



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, July 10,
2013
06:30 P.M.

- 1) Call to Order by the Mayor
- 2) 13-176. General Business and Appearances
- 3) 13-177. Consideration of the Consent Agenda:
 - a) Approve Minutes from the June 26, 2013 Regular City Council Meeting.
 - b) Approve a request from Julie Smart and Steve Pitonyak, Meadow Neighborhood Party Committee, for permission to close Summer Street (from Spring to Winter) for their "26th Annual Block Party" scheduled to be held on Saturday, July 27th, 2013, from 3:00 to 10:00 P.M. Their rain date would be Saturday, August 3rd.
 - c) Approve a request for a waiver of the City's Ordinance for the above-mentioned Meadow Neighborhood Party in order to play music from 9:00 to 10:00 P.M.
 - d) Consideration of an application to the League of American Bicyclists for Bike Friendly Communities recognition.
 - 1) The Bike Friendly Communities application, which is being prepared by the Bike Committee, will be submitted to the League of American Bicyclists to fulfill the 2013-14 Council's goal to "Become a nationally known bike and pedestrian friendly city." It is free for municipalities to apply, and the next deadline is July 16th.

- 2) Recommendation: Approval of the Bike Friendly Communities Application for submission to the League of American Bicyclists.
- e) Award contract for Bituminous Concrete Paving - FY2014:
- 1) The Public Works Department solicited Invitations for Bids through the local newspaper and on the Vermont Bid System for the scheduled summer paving work. Bids were opened on Tuesday, July 2nd at 1:00 P.M. A total of three sealed and competitive unit price bids were received and publicly opened (Bid Tabulation attached). In addition to asphalt paving, the contract bid items include pavement reclamation, cold-planing, excavation, sidewalk paving, curbing, and other incidental items.
 - 2) Below is a summary base bid amount of the bids received per estimated unit quantities:
 - i) Engineers Construction, Inc. = \$489,893.00
 - ii) S.T. Paving = \$511,194.80
 - iii) Pike Industries, Inc. = \$577,134.25
 - 3) Each of the three Bidders has successfully completed paving projects for us in the past and Engineers Construction, Inc. (ECI) has undertaken our projects the last two years. All three contractors have pre-qualified status with the Vermont Agency of Transportation. A bid evaluation revealed that the ECI costs are within, or slightly below, expectations as compared to the cost estimate. The bid was not weighted, no irregularities were discovered and no undue advantages were revealed. Therefore, DPW staff has concluded that the low bid is in compliance with the contract instructions and requirements.
 - 4) The streets scheduled for various surface improvements through this contract are: Dunpatrick Circle, College Street (Main Street - Woodrow Avenue), Marvin Street, (Bingham Street - College Street), Bingham Street (Marvin Street - Liberty Street), North Park Drive, Woodcrest Drive, Monsignor Crosby Avenue, Berlin Street (River Street - Berlin and Montpelier corporate boundary), Winooski West Bike Path (Department of Liquor Control - Bailey Avenue)

- 5) Funding for this contract and for DPW supporting work (materials & equipment) is available from the Capital Improvement Plan (CIP) and a Class 2 Town Highway Grant as follows:
 - i) Resurfacing & Rehabilitation Budget = \$410,318
 - ii) VT Agency of Transportation Grant (Berlin Street) = \$175,000
 - iii) Total Funds Available = \$585,318
 - 6) Recommendation: Award of the contract for Bituminous Concrete Paving FY2014 as recommended by the Assistant Director of Public Works to Engineers Construction, Inc. in the amount of \$489,893.00 and designation of the City Manager as the duly authorized agent to execute the contract documents and any contract change orders if applicable.
- f) Award a construction contract for the Barre Street Box Culvert (BR1).
- 1) The Public Works Department issued an Invitation for Bids which was advertised in the local newspaper, the City's website and on the Vermont Bid System for the replacement of this culvert damaged as a result of tropical storm Irene.
 - 2) Bids were opened at the rescheduled (by addendum) date on Tuesday, July 9th at 2:00 P.M. Assuming the bids received are within the available budget and there are no apparent irregularities or problems, a preliminary recommendation to accept the low bid and award of the contract to the bidder submitting the lowest responsive bid will be provided by the Public Works Assistant Director in time for consideration at this City Council meeting.
 - 3) Funding for the project was made available by award of a grant by the Vermont Agency of Transportation (VTrans) on behalf of the Federal Highway Administration under the Emergency Relief Program. The grant funds are provided by the reimbursement method for actual eligible costs with participation levels of 81.08% Federal, 8.92 % State, and 10% local up to the maximum project limit, followed by 100% local funds when funds have been

exhausted. Local funds available will be from the retaining wall/sidewalk/culvert bond at an amount up to \$90,000 with a total project cost estimated as follows:

i) Design Engineering (incl. Construction Services) = \$ 68,430

ii) Right-of-Way = 6,255

iii) Construction Cost Estimate = 436,970

iv) Total Estimated Project Cost = \$511,655

4) Recommendation: The Assistant Public Works Director recommends that final approval to award the construction contract to the Contractor submitting the lowest responsible and responsive bid be made, subject to VTrans authorization to award and receipt of a favorable recommendation from the project engineer who will prepare a bid analysis in accordance with the VTrans guidelines. It is also recommended that the City Manager be designated as the duly authorized agent to execute the contract documents and change orders if applicable.

g) Approve a professional services and construction cost proposal for repair of the Wilder Street retaining wall.

1) This is an unanticipated and unscheduled retaining wall repair project that must be addressed due to a partial failure and to prevent further collapse.

2) The Assistant Public Works Director consulted with a contractor specializing in the restoration of historic masonry structures. Alpine Building Restoration, in partnership with Champlain Engineering who will provide geotechnical design support, developed a preliminary assessment of the repair and preventative maintenance work needed to preserve the structure.

3) From this, a cost proposal for design and construction was presented for consideration.

4) The Assistant Public Works Director prepared a memorandum

(copy enclosed) describing the problem and work to be done. Public Works Director Todd Law supports his conclusions and recommendation that the proposal submitted by Alpine Building Restoration be accepted for the reasons outlined.

- 5) Recommendation: Approval of a professional services and construction cost proposal as submitted by Alpine Building Restoration for the design and repair of the Wilder Street retaining wall. Designation of the City Manager as the duly authorized agent to execute the contract documents and any contract change orders if applicable.

h) Payroll and Bills

- 4) 13-178. Ratify a poll vote taken of Council Members on July 3rd to set the Fiscal Year 2014 Municipal Tax Rate of \$0.9634 and the Downtown Improvement District Tax Rate of \$.0515.

- 5) 13-179. Appointments to the Development Review Board

- a) The 3-year terms of Daniel Richardson and Harvey Golubock expire this month; Alternate Joshua O'Hara's 1-year term also expires. Staff advertised for these positions, as well as another vacant Alternate position which has not been filled for quite some time.

- b) Staff heard from Dan Richardson and Josh O'Hara who are both seeking reappointment; Harvey Golubock is moving out of town in August.

- c) Recommendation: Reappoint Dan Richardson to another 3-year term; possibly appoint Joshua O'Hara as a regular member to fill the other 3-year term; and direction to staff regarding the two vacant Alternate positions.

- 6) 13-180. Consideration of a request from Tim Shea, Vice President for Facilities, Purchasing & Contracting at the National Life Group, to support their efforts to install a 500kW ground mount photovoltaic system.

- a) The National Life Group is considering installing a 500kW ground mount photovoltaic system proposed near the 155 Northfield Street property. Mr. Shea will be in attendance to present information.

- b) Recommendation: Opportunity for discussion with Mr. Shea; consideration of supporting the project.

7) 13-181. Second Public Hearing to consider amendments to the City's Code of Ordinances, Chapter 10, Motor Vehicles and Traffic, Article VII. Parking and Parking Meter Zones, Section 10-716. PARKING PROHIBITED, as it relates to certain parking restrictions on East State Street.

- a) A request for the Traffic Committee to review the parking restrictions on East State Street was received from Councilor Guerlain; he recommended that the current restriction of parking from 54 East State Street through the Hubbard Street intersection be modified to allow parking along that stretch with the exception of a restriction for sight distance consideration at the Hubbard Street intersection.
- b) "The Traffic Committee cannot endorse a condition which is not within the street geometry standards to allow parking on one side, but understands the position of the City Council if the current restrictions are lifted with the consideration of providing adequate sight distance from Hubbard Street westerly." The ordinance reflecting such a change is found in the modification below.

1) Sec. 10-716. PARKING PROHIBITED.

(u) East State Street. Parking is prohibited on the south side of East State Street from Main Street to No. 79 East State Street; and parking is prohibited on the north side of East State Street from a point two spaces (forty-two feet) westerly of the intersection with Hubbard Street No. 54 East State to a point two spaces (forty-two feet) easterly of Hubbard Street; and on the north side of East State Street from 78 East State Street to College Street; and on the south side of East State from West Street westerly for a distance of ninety (90) feet, and from West Street easterly for a distance of sixty (60) feet; and on the south side of East State Street for a distance of forty (40) feet from the College Street intersection.

- c) Recommendation: Conduct the Second Public Hearing; possibly direct staff with further revisions.

8) 13-182. Second Public Hearing to consider proposed amendments to the City's Code of Ordinances as they relate to various licenses issued by the City.

- a) City Clerk John Odum has been working on getting these ordinances updated. Council reviewed his recommendations at their June 26th meeting and conducted the First Public Hearing.
 - b) Recommendation: Conduct the Second Public Hearing; approve with, or without, further revisions.
- 9) 13-183. Second Public Hearing for a proposed amendment to the City's Code of Ordinances, Chapter 4, Building Regulations, Article 11, Codes - §201-4. AMENDMENTS
- a) A recent review of this section of the Building Regulations has brought to question some concerns with residential additions, and renovations. Additionally, problems with water supply in some areas have made sprinkler installations difficult and costly. Based on this recent review, the Fire Chief would like to propose the following amendments:
 - 1. Exception No. 4: Residential additions which do not exceed 50% of the square footage of the previously existing building or, in any case, 1,000 square feet. Residential additions which do exceed 50%, or 1,000 square feet, may however file an alternate Fire Safety Compliance Plan approved by the Fire Chief.
 - 2. Add: Exception No. 7: In areas where insufficient water supply would cause an undue hardship, an alternate Fire Safety Compliance Plan can be submitted to the Fire Chief for approval.
 - b) Council conducted the First Public Hearing on March 27, 2013. The Sprinkler Committee met on July 3rd and decided to move forward with the Second Public Hearing for these proposed amendments.
 - c) Recommendation: Conduct the Second Public Hearing; approve, with or without further revisions.
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AMENDMENTS

- 11) 13-185. Discussion regarding Fire Department pull-boxes
 - a) City Councilor Guerlain asked that this item be discussed at an upcoming meeting; Fire Chief Bob Gowans will be in attendance to answer any questions.
 - b) Recommendation: Discussion; possible direction to staff.
- 10) 13-184. Further discussion regarding the proposed consolidation of the Central Vermont Regional Planning Commission and the Central Vermont Economic Development Corporation.
 - a) Tina Ruth, the City's representative to the CVRPC, recently advised Council and staff that a straw vote regarding this consolidation was scheduled to take place on July 9th.
 - b) This was discussed at the Council's May 8th meeting; at that time, it was the consensus of the Council that a vote was premature and more information was needed to make an informed decision.
 - c) Councilor Golonka felt that this item should be added to this agenda for further discussion.
 - d) Recommendation: Discussion; direction to Ms. Ruth and/or staff.
- 12) 13-186. Update on City Council's Goal: "Provide and receive comprehensive, accessible and useful information to and from constituent groups about the City government and the community."
 - a) The steps listed are:
 - 1) Re-vamp city website to make it more user-friendly; provide clear and easy-to-find information for residents AND for potential residents and potential businesses. Manager, Assistant Manager

- 2) Expand use of social media to communicate city's message while continuing traditional communication methods. Manager, Assistant Manager
- 3) Provide adequate staff and volunteer support to maintain communications efforts once they have started. Council, Manager
- 4) Target appropriate information messages to specific audiences. Manager, Assistant Manager
- 5) Gather contact information from residents. Manager, Assistant Manager
- 6) Gather information from the community about City services. Council, Manager

b) Recommendation: Receive any further information from City Manager Bill Fraser; discussion; possible direction to staff.

13) 13-187. Reports by City Council

14) 13-188. Mayor's Report

15) 13-189. Report by the City Clerk

16) 13-190. Status Reports by the City Manager

17) 13-191. Agenda Reports by the City Manager

18) Adjournment