



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, July 8,
2015
06:30 P.M.

- 1) Call to Order by the Mayor
- 2) 15-178. Review and Approve Agenda for Special Meeting
- 3) 15-179. City Council will conduct a Special Meeting in conjunction with the One Taylor Street Design Review Committee Meeting. 6:30 P.M. Televised portion of meeting will begin .
- 4) 15-180. Review and Approve Agenda for Regular Meeting
- 5) 15-181. General Business and Appearances
- 6) 15-182. Consideration of the Consent Agenda:
 - a) Consideration of the Minutes from the June 24, 2015 City Council Meeting.
 - b) Accept the bid submitted by Lloyd Franks of Plainfield, Vermont, for Maintenance of Trash, Recycling and Dog Waste Barrels for the Public Works Department, for the estimated annual amount of \$18,824.10, with the condition that all material collected be disposed of at the Public Works Garage, and to authorize the City Manager to execute the contract documents.
 - c) Approve request from Sandy Vitzthum for the closure of Loomis Street (from Park Avenue to Liberty Street) for their 12th Annual Block Party on Saturday, August 15th, from 5:00 to 8:00 P.M.; rain date would be

Sunday, August 16th, from 3:00 to 6:00 P.M.

- d) Approve a request from Sandy Vitzthum for a waiver of the City's Noise Ordinance to accommodate live music at their August 15th Block Party.
- e) Award of Construction Contract for the Terrace Street Culvert Improvement Project
 - 1) The Public Works Department, through its engineering consultant Dubois & King, issued an Invitation for Bids to area newspapers, the City's web site, and on the Vermont Bid System. Bids were originally scheduled to be opened on July 2nd, but the opening had to be postponed to provide additional time for prospective bidders to obtain contract documents and consider answers to questions raised. The revised bid opening is scheduled for July 7th at 10:00 A.M.
 - 2) Assuming the bids received are within the available budget and there are no irregularities or problems with the bids received, a bid tabulation and recommendation to accept low bid and to award the contract will be provided by the Public Works Director in time for consideration at this City Council meeting.
 - 3) The contract is for the replacement of a 5½' x 8' metal culvert which carries the Terrace Street Brook under Terrace Street and Walker Terrace which has reached an advance state of failure and partial collapse.
 - 4) The engineer's estimate of probable construction cost is \$353,000. Funding for the construction contract is available from a VTrans Town Highway Structures Grant and the Capital Improvement Plan (Bond) as noted below. Costs for the engineering services are being paid separately by the CIP Project Management Fund.
 - i) Structures Grant = \$175,000
 - ii) CIP (Bond: "Culverts & Storm Drains") = \$178,000
 - iii) Total Funds Available = \$353,000

- 5) Recommendation: Award of the Construction Contract for the Terrace Street Culvert Improvement Project to the qualified bidder submitting the lowest and responsive bid as recommended by the Director of Public Works; designation of the City Manager as the duly authorized agent to execute the contract documents and change orders if applicable.

- f) Authorize the City Manager to sign two separate Memorandums of Understanding (MOUs) between the City of Montpelier and its partners in the "FEAST" Senior Nutrition Program at Montpelier Senior Activity Center (MSAC) for FY16. The four attachments include the MOUs between MSAC and Just Basics, Inc. (JBI) and between MSAC and Good Taste Catering (GTC), along with two addendums referenced in the MOUs: A Healthy Food Pledge and a Food TV Project Description. NOTE: There are no substantial changes to the MOUs compared with FY15. Updates in the JBI MOU include addition of the summer meal 6-week pilot program at Barre Street, handling of expenses for reusable home delivered meal containers, and clarification of financial and meal count reporting expectations. MSAC Director Janna Clar will be present to answer any questions.

- g) Authorize the City Manager to sign the proclamation to recommit to full implementation of the Americans with Disabilities Act.
 - 1) July 26, 2015 marks the 25th Anniversary of the Americans with Disabilities Act legislation to ensure the civil rights for people with disabilities.
 - 2) The City of Montpelier has an active ADA Committee that has requested that the City sign this proclamation along with other government organizations and nonprofits from across the country.

- h) Payroll and Bills

- 7) 15-183. Appointments to the Development Review Board
 - a) The 3-year terms of Philip Zalinger and Roger Cranse expire this month.
 - b) Staff advertised for these positions and received responses from Roger Cranse and Phil Zalinger, both seeking reappointment.

- c) Recommendation: Reappoint Phil Zalinger and Roger Cranse.

8) 15-184. Transportation Committee Appointments

- a) The City Council has been working on the creation of a "Montpelier Transportation Advisory Committee" to advise the Council on transportation-related issues. This Committee will be made up of representatives from the Pedestrian, Bike, Parking and Energy (Net Zero) Committees; two appointees and one alternate from each. Staff has revised the attached documents to reflect previous Council discussions.
- b) Each of the Committees has met and are submitting their nominations as follows:
 - i. Pedestrian: Mark Provost Harris Webster John Snell, Alternate
 - ii. Bike: Jenn Gordon Dan Homeier Anthony Menona, Alternate
 - iii. Parking: Michael Clasen Brian Cain Tawnya Kristen, Alternate
 - iv. Energy (MEAC): Dan Costin Dan Jones Ken Jones, Alternate
- c) Recommendation: Discussion; approve structure; make appointments; possible direction to staff.

9) 15-185. Adoption of the Montpelier in Motion Scoping Report

- a) The Montpelier in Motion Steering Committee will take comments and questions from the Council and public on the final Bicycle and Pedestrian Master Plan (attached).
- b) The Committee worked with consultant Jim Donovan from Broadreach for the past year. The plan addresses proposed infrastructure improvements, education and encouragement; sets priorities; and generally lays out goals and steps to make Montpelier a safe and pleasant place to walk and bike.
- c) Recommendation: The Council should adopt the final Montpelier in

Motion Scoping Study.

10) 15-186. Discussion of the schedule to readopt the City Master Plan

- a) The Master Plan is an important document as it enables the City to adopt zoning regulations, apply for many grants, and participate in certain state programs like having a designated downtown. The City Master Plan is set to expire in September.
- b) The Planning Director will be available to discuss the options for readoption of the City Master Plan.
- c) Recommendation: Discussion; possible direction to staff; direct the Planning Director to proceed with the readoption of the plan with the required edits and also move forward with applying for a Planning Grant to open the plan for a more complete revision over the next year and a half.

11) 15-187. Discussion of acquisition of the property at 12 Main Street

- a) Discuss and consider the process for condemning the property at 12 Main Street owned by Thomas J. Mowatt Revocable Trust for the purposes of establishing a bicycle route from 10 Main Street to the vicinity of the corner of Main and Barre Streets pursuant to the provisions of 19 V.S.A., Chapter 23 (Bicycle Routes) and 19 V.S.A., Chapter 5.
- b) City officials and the property owner have been negotiating for the purchase of the subject property and have not reached agreement.
- c) The City has obtained \$6 million dollars in Federal Highway Administration funding to develop a bike path and other improvements on this property to connect the City's bike path through the center of downtown.
- d) Recommendation: Consider initiation of condemnation process related to 12 Main Street in accordance with 19 V.S.A., Chapter 5.

12) 15-188. Consideration of a Resolution Requesting Membership in the East Central Vermont Telecommunications District and Appointing a

Representative to the Governing Board Thereof

- a) Representative to the EC Fiber Board Rob Chapman requested this agenda item; Rob and City Attorney Paul Giuliani will be in attendance to discuss this with Council.
 - b) Recommendation: Receive presentation; discussion; possible approval of the Resolution; and direction to Rob Chapman and/or staff.
- 13) 15-189. Continued Public Hearing/Reading of a proposed amendment to Chapter 11 of the City's Code of Ordinances
- a) At their June 24th meeting, City Council made one change and was asked to consider a recommendation from New Directions. City Attorney Paul Giuliani incorporated the proposed amendments as reflected below:
CHAPTER 11 POLICE REGULATIONS AND OFFENSES
ARTICLE XI. SMOKING WITHIN CITY
PARKS Sec. 11-1100. SMOKING PROHIBITED. No person shall hold or possess any lighted cigar, cigarette, pipe or device containing tobacco or a tobacco product or a tobacco substitute or any other substance capable of being inhaled within or upon any park, field or recreational area owned by the City which is conspicuously posted with signage prohibiting smoking. Sec. 11-1101. DEFINITIONS.
 - d) Police Chief Tony Facos will be in attendance to comment on this proposed amendment.
 - e) Recommendation: Conduct the Public Hearing/Reading; approve proposed amendment.
- 14) 15-190. Consideration of setting the FY 2016 Municipal Tax Rate of \$1.0037; the Water/Sewer Benefit Charge of \$.02; and Sewer Separation Charge of \$.07. See attached memorandum from Finance Director.
- 15) 15-191. Consideration of FY16 District Heat Montpelier rates
- a) The FY16 capacity charge is established in the Customer Agreements, and the Commission of Buildings and General Services has established the energy charge.

b) Staff will be available to answer questions.

c) Recommendation: Approve the District Heat Montpelier capacity rate at \$4.91/MBTUH and the energy rate at \$9.20/MMBTU for FY16.

16) 15-192. Other Business

17) 15-193. Council Reports

18) 15-194. Mayor's Report

19) 15-195. City Clerk's Report

20) 15-196. City Manager's Report

21) Adjournment