



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, June 12,
2013
06:30 P.M.

- 1) Call to Order by the Mayor
- 2) 13-148. General Business and Appearances
- 3) 13-149. Consent Agenda:
 - a) Consideration of the Minutes from the May 22, 2013 City Council Meeting.
 - b) Consideration of an "Application for Permit for Conduit Locations" submitted by NorthLand Right-of-Way Services on behalf of Sovernet Fiber Corp. to obtain a license to construct a buried conduit within a municipal highway right-of-way (Green Mountain Drive). Sovernet has requested permission from the municipal authority to occupy the public highway right-of-way to install an underground service connection in response to a request for communication services from the owner of 5 Green Mountain Drive (Vermont Department of Labor). The subject conduit will be a buried lateral crossing of the street which is to be directionally bored (trenchless) from the aerial lines located on the east side of the street to the building. The Public Works Department has reviewed the petition and will prepare and issue a "Construction & Access" Permit for the project. DPW staff will enforce the applicable conditions for road and utility construction activities, and require payment of the permit fee. Recommendation: Approval of the petition. A majority of the City Council will need to sign the petition in the space provided and the City Clerk will record the document in the land records.
 - c) Approve, and authorize the City Manager to sign, the proposed Lease Agreement for 60 State Street.

- d) Accept the bid submitted by Lloyd Franks of Plainfield, Vermont, for Maintenance of Trash & Recycling Barrels for the Public Works Department, in the estimated annual amount of \$13,355.00, 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.
- e) Accept the bid submitted by L&D Safety Markings, Inc., of Barre, Vermont, for Highway Pavement Markings on city streets, in the amount of \$9,636.00, based on estimated quantities, and authorize the City Manager to sign all contracts and other documents.
- f) Adoption and execution of the documents for a \$3,680,000 - 2013 Series 1 Vermont Municipal Bond Bank Sale (to allow these bonds to be sold).
- g) Accept the Merchants Bank's bid for a Tax Anticipation Note for \$2,500,000 for FY14 (July 1, 2013 to June 30, 2014) to cover the expenses for the General Fund, School Department and Recreation Department, approve the Tax Anticipation Note Resolution and execute the loan documents. Bids on loan and investment interest rates were received on Wednesday, June 5, 2013. A tabulation sheet listing the results is attached. After considering the City's cash flow needs throughout the fiscal year, the Finance Director and the City Treasurer recommend the acceptance of the Merchants Bank's bid for tax anticipation borrowing at the rate of 2.8%. This bid combines a loan/deposit borrowing and includes an investment account with a 3.46% interest rate.
- h) Accept the Community National Bank's bid for a Bond Anticipation Note for \$2,000,000 to cover the expenses for the District Heat Project, approve the Bond Anticipation Note Resolution and execute the loan documents. Voters approved the \$2,000,000 borrowing at a special city meeting on June 14, 2011. Bids on loan and investment interest rates were received on Wednesday, June 5, 2013. A tabulation sheet listing the results is attached. After considering the District Heat Project's cash flow needs until the permanent financing is in place (July 2014), the Finance Director and the City Treasurer recommend the acceptance of Community National Bank's bid for a bond anticipation Line of Credit at the rate of 1.15% for the period June 26, 2013 - June 25, 2014.
- i) Award the FY13 - FY15 Audit Services Contract to Fothergill Segale & Valley, CPA's, and authorize the City Manager to sign a contract for these

services.

- j) Approve a Resolution to Commit Funds as of June 30, 2013. This resolution is a fiscal control procedure that is required by the Governmental Accounting Standards Board. This new fund balance policy requires the passage of a resolution prior to June 30th each fiscal year that states the amount and the purpose of committed fund balances.
 - k) Dissolving of the Montpelier/Regional Bike Path Committee and appointment of Anthony Mennona to the newly-formed Bicycle Advisory Committee.
 - l) Approve request from Dave Nelson and McGillicuddy's Staff for the closure of Langdon Street on July 3rd, from 3:00 P.M. until 1:00 A.M. as part of Montpelier's Independence Day Celebration; they are also requesting a waiver of the City's Noise Ordinance for music until 12:30 A.M. and outside service until 1:00 A.M.
 - m) Payroll and Bills
- 4) 13-150. Consideration of a request from Fred Barnett, Director of Facility Operations at the National Life Group, for a waiver of the City's Noise Ordinance for a week of paving projects they are hoping to schedule.
- a) When contacted by Mr. Barnett, staff explained the procedure of notifying "property owners within two hundred fifty (250) feet of the site(s) where the activity is to occur", especially since part of the paving project includes the driveways at the Hopkins House, and 22, 24 and 27 Mountainview Street and "all work will be performed at night, Sunday through Thursday from 6:00 P.M. to 6:00 A.M."
 - b) Only one letter of concern has been received from Steven Cook, owner of 34 Mountainview; Mr. Barnett said that he and Tim Shea plan to meet with Mr. Cook prior to this Council Meeting.
 - c) Recommendation: Opportunity for discussion with Mr. Barnett and any residents who are in attendance; direction to Mr. Barnett.
- 5) 13-151. Appointments to a newly-formed "Montpelier Downtown

Improvement District" Committee.

- a) An excerpt of the ad that was posted reads: "The Montpelier City Council will establish a standing Downtown Improvement District Committee consisting of five (5) to ten (10) members who shall represent a cross- section of interests within the downtown area. Examples of those interests include, but are not limited to: persons owning or representing owners of real estate within the District; persons owning or representing co-owners of retail businesses within the District; persons owning or representing owners of hospitality businesses with the District; persons owning or representing the owner of a service business within the District; persons owning or representing an arts community enterprise within the District; persons representing or employed by the State of Vermont; and persons representing the City Council. Other city officials will participate as needed. Terms of appointment shall be for two years except during the initial appointment when the Council will evenly divide terms for one and two years. The Committee shall prepare an annual work plan and budget, and shall present the same to the City Council on or about July 1st of each year, for the Council's consideration and approval ? "
 - b) As of the deadline, June 6th, staff had received e-mails from: Phil Zalinger, Zalinger, Cameron & Lambek; Jesse Jacobs, owner of several downtown properties; Karen Williams-Fox, Woodbury Mountain Toys; Kevin Ellis, Partner at the communications firm of KSE Partners, LLP; Steven Cook, Deputy Commissioner of the Vermont Department of Tourism & Marketing; Mary L. Collins, Summit School of Traditional Music and Culture; Claire Benedict, Bear Pond Books; Bob Watson, Capitol Grounds; and Jason Cheney, Trumbull - Nelson Construction Company, Inc.
 - c) Recommendation: Opportunity to meet the applicants; Council may choose to 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 ?" to discuss; announce appointments and select which terms will be one year and which will be two; and advise staff how Council would like to handle any further applications that are received following this meeting.
- 6) 13-152. Discussion and possible adoption of a pilot project for "parklets"; this would include Council approval to set aside four parking spaces this summer and next for this pilot project.

- a) As noted in the attached letter from the Montpelier Alive Design Committee, "parklets typically consist of a platform built on the pavement to extend the sidewalk space and feature tables, chairs, planters, and other amenities."
 - b) The Committee feels that "parklets in Montpelier could enhance the pedestrian experience and underscore the city's commitment to creating a walkable city."
 - c) Attached are documents with more detailed information; the Committee is hoping that the discussion, of course, leads to adoption of the pilot project which will help to facilitate the creation and installation of a parklet this season.
 - d) Recommendation: Presentation by Montpelier Alive Design Committee; discussion; direction to the Committee and staff.
- 7) 13-153. Introduction to the concept of "Bike Town" and consideration of helping to financially support this event.
- a) This concept grew out of the City's Bike Summit last fall; it's a new festival that Montpelier Alive is creating in partnership with Onion River Sports and is scheduled to take place September 13th - 15th, 2013.
 - b) Bike Town is a weekend full of bike-related events with "a robust menu of offerings for everyone from racer to antique bike collector, all while showcasing our vibrant downtown!"
 - c) While the organizers have already received support from potential sponsors and partners for this event, they are seeking City support since this directly addresses the Council goal of a bike-friendly place.
 - d) Montpelier Alive Executive Director Phayvanh Luekhamhan; Event Director Matt Williams (also works at Onion River Sports); and Carrie Baker Stahler of Siren Marketing Design will be in attendance to present their proposal and answer any questions Council, or members of the audience may have.
 - e) Recommendation: Receive presentation; opportunity for discussion; address the request for financial support from the City.

10) 13-156. Discussion with representatives of the Hubbard Park Dog Waste Committee.

- a) Park Commissioner Lyn Munno has been working with six other members "to come up with a proposal for managing dog waste in the park."
- b) A copy of an e-mail from Ms. Munno to the Mayor is attached which outlines some of the ideas/proposals they have come up with to date.
- c) At their last meeting, folks were mentioning that they have noticed an increasing issue with dog waste around the city, not just the park.
- d) The Committee is wondering if someone else from the city (Council Member?) would be interested in getting involved in their discussions to come up with suggestions on how to improve the dog waste issue throughout Montpelier.
- e) Recommendation: Opening comments from Committee members; determine whether or not further discussions should be contained to the park or extended citywide.

8) 13-154. Consideration of adopting the revised Water and Sewer Rate Resolution as recommended by the Water and Sewer Rate Committee.

- a) At the May meeting, the Committee agreed to recommend increasing the annual Fixed Cost Charges for the Water users from \$144 to \$150 and increasing the annual fixed Cost Charges for Sewer users from \$124 to \$125. They recommend that the metered use charges remain the same as FY13.
- b) These rates will be effective July 1, 2013 and will be used in calculating the water and sewer bills due December 15, 2013. Users will receive notice of these small increases in the water and sewer bills that will be going out in July.
- c) The Committee Members agreed to set a goal of establishing a new rate structure with higher fixed rates based on "equivalent average user" calculations in the FY15 budget process.

d) Recommendation: Adopt the revised Water and Sewer Rate Resolution as recommended by the Water and Sewer Rate Committee.

9) 13-155. First public hearing to consider amendments to the City's Code of Ordinances, Chapter 3. Public Works, Article 3-IV, Sewer Department.

A) As the Water and Sewer Rate Study Committee reviewed and discussed proposed rates, they also came up with the following proposed revision:

1) Sec. 3-411. WATER & SEWER BENEFIT CHARGE.

(a) The City Council determines that the water treatment and sewage disposal systems [is] are of general benefit to the municipality and will utilize the assessed value of property, as determined by the City Assessor on April 1 of the billing year, to pay for capital improvements and/or expansion of the systems.

(b) No changes ?

(c) The Treasurer of the City of Montpelier shall bill each property owner on or before July 15 of each year for the Water and Sewer Benefit charge. This charge shall be due and payable by August 15, and if not paid by August 15, the charge shall be forwarded to the Tax Collector for collection with a penalty and interest included, as specified in Section 3-409.

B) Recommendation: Conduct the first public hearing, with or without further revisions.

3) 13-149. Consent Agenda:

11) 13-157. Council Reports

12) 13-158. Mayors Report

13) 13-159. Report by the City Clerk

14) 13-160. Status Reports by the City Manager

15) 13-161. Agenda Reports by the City Manager

Adjournment