

If the owner of the dog is unknown, the officer who impounds a dog shall, within twenty-four (24) hours of impoundment, post a public notice. Notification shall be posted in the town clerk's office and other usual places for public notice for a ten (10) calendar day period. The public notice shall include a description of the dog, including any significant marks of identification, and when and where it was impounded or found by the person placing the dog in the town's custody. The public notice must also declare that, unless the owner 1) claims the dog, 2) pays all expenses incurred by the town for treatment, boarding and care of the dog, and any applicable penalties, and 3) takes all necessary remedial action within ten (10) calendar days following posting, the town may place the dog in an adoptive home or transfer it to a humane society or rescue organization. If the dog cannot be placed in an adoptive home or transferred to a humane society or rescue organization, it may be destroyed in a humane way.

- C. **Release from Impoundment.** Impounded dogs shall be released to the owner only after payment of all penalties and impoundment fees (including, but not limited to, boarding, food, and veterinary expenses), the final disposition of a potentially vicious dog or vicious dog hearing if applicable, and after all necessary remedial action, as determined by the enforcement officer in consideration of the violation committed, is taken by the owner. Remedial action shall include, but is not limited to, such actions as providing a collar and current license; verification of certification of current vaccination against rabies; payment of all applicable fines or waiver fees; and proof of satisfactory successful completion of a program designed to improve the owner's understanding and execution of dog ownership responsibilities.

If the owner of a dog impounded under the provisions of this ordinance refuses to take the remedial action necessary to secure the dog's release within ten (10) calendar days following notice of impoundment or gives notice either personally, by telephone call, or in writing to the town of forfeiture of ownership before that time, the dog may be placed in an adoptive home, transferred to a humane society or rescue organization; or, if the town is unable to transfer the dog, it may be humanely destroyed. The owner of a dog transferred or humanely destroyed shall remain liable for all expenses incurred by the Town for treatment, boarding and care of the dog for the duration of its impoundment, and any expenses associated with its transfer or humane disposal.

- D. **Rabies Suspect.** The procedures provided in this section shall only apply if the dog is not a rabies suspect. If an official designated by the Selectboard to enforce the provisions of this ordinance determines that the dog is a rabies suspect, the Selectboard shall immediately notify the Town Health Officer who shall proceed in accordance with the Vermont Department of Health's rules.

SECTION 9. INVESTIGATION OF VICIOUS DOGS.

- A. **Complaint.** When a dog has bitten a person while the dog is off *[insert "or on" if the ordinance will apply to all dog bites, regardless of location]* the premises of its owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the Selectboard of the municipality. The complaint shall contain the time, date, and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the Selectboard in conducting its investigation.
- B. **Investigation and Hearing.** The Selectboard, within seven (7) calendar days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the dog which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date, and place of hearing and a copy of the complaint.
- C. **Protective Order.** If, after a hearing on the matter, the dog is found to have bitten the victim without provocation, the Selectboard shall make such order for the protection of

persons as the facts and circumstances of the case may require, including, without limitation, that the dog is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested, to the owner. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in 20 V.S.A. § 3550.

- D. **Rabies suspect.** The procedures provided in this section shall only apply if the dog is not a rabies suspect. If a member of the Selectboard or an Enforcement Officer determines that the dog is a rabies suspect, the Selectboard shall immediately notify the Town Health Officer who shall proceed in accordance with the Vermont Department of Health's rules. If the dog is deemed healthy, the terms and conditions set forth in the Selectboard's order shall be enforced.

[Optional, See Guidance: *SECTION 10. POTENTIALLY VICIOUS DOGS*.

A person claiming a dog is a "potentially vicious dog" may file a written complaint with the Selectboard. The complaint shall contain the time, date, and place where the alleged behavior occurred, an identification of the domestic pet or animal threatened or attacked, the name and address of any victim or victims, and any other facts that may assist the Selectboard in conducting its hearing. Upon receipt of a "potentially vicious dog" complaint the Selectboard shall proceed as in the case of a "vicious dog" complaint with the exception that if the Selectboard determines that the behavior classifies the dog as "potentially vicious" the Selectboard may order any protective measures be taken absent the dog being humanely destroyed.]

SECTION 11. OTHER LAWS. This ordinance is in addition to all other ordinances of the Town of _____ and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION 13. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adopted this _____ day of _____, 20__.

SIGNATURES:

Adoption History

1. Agenda item at regular Selectboard meeting held on _____.
2. Read and approved at regular/special Selectboard meeting on _____ and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]

Nuisance Dog Ordinance Benchmarking
December 3, 2019

This report contains examples of various Communities' ordinances regarding the definition of "nuisance dogs", and any immediately related enforcement measures. Benchmarked communities are from Vermont, New Hampshire, and Massachusetts.

Model Dog Ordinance: Vermont League of Cities and Towns

SECTION 4. NUISANCES.

- A. Prohibitions. An owner of a dog shall not allow, permit, or suffer such dog to create a nuisance. The following activities shall be deemed nuisances:

Nuisance One: Lack of current license and/or rabies tag

A dog without a collar or harness with the current license and/or valid rabies tag securely attached.

Nuisance Two: Running at large

A dog running at large in the Town.

Nuisance Three: Failure to remove waste

A dog that defecates in any public area or on the private premises of another person and whose owner does not immediately remove the fecal material and dispose of it in a sanitary manner.

Nuisance Four: Unconfined dog in heat

A female dog in heat not confined to a building or other secured enclosure, except while under the direct control of the owner.

Nuisance Five: Disturbing the Peace

A dog that disturbs the quiet, comfort and repose of others by barking, whining, calling, or howling for a continuous period of [insert number] minutes or more. [If applicable, insert the following: "This regulation shall not apply to dogs in a kennel or boarding facility which has received a zoning permit under the Town's Zoning Regulations. The zoning permit will govern the use of the kennel or boarding facility."]

Burlington, VT

5-4 Nuisance animals.

No owner, keeper or other person having control shall permit an animal to be a nuisance animal. For the purposes of this section, nuisance animal means any animal or animals which:

- (1) Molests or harasses passersby or passing vehicles, or otherwise creates a public safety hazard;
- (2) Attacks other animals;
- (3) Damages property other than that of its owner;
- (4) Defecates off the premises of the animal's owner, and the owner, or other individual in control of the animal, fails to remove such deposit immediately;
- (5) Barks, whines, howls, cries, or makes a noise commonly made by such animals in an excessive and continuous fashion so as to disturb the peace and quiet of any other person.

South Burlington, VT

3- Disturbances and Nuisances

An owner of a dog or cat shall not allow, permit, or suffer a dog or cat to create a nuisance. The following shall be deemed nuisances:

- a) Running at Large in the City.
- b) A female dog or cat in heat that is not confined to a building or other secured enclosure, except while under the direct control of the Owner.
- c) A Dog or Cat which, by frequent or long continued noise, disturbs the quiet, comfort, and repose of others.
- d) A Dog or Cat that defecates in any public area or on the private property of another person and whose Owner does not immediately remove the fecal material and dispose of it in a sanitary manner.

Rutland, VT

§13-2551 Nuisance Animals.

No owner, keeper or other person having control shall permit an animal to be a nuisance animal. For the purposes of this section, nuisance animal means any animal or animals which:

- (1) Molests or harasses passersby or passing vehicles;
- (2) Attacks other animals;
- (3) Damages property other than that of its owner;
- (4) Defecates off the premises of the animal's owner, and the owner or other individual in control of the animal, fails to remove such deposit immediately;
- (5) Barks, whines, howls or cries in an excessive and continuous fashion so as to disturb the peace and quiet of any other person.

Barre, VT

Sec. 3-20. Nuisance animals.

No owner, keeper or other person having control shall permit an animal to be a nuisance animal. For the purposes of this section, nuisance animal means any animal or animals which:

Molests or harasses passersby or passing vehicles, or otherwise creates a public safety hazard;

- (1) Attacks other animals;
- (2) Damages property other than that of its owner;
- (3) Defecates off the premises of the animal's owner, and the owner, or other individual in control of the animal, fails to remove such deposit immediately;
- (4) Barks, whines, howls, cries, or makes a noise commonly made by such animals in an excessive and continuous fashion so as to disturb the peace and quiet of any other person. (Ord. No. 2010-01, 7-6-10)

Winooski, VT

SECTION 3.13 - NUISANCES

An owner of a dog shall not allow, permit, or suffer such dog to create a nuisance. The following activities shall be deemed nuisances:

1. A dog that defecates in any public area or on the private premises of another person and whose owner does not immediately remove the fecal material and dispose of it in a sanitary manner.
2. A female dog in heat not confined to a building or other secured enclosure, except while under the direct control of the owner.
3. A dog that disturbs the quiet, comfort and repose of others by barking, whining, calling, or howling for a continuous period of 30 minutes or more.

This regulation shall not apply to dogs in a kennel/boarding facility which has received a zoning permit under the city's zoning regulations. The zoning permit will govern the use of the kennel/boarding facility.

St. Albans, VT

CHAPTER 7 ANIMAL ORDINANCE

2801-h "Nuisance" shall be those acts of a pet which unreasonably interferes with the peace and quiet of persons of ordinary sensibility. Acts of nuisance shall include, but not be limited to habitual barking, yelping or howling, defecation and examination of garbage cans.

2809. Nuisances.

No person owning or harboring a pet shall permit such pet to be a nuisance as defined.

2810. Investigation of Nuisances.

- a) When a pet has caused a nuisance to a person, such person may file a written complaint with the Animal Control Officer. The complaint shall contain the time, date, and place where the nuisance occurred, the name and address of the persons affected, and any other facts that may assist the Animal Control Officer in conducting his investigation.
- b) If the pet is found to be a nuisance as defined, the Animal Control Officer shall, without limitation, issue a ticket under Section 2819, order the pet confined, chained, or muzzled, and/or refer the matter to the City Council.

2819-b

Before a ticket is issued for a violation of Sections 2803, 2804, 2805, 2806, 2808, 2809 and 2810 of this ordinance, a warning will be given. Violations of Sections 2807, 2811 and 2812 do not qualify for a warning. After the initial warning, a violation of Sections 2803, 2804, 2805, 2806, 2808, 2809 and 2810 of this ordinance is subject to a fine of \$75.00 a day.

A person who admits or does not contest a ticket issued pursuant to this ordinance may satisfy the fine by payment of a waiver fee set as follows: First offense- \$30.00 Second offense in a one year period from the date of the warning- \$50.00 Third and subsequent offenses in a one year period from the date of the warning - \$75.00 (Change 7/6/06)

Keene, New Hampshire

Sec. 10-35. - Nuisance, menace or vicious dogs.

- (a) Prohibited. No dog shall be permitted, whether or not leashed or restrained, to be a nuisance, a menace, or vicious to persons, property or other animals.
- (b) Nuisance dogs. A dog is adjudged to be a nuisance if it:
 - (1) Barks for sustained periods of more than one-half hour or during the night hours so as to disturb the peace and quiet of a neighborhood or area.
 - (2) Digs, scratches or excretes or causes waste or garbage to be scattered on property other than the owner's.
 - (3) Is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian. This subsection shall not include a dog which is being used for hunting, herding, supervised competition, or exhibition or training for such activities if accompanied by the owner or custodian, meaning that the owner or custodian must be able to see or hear the dog or have reasonable knowledge of where the dog is hunting or herding or where training is being conducted or where trials are being held, provided that such dog does not have to be within sight at all times.
- (c) Menace dogs. A dog is adjudged to be a menace if it:
 - (1) Growls, snaps at, runs after or chases any person.
 - (2) Runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the public ways of the city.
- (d) Vicious dogs. A dog is adjudged to be vicious if it, whether alone or in a pack with other dogs, bites, attacks, or preys on game animals, domestic animals, fowl or human beings.

Cambridge, Massachusetts

6.04.050 - Dogs—Nuisances unlawful.

No person shall own or keep in the City any dog which by barking, biting, howling or in any other manner, disturbs the quiet of any person.

6.04.120 - Violation—Penalty.

Any person who violates any of the provisions of Sections 6.04.040, 6.04.050, 6.04.070, 6.04.080 or 6.04.090 of this chapter shall be subject to a fine not exceeding fifty dollars for each offense. Any person who violates any of the provisions of Section 6.04.020 of this chapter shall be subject to a fine of fifty dollars for each offense. A violation of Section 6.04.030 shall be punishable by a fine of twenty-five dollars for each offense, plus any and all costs of care and confinement, and any other amounts allowed by law. A violation of Section 6.04.060 of this chapter shall be punishable by a fine of not more than one hundred dollars for each offense (Ord. No. 1373, 10/19/2015; Ord. 1125 § 1, 1991: Ord. 998 (part), 1983: prior code § 4-6)

Chelsea, Massachusetts

Sec. 4-5. - Nuisances.

No owner shall fail to exercise proper care and control of such person's animals to prevent them from becoming a public nuisance. Excessive or untimely barking, molesting passersby, chasing vehicles, habitually attacking people or other domestic animals, trespassing upon school grounds, or trespassing upon private property in such manner as to damage property shall be deemed a nuisance.

Sec. 4-39. - Fines—Generally.

Any person violating any provision of this article shall be deemed guilty of a violation and shall be subject to a criminal fine, for offenses within a calendar year, of:

- 1) \$25.00 for the first offense;
- 2) \$50.00 for the second offense;
- 3) \$75.00 for the third offense and each subsequent offense; and shall in all other respects be subject to the provisions of section 1-8.

Sec. 4-41. - Issuance of tickets.

The animal control officer and police officers of the city are empowered to issue tickets for violations of the provisions of this article.

Sec. 4-49. - Curbing of dogs.

- (a) Any dog which scratches, digs, urinates or defecates upon any lawn, tree, shrub, plant, building, sidewalk or any other public or private property, other than the property of the owner or person in charge or control of such dog, is declared to be a nuisance.
- (b) No person being the owner in charge or control of any dog shall allow or permit such animal to commit a nuisance on any school grounds, city park or other public property, or upon any private property other than that of the owner or person in charge or control of such dog, without the permission of the owner of such property.
- (c) Where the owner or person in charge or control of such dog immediately removes all feces deposited by such dog and disposes of such in a sanitary manner, such nuisance shall be considered abated.

Lawrence, Massachusetts

Title 6 – ANIMALS

Nuisance animal means any animal which:

1. Molests passersby or passing vehicles, including bicycles;
2. Attacks other animals;
3. Trespasses on school grounds;
4. Is at large in violation of this chapter;
5. Damages private or public property;
6. Barks, whines, or howls and disturbs the peace and tranquility of an area;
7. Bites or attacks any persons.

6.04.100 - Nuisance animals prohibited.

No person who owns or keeps an animal shall allow such animal to become a nuisance by reason of vicious disposition, being a dangerous animal, excessive barking, or other disturbance, or that by such barking or other disturbance is a source of annoyance to any such person. Animal behavior which constitutes a nuisance includes, but is not limited to, the following:

- A. Molesting passersby or passing vehicles (including bicycles);

Nuisance Dog Ordinance Benchmarking
December 3, 2019

- B. Attacking persons or domestic animals, trespassing on school grounds or other public property, repeated and consistent instances of wandering unrestrained, damaging public or private property, barking, whining or howling in an excessive, continuous, or untimely fashion.

New Bedford, Massachusetts

Chapter 4 – ANIMALS

Sec. 4-28. - Restraint of dogs; nuisance abatement; notice to remove or destroy dog.

No person owning or harboring a dog shall suffer or allow it to run at large in any of the streets or public places in the city or allow it upon the premises of anyone other than the owner or keeper of such dog without the permission of the owner or occupant of such premises. No dog shall be permitted in any street or public place within the city unless it is effectively restrained as above defined by a chain or leash not exceeding seven (7) feet.

The keeping or harboring of any dog or other animal, whether licensed or not, which by habitual howling, yelping, barking or other noise disturbs or annoys any considerable number of persons or neighborhood is unlawful, and is hereby declared to be a public nuisance and each day shall constitute a separate offense. The provisions of M.G.L.A. c. 140 shall be applicable.

It shall be the duty of each person who owns, possesses or controls a dog or any other animal, to remove and dispose of any feces left by such person's dog or other animal, on any sidewalk, street or any other area to which the public has access. It shall be the duty of each person who owns, possesses or controls a dog or any other animal, to remove and dispose of any feces left by such person's dog or other animal on private property abutting a public way while such person's dog or animal is under restraint, control or command. This subsection shall not apply to a guide dog accompanying any blind person.

On complaint made to the dog officer of any dog owned or kept within the city, which shall, by barking, biting, howling or in any way or manner endanger the safety or disturb the quiet of any person whomsoever, the dog officer shall, on such complaint, if satisfied that good cause exists thereof, issue notice thereof to the person owning or keeping such dog; and in case such person shall, after such notice, neglect to cause such dog to be forthwith removed and kept beyond the limits of the city or to be killed, such person shall be subject to the penalty provided in section 17-18, the ticketing by-law.

If any person, after being convicted under the provisions of this section, shall still neglect or refuse to kill or remove such dog beyond the limits of the city, it shall be the duty of the dog officer to cause such dog to be killed.

It shall be unlawful for any person to knowingly keep or harbor any dog which barks, howls or yelps in such a manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs are hereby declared to be a public nuisance.



CITY COUNCIL Agenda Item #20-010

Date: January 8, 2020

Consent ☐ **Discussion** ☒

SUBJECT: Budget Discussion

SUBMITTING DEPARTMENT: City Manager and Finance Department

RECOMMENDED ACTION: None, discussion only

STRATEGIC OUTCOME: Community Prosperity; Responsive and Responsible Government

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: None

BACKGROUND INFORMATION: The Finance Department and City Manager will provide council with an update on the FY21 budget process.

SUPPORTING DOCUMENTS: Budget book previously provided

INTERESTED PARTIES: City Council, Residents, City Staff

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Johnson", written over a horizontal line.



CITY COUNCIL Agenda Item #20-011

Date: January 8, 2020

Consent ___ **Discussion** **X**

SUBJECT: City Council vacancy discussion

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Discuss how to move forward regarding the vacancy on the City Council.

STRATEGIC OUTCOME: Responsive and Responsible Government

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: According to the City of Montpelier Charter § 303. VACANCY IN OFFICE OF COUNCIL MEMBER. A vacancy on the City Council shall occur upon the death, removal from the district, inability to serve, or resignation of a Council member. A vacancy in the office of Council member with more than 90 days of unexpired term remaining shall be filled by the remaining members of the City Council. At the next annual meeting of the City, the unexpired term of the office shall be filled by election for the balance of the unexpired term. The Council may remove a Council member who has unexcused absences at four or more consecutive Council meetings upon approval of two-thirds of the Council.

BACKGROUND INFORMATION: Ashley Hill has stepped down from her seat on the Montpelier City Council. There is no prescribed process for filling a vacancy. See Charter language above.

INTERESTED PARTIES: City Council, Residents

CITY MANAGER'S APPROVAL:

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