



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, August
13, 2014
06:30 P.M.

- 1) Call to Order by the Mayor
- 2) 14-186. General Business and Appearances
- 3) 14-187. Consideration of the Consent Agenda:
 - a) Approve Minutes from the July 30, 2014 Special City Council Meeting.
 - b) Approve and execute the Municipality Certificate as to Municipal Bonds for Series 2014-4 Refunding Bonds for the purpose of providing debt service reductions for the City's 2006 Series 1 Bonds. The voters authorized the borrowing of \$865,000 for improvements to City Hall, the Department of Public Works facilities, city bridges and to recast the Water Fund loan in 2005. This bond currently has a balance of \$550,000. By refunding this bond at a lower interest rate, there will be a \$24,844 saving in interest payments over the next 13 years. J. Paul Giuliani, the City's bond counsel, recommends that the Council approve and sign the Municipality Certificate as to Municipal Bond document to authorize the refinancing of this loan to take advantage of the interest savings.
 - c) Approve request from Montpelier Alive, seeking a waiver of all vendor fees that may apply to the September 6th Anniversary Party on State Street. July 3rd vendors have been invited to return to participate in the event from 5:00 - 9:00 P.M. To date, six vendors would like to participate. Although this is labeled as a 15th Anniversary Party for Montpelier Alive, and will no doubt have less attendance, it is a gesture to make up for the early cancellation of the July 3rd celebration.

d) Payroll and Bills

4) 14-188. Appointments to Montpelier's Community Fund Board.

- a) When the board was appointed by Council on August 22, 2012, the terms were staggered (1, 2 and 3 years) with the understanding that when the terms expire, they would all become 3-year terms. Bernie Lambek and Warren Vail had the 2-year terms.
- b) Staff advertised and received e-mails from Bernie and Warren who are both seeking reappointment; Nancy Sherman, Susan Ritz, Ron Wild and John Van Deren are interested in becoming a new member of the board.
- c) It is anticipated that City Council will enter into Executive Session in accordance with Title I, §313, Executive Sessions, (3) The appointment or employment or evaluation of a public officer or employee.
- d) Recommendation: Following an opportunity to meet and ask questions of the candidates, enter into Executive Session; return to public session and announce appointments to fill the two, 3-year terms on the Montpelier Community Fund Board.

5) 14-189. Appointment(s) to the Design Review Committee.

- a) Kate Coffey, who held a 3-year term set to expire in September of this year, recently stepped down, effective immediately.
- b) Staff advertised and received two responses: one e-mail from Seth Mitchell who is currently an Alternate on the DRC and would like to be considered to fill the regular seat; the other from Elinor Bacon who is willing to be considered for the Alternate seat, if vacated by Seth.
- d) Recommendation: Opportunity for Council to ask questions of Seth and Elinor; appointment to fill the unexpired regular seat through September of 2017, and possibly appoint Elinor for the 3-year Alternate position.

6) 14-190. Appointment to Montpelier's Development Review Board.

- a) The 3-year term of James LaMonda expires this month. Staff advertised and received just one e-mail from James who is seeking reappointment.
- b) Recommendation: Opportunity for Council to ask questions of James; reappoint him to another 3-year term on the DRC.

7) 14-191. Appointments to Montpelier's Planning Commission.

- a) Four, 2-year terms expire this month; staff advertised and received e-mails from Eileen Simpson, Kimberly Cheney, and Alan Goldman who would all like to be reappointed. Jesse Moorman's is the fourth vacant seat; he has chosen to step down at this point.
- b) Staff also received e-mails from John E. Adams and Leslie Welts who would like to be considered for one of these vacancies as well.
- c) It is anticipated that City Council will enter into Executive Session in accordance with Title I, §313, Executive Sessions, (3) The appointment or employment or evaluation of a public officer or employee.
- d) Recommendation: Following an opportunity to meet and ask questions of the candidates, enter into Executive Session; return to public session and announce appointments to fill the four, 2-year terms on the Montpelier Planning Commission.

8) 14-192. Storm Water Overview

- a) One of the City Council Goals for 2014-2015 is: "Identify needs and opportunities for storm water management."
- b) The steps Council Members listed to accomplish this include:
 - 1) Educate Council on requirements such as the new TMDL (Total Maximum Daily Load)
 - 2) Create citywide storm water plan to minimize demand on city systems and protect public and private property during major rain events

3) Receive recommendations for implementation of the plan

- c) Recommendation: Public Works Director Todd Law will brief the Council on the current and expected storm water permits and what the requirement of the City will be, followed by a discussion of storm water Best Management Practices (BMP's) for controlling storm water and protecting public and private property. The application by the Planning and Public Works Department for an Ecosystem Restoration Program (ERP) grant for a storm water master plan should also be included in this discussion.

9) 14-193. Consideration of the Penalty for Delinquent Taxes.

- a) As requested by City Council, staff has researched the cost of reducing the late penalty from 8% to 5% on late property taxes and utility bills that are paid within 5 business days of the due date (see attached memo).
- b) The cost of this change is relatively small and at the same time, about 1 in 5 late payers would see their penalty reduced. This change could also encourage late payers to make payments quickly and not wait the 30 days before the next interest charge.
- c) A City Ordinance revision would be required for the change in the property tax late penalty; a Water and Sewer Rate Resolution revision would be necessary for the water and sewer penalty reduction.
- d) Recommendation: Reduce the 8% late penalty to a 5% late penalty for property taxes, water fees and sewer fees on payments made within 5 business days of the due date.

10) 14-194. Consideration of Changing (lowering or eliminating) the Late Filing Penalty for Homestead Declaration.

- a) This year, for the first time, the City of Montpelier's homestead property (education) tax rate is higher than the non-residential property (education) tax rate. With this change comes an increase in the late filing fee for Homestead Declaration for our residents from the previous 3% to 8% of the education taxes. This means that Montpelier residents who miss the April 15th deadline for filing a Homestead Declaration with the State of Vermont will see an 8% penalty on their education taxes added to their tax bill, instead of the previous 3%. For the average homestead property,

this would mean an increase in penalty from \$110 to \$294.

- b) These funds are collected and retained by the City. The City Council has the option to adjust the penalty (from 0% to 8%) annually.
- c) Recommendation: Following discussion, direction to staff.

11) 14-195. Open Meeting Law Briefing

- a) The State of Vermont passed amendments to the Open Meeting Law, and Council recently indicated that they would like to review and discuss these updates with staff. (A summary is attached.)
- b) Recommendation: Following a "walk-through" by the City Manager, there will be an opportunity for discussion.

12) 14-196. Reports by City Council

13) 14-197. Mayor's Report

14) 14-198. Report by City Clerk

15) 14-199. Status Reports by the City Manager

Adjournment