



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday,
September 12, 2012
06:30 P.M.

- 1) Call to Order by the Mayor
- 2) 12-218. General Business and Appearances
- 3) 12-219. Consent Agenda:
 - a) Consideration of the Minutes from the August 22nd Regular City Council Meeting and the Special City Council Meeting held on August 29th.
 - b) Ratification of the Fire Union Contract for July 1, 2012 through June 30, 2015.
 - c) Authorize the City Manager to sign: a Main Service Agreement; Rental Terms of Agreement; Outline of Responsibilities; and a Music-on-Hold Agreement with Sovernet Communications for a change of phone service at the Fire Station. (This replacement of phone equipment will combine the City Hall phones with the Fire Department in the same calling group at a lower charge per line and per call.)
 - d) Approve the purchase of a replacement server. As explained in an attached memo from the City's Technology Services Manager, "this replacement server represents a significant change in the City's server design and another step forward in the development of our IT infrastructure. This Virtual server will replace four of our current servers. This will represent a net reduction of three physical servers in the City Hall, Fire Department and Police Department. The impact of this change will be a reduction in the power used for operations and cooling, as well as a reduction in the costs associated with software users

licenses."

- e) Accept the quote submitted by Cameras Networking and Security of South Barre, Vermont, in the amount of \$18,879.00, for an access door security system and an ADA door opener for City Hall and authorize the City Manager to execute any documentation to make this purchase.
- f) Consideration of awarding a construction contract for the project known as Culvert Improvements, Route 302 - River Street.
 - 1) The municipal culvert spanning the highway near Crossway Saab and Cody Chevrolet was damaged and obstructed by debris as a result of the May 26-27, 2011 flash flood event (FHWA Disaster No. VT 11-1). During the flood event, flood water overtopped the highway resulting in an emergency response and severe roadside erosion. A similar occurrence during a flash flood in 2008 also resulted in damages to public facilities and private property. As a Federal Aid System (FAS), the Federal Highway Administration (FHWA) approved funding for this culvert replacement project under the Emergency Relief Program which is administered by the Vermont Agency of Transportation (VTrans). VTrans conducted a hydraulics analysis revealing that the old culvert was too small for the subject drainage area. The Public Works Department retained the services of Civil Engineering Associates under a retainer contract with VTrans for these types of events for the culvert replacement design and preparation of contract documents.
 - 2) Competitive bids were received and opened on Thursday, September 6th. A tabulation of bids received and the recommendation from the Public Works Department is available for review. The lowest bid received was submitted by Don Weston Excavating, Inc. of Williston, VT in the amount of \$73,799.00 for the base bid (* bid for "Add Alternate - optional ineligible stream channel work = \$9,750.00).
 - 3) Funding for this project will be primarily through FHWA as a reimbursement grant for actual eligible costs for "permanent" repairs at the rate of 80%, with the City responsible for the remainder. The engineer's estimate of the probable construction cost is approximately \$89,000 not including engineering services.
 - 4) Additional stream channel stabilization improvements for the

control and containment of debris and sediment upstream of the new culvert, and located on private property, has been determined to be ineligible for state and federal disaster assistance or mitigation funding. However, to help guard against future debris obstruction of the combined private and public culvert systems, the Public Works staff required the design of this out of right-of-way work and requested construction bids as an optional, add-alternate. Further review of cost participation by the City with possible property owner contributions may be presented at a future City Council meeting for consideration when actual costs are known.

- 5) Recommendation: Approval of the award of a construction contract in the amount of the base bid (\$73,799.00) to Don Weston Excavating, Inc. who has been found to be the lowest qualified (VTrans pre-qualified) bidder as recommended by the Public Works Director. Authorization of the City Manager to act as the duly authorized representative for all matters related to contracting and approval to include approval of any contract change orders if applicable.
- g) Award a construction contract for a project known as "Liberty Street Sidewalk Reconstruction".
- 1) The Public Works Department staff designed and prepared construction bid documents for the reconstruction of the sidewalk located between Fuller and Heaton Streets. The project will remove and replace a section of sidewalk that is not maintainable during the winter months due to multiple obstructions, is not accessible for people with disabilities, and is otherwise in very poor condition. The scope of work includes replacement of the asphalt walk and curb with concrete sidewalk and granite curb and will include the removal of a retaining wall.
 - 2) Note that this project will require the relocation of two utility poles - petition from Fair Point Communications to be considered separately. Also note that all adjacent property owners have been informed of the project and those affected by the utility pole relocation are also being informed.
 - 3) Due to the lateness of the construction season, it is imperative that the project proceed as soon as possible. Delays related to design complications resulted in the necessity to schedule the bid opening

on September 16th to allow the minimum two-week advertisement period. Consequently, the bid results will not be available for Council review at this meeting. The DPW Director requests that the City Council grant conditional approval of the award of the contract to the contractor who submits the lowest cost unit price bid, provided they are deemed eligible, qualified, and capable and with the understanding that the bid is within the available budget.

- 4) Funding for this project is provided through the FY13 Capital Improvement Program in the amount of \$85,000.
 - 5) Recommendation: Award of the construction contract to the bidder submitting the lowest unit price bid as recommended by the Public Works Director. Designation of the City Manager as the duly authorized agent to execute the contract documents and change orders if applicable.
- h) Consideration of a "Petition and Order for Pole and Wire Locations" to be submitted by FAIRPOINT Communications to obtain a license to install a new utility pole on Liberty Street AND a "Petition and Order for Pole and Wire Locations" to install an anchor support on Barre Street.
- 1) Both installations will be located within the municipal highway right-of-way. For the Liberty Street petition, the Public Works Department identified conflicts with utility poles related to the planned reconstruction of the sidewalk located between Fuller Street and Heaton Street. The three primary utility companies occupying the poles (GMP, Comcast and Fair Point) have agreed to remove the two conflicting poles and replace them with one pole in a new location to be situated between #56 and #58 Liberty Street. The respective property owners are being notified of the changes by DPW and given an opportunity to comment and provide input.
 - 2) For the Barre Street site (#47 Barre Street), the request to install a pole anchor supplements various petitions for utility pole maintenance replacements and improvements approved by the City Council in 2006. The need for an additional pole anchor was determined to be necessary as the respective utility companies are now attempting to complete this project and ultimately remove all of the old utility poles as soon as possible. The Fair Point Engineer is responsible for notifying the adjacent property owner which is listed as North Branch Apartments.

- 3) 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.

- i) Payroll and Bills

- 4) 12-220. Appointments to Design Review Committee.

- a) One alternate, Zack Brock whose term expires this month, recently stepped down. A regular seat and another alternate seat expire in October.
- b) To save on advertising costs, staff advertised for all three positions. The ad erroneously read that the alternate positions are 1-year terms. They are 3-year terms as well.
- c) As of the deadline, noon on September 6th, staff received letters of interest from: James Duggan who would like to be reappointed as a regular member; Tim Senter who would like to be reappointed as an alternate; and Liz Pritchett and Seth Mitchell who would like to fill the other alternate seat vacated by Zack Brock.
- d) Portions of the discussion related to these appointments may be eligible for Executive Session under Title 1 V.S.A., §313, (a)(3).
- e) Recommendation: Meet the candidates; make appointments to fill the regular 3-year term until October of 2015; and the two, 3-year alternate seats until October, 2015.

- 5) 12-221. Appointments to a newly-formed "Montpelier Charter Revision" Committee.

- a) Council is seeking citizens interested in serving on a seven-member committee to analyze the contents of the City's Charter regarding "anachronisms and items to be deleted, amended or added." Council is also hoping that the membership represents the three voting districts and expects to receive a report of this committee's findings in August of 2013.
- b) Staff advertised and received letters of interest from Michael Doyle,

School Street; Jonathan Lisle Williams, Jr., Court Street; and Earl Fechter, Northfield Street.

- c) Portions of the discussion related to these appointments may be eligible for Executive Session under Title 1 V.S.A., §313, (a)(3).

6) 12-222. Follow-up discussion regarding Hebert Road Transmission.

- a) At their May 9th meeting, Council voted to "create a 3-member committee of the Council to study the issue with City staff and the group of concerned citizens and report back by two meetings from." The Council appointed one member from each district: Councilors Timpone, Golonka and Guerlain.
- b) This item was tabled from the June 13th meeting.
- c) Recommendation: Receive updates from the three City Councilors; discussion; direction to staff.

7) 12-223. Second public hearing to consider AN ORDINANCE ESTABLISHING THE VOTING DISTRICTS.

- a) As a result of the Reapportionment Committee's findings and their proposal, the following was the recommended action for City Council at their May 9th, 2012 meeting: Review and approve the report. Direct staff to prepare an ordinance to reflect the revised boundaries as per Title 2 of the City Charter. Schedule a special town meeting vote on these boundaries to be held on November 6, 2012 in conjunction with the general election. If approved, new boundaries will be in effect for the March 2013 Annual City Meeting election.
- b) Because the City's Charter, Title II, CITY VOTING DISTRICTS, references that "such districts shall be described by ordinance", the City Attorney and City staff have drafted the attached addition to the City's Code of Ordinances under Chapter 1, GENERAL PROVISIONS.
- c) Council conducted the first public hearing at their August 22nd meeting.
- d) Recommendation: Conduct the second public hearing; direct staff with any revisions.

8) 12-224. Budget Overview Discussion

- a) This discussion will include early budget projections, comprehensive cost information on infrastructure needs, report on fees/services and non-residents, staffing and projects.
- b) Recommendation: Discussion only.

9) 12-225. Appointment of a City Council rep to the Citizen Advisory Board for the Community Justice Center; the Montpelier Senior Activity Center's Advisory Board; and the Board of Montpelier Alive

- a) In addition to these boards, former City Councilor Sarah Jarvis also serves as chair of Montpelier Alive's Economic Development Committee.
- b) Sarah advised staff that she will retain the two positions with Montpelier Alive; obviously, just not as the Council liaison.
- c) Recommendation: Appointment of a City Council Member to serve as the liaison to the Citizen Advisory Board for the Community Justice Center; the Montpelier Senior Activity Center's Advisory Board; and another to the Board of Montpelier Alive. (City Councilor Thierry Guerlain has indicated an interest in the MSAC Board.)

10) 12-226. Selection of a Voting Delegate to the VLCT Annual Business Meeting scheduled to be held on Thursday, October 4th, at the Champlain Valley Fairgrounds.

- a) This action needs to take place to assure that all VLCT-member cities and towns are properly represented and able to participate in the development of the 2012 Vermont Municipal Policy (the Legislative Platform of the Vermont League of Cities and Towns) and the election of League officers.
- b) Recommendation: Appointment of a voting delegate.

11) 12-227. Council Reports

12) 12-228. Mayor's Report

- 13) 12-229. Report by the City Clerk
- 14) 12-230. Status Reports by the City Manager
- 15) 12-231. Agenda Reports by the City Manager
- 4) 12-220. Appointments to Design Review Committee.

Adjournment