



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, July 18,
2012
06:30 P.M.

- 1) Call to Order by the Mayor
- 2) 12-175. General Business and Appearances
- 3) 12-176. Consideration of the Consent Agenda:
 - a) Approve Minutes from the June 27th Regular City Council Meeting and the July 6th, 2012 Special City Council Meeting.
 - b) Approve the new proposed rules/application form for Outdoor Seating Permits (on public sidewalks).
 - c) 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 "25th Annual Block Party" scheduled to be held on Saturday, July 28th, 2012, from 3:00 to 10:00 P.M. Their rain date would be Saturday, August 4th.
 - d) Approve a request from Sandy Vitzthum for permission to close Loomis Street (Park Avenue to Liberty Street) for her "9th Annual Block Party" scheduled to be held on Saturday, August 18th, from 4:00 to 8:00 P.M.; rain date would be Sunday, August 19th, from 2:00 to 6:00 P.M.
 - e) Approve request from Sandy Vitzthum for a waiver of the City's Noise Ordinance in order to have a live band play from 4:00 to 8:00 P.M. at the event described in (e) above.

- f) Approve a Resolution, as prepared by City Attorney Paul Giuliani, for \$750,000 loan with VEDA for the District Heat Project; this includes 1% interest and a deferred repayment schedule reflecting semi-annual amortizing debt service payments outlined in the attached VEDA Commitment dated June 19, 2012.
 - 1) Each of the loan documents needs to be signed by the appropriate officials as indicated. The City seal should be affixed over the Treasurer's signature on the Capital Improvement Note.
- g) Consideration of adopting the revised Water and Sewer Rate Resolution as recommended by the Water and Sewer Rate Committee.
- h) Approve and authorize Montpelier Senior Activity Center staff to sign a 60-month lease with IKON for a Ricoh MFP device for an approximate annual cost of \$5,200.
- i) Approve a Planning Grant Application to the Vermont Community Development Program for a Planning Grant of \$30,000 to help support the cost of pre-development activities at 46 Barre Street by C.A.L.M. (Center for Arts, Learning & Music), a partnership of T.W. Wood Gallery and Arts Center; River Rock School; and Monteverdi Music School.
- j) Consideration of the becoming the Liquor Control Commission for the purpose of acting on the following:
 - 1. Approve a technical amendment to the Three Penny Taproom's Liquor License due to the recent expansion of their business into what was Miller Sports at 106 Main Street; they've installed a full kitchen and a 26-seat dining room. Both areas will be serviced using the existing bar at 108 Main Street with a fully DLC trained service staff.
- k) Ratification of a poll vote taken on July 10th when Council approved a request from Theo Exploration for a waiver of the City's Noise Ordinance for the playing of live music from 6:00 to 10:00 P.M. on Friday, July 13th, at 260 Elm Street.
- l) Payroll and Bills

4) 12-177. Appointment of Alternate to the EC Fiber Board

- a) On March 28th, 2012, Dan Jones was appointed as the City's Alternate to the EC Fiber Board.
- b) Staff has received an e-mail from Mr. Jones stating, "My problem is that the Fiber meeting is on the second Tuesday which is also the Montpelier Energy Committee." Since Dan is the Chair of the Energy Committee, the decision was made for him to step down from the EC Fiber Board seat.
- c) In the meantime, staff received an e-mail from Rob Chapman, Executive Director of ORCA, indicating that he would be interested in filling this position.
- d) Council tabled this item from the June 27th agenda and requested that staff advertise. An ad was placed in the July 2nd publication of the Times-Argus, as well as the City's website; no one else has applied.
- e) Recommendation: Appoint Rob Chapman as Alternate to the EC Fiber Board.

5) 12-178. Appointments to the Development Review Board

- a) Staff advertised for two 3-year terms which expire this month (Phil Zalinger's and Roger Cranse's) and one 3-year unexpired term which will expire in July, 2013 (Brian Lane-Karnas's; Brian has moved out of Montpelier). Since the ad was placed, Liz Koenig has also resigned (she accepted an offer of admission to the London School of Economics). Her term is a 3-year term which expires in August of 2014.
- b) Staff advertised and received e-mails from:
 - i. Phil Zalinger and Roger Cranse who would both like to be reappointed.
 - ii. James LaMonda, who currently serves as an Alternate, would like to sit as a full member of the DRB.

- iii. Two new individuals applied: Harvey Golubock, 92 College Street; and Joshua O'Hara, Esq., 115 Barre Street - Apt. #4.
 - c) Meet applicants; discussion of these appointments may be eligible for Executive Session under Title I, §313, Executive Sessions, (3) The appointment or employment or evaluation of a public officer or employee.
 - d) Recommendation: Appointments to fill the two, 3-year expired terms; the two 3-year unexpired terms; and, if necessary, possibly appoint another Alternate for a 1-year term.
- 6) 12-179. Presentation from Montpelier Alive regarding "parklets"
- a) Director Phayvanh Luekhamhan has requested this item as there is some discussion on the idea in different parts of the downtown community.
 - b) This is intended to be a broad informational power point presentation that Architect Greg Gossens will present. Likely, it will also include some ideas of how parklets might work in Montpelier.
 - c) Recommendation: Receive presentation; discussion; possible direction to staff.
- 7) 12-180. Discussion with Montpelier Alive staff regarding "First Night"
- a) Mayor Hollar requested that this item be on this agenda due to Montpelier Alive's intent not to hold First Night this year.
 - b) Recommendation: Discussion.
- 8) 12-181. Hebert Road Transmission
- a) Some Hebert Road residents have raised concerns about radiation from the sewer pump station transmission system in their neighborhood.
 - b) Public Works Director Todd Law, Fire Chief/Health Officer Bob Gowans and Council Members Timpone and Weiss have been meeting

with the residents.

- c) The Vermont Department of Health provided their expert on these matters to meet with the residents and to test the transmitter. The report and the City Manager's letter to residents have been provided to the Council. Staff has asked for cost estimates for alternative ways of transferring this data if necessary.
 - d) This item was tabled from the June 13th agenda in order to give the committee additional time to review the report.
 - e) Recommendation: Review the committee's report and recommendation; discussion with residents; direction to staff.
- 9) 12-182. First public hearing to consider an amendment to the City's Code of Ordinances, Chapter 10, Motor Vehicles and Traffic, Article VII, Parking and Parking Meter Zones.
- 1) Police Chief Tony Facos has proposed the following amendment:
 - (a) Sec. 10-718. SPECIAL DISABLED PERSON PARKING.
 - (b) The City Council may, at its discretion, establish certain selected parking spaces in the City of Montpelier for those disabled persons whose vehicles shall display a distinguishing decal or metal tag on the registration plate approved and issued by the State Department of Motor Vehicles in accordance with Title 23, Section 304a, of the Vermont Statutes Annotated.
 - (c) No person shall park a motor vehicle in a space designated as parking for the disabled without displaying a special disability plate or card issued by the Vermont Department of Motor Vehicles, or as otherwise provided by law of the state in which the vehicle is registered. Any person found in violation of this section shall be fined one hundred dollars (\$100.00) the amount established in the Schedule of Fines for Title 23 Vermont Statutes Annotated, §304a(e) and be subject to costs for the vehicle's removal under Section 10-720. For purposes of this subsection, "space designated as parking for the disabled" means any space designated as parking under Title 23, Section 1025, of the Vermont Statutes Annotated, or Subsection (a) of this section.
 - 2) Recommendation: Conduct the first public hearing; direct staff with any

further amendment(s); set the second public hearing for August 8th, 2012.

10) 12-183. Consideration of a policy regarding services to non-residents.

- a) Mayor Hollar drafted the following policy: "City agencies and non-profit entities that provide services to residents of Montpelier and surrounding towns shall, as a condition of receiving funds from the City of Montpelier, ensure that per capita costs of services are reasonably apportioned between the City of Montpelier and Montpelier participants, and other communities and non-resident participants."
- b) Recommendation: Approve the policy, with or without further amendment(s).

11) 12-184. Further consideration of a draft policy for the formation of a Montpelier Community Fund; this concept would help relieve the challenges that the City has dealt with when funding non-profit agencies.

- a) At their June 13th meeting, Council discussed this proposal as drafted by Mayor Hollar.
- b) The motion was made by City Councilor Weiss "that the Mayor appoint a three person council committee to review and make recommendation on the proposal before us and to do so no later than the second meeting in August." Mayor Hollar and Councilors Hooper and Weiss agreed to serve on the committee.
- c) The committee is prepared to make recommendations.
- d) Recommendation: Review and discuss the committee's recommendations; approve; possible direction to staff.

12) 12-185. Discussion regarding District Heat

- a) The City Manager will provide an update on this project.
- b) This discussion may be eligible for an Executive Session under Title I, §313, Executive Sessions, (a)(1).

13) 12-186. Update on Fire Union Negotiations

- a) The City Manager will provide an update.
- b) This discussion may be eligible for an Executive Session under Title I, §313, Executive Sessions, (a)(1).

14) 12-187. Reports by City Council

15) 12-188. Mayor's Report

16) 12-189. Report by the City Clerk

17) 12-190. Status Reports by the City Manager

18) 12-191. Agenda Reports by the City Manager

Adjournment