



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, April
11, 2012
7:00 P.M.

- 1) Call to Order by the Mayor
- 2) 12-094. General Business and Appearances
- 3) 12-095. Consent Agenda:
 - a) Consideration of the Minutes from the March 28th City Council Meeting.
 - b) Approve request from Police Chief Facos for permission to order a 2012 Chevrolet Impala Police Cruiser from Cody Chevrolet in the amount of \$21,941.00. Even though the State of Vermont bid price from Shearer Chevrolet is roughly 1.8% lower (\$398), it is staff's recommendation to purchase this vehicle from Cody Chevrolet based on the positive working relationship the City has had with their sales, service and parts departments. The purchase price is within the budgetary amount specified for this police cruiser ? \$25,500. (See attached memo from Police Chief.)
 - c) Approve and adopt a declaration of official intent to reimburse certain expenditures from the proceeds of indebtedness to be issued for the Carr Lot improvements authorized on March 1, 2002; authorize the City Clerk to sign the document as well.
 - d) Acceptance of Lincoln Financial Group's three-year guaranteed rates proposal for City employees' short-term disability, long-term disability and life insurance benefits and move the program effective May 1, 2012. (Finance Director Sandra Gallup has provided a memorandum, summarizing her findings and recommendation, as well as a comparison

sheet.)

- e) Approval of a request from Ed DuFresne for permission to do a show at the Vermont College Gym on May 4th, with a marching band, The WhatCheer? Brigade. The doors would open at 7:30 P.M. with the music playing from 8:30 to 11:00 P.M.
- f) Approval of a request from Andrew Brewer, owner of Onion River Sports, to close Langdon Street on Saturday, May 5th, from 7:00 A.M. to 1:00 P.M. for their Annual Bike Swap. The Public Works Director, Fire Chief and Police Chief have all reviewed, and see no issues with this request.
- g) Approval of a request from Scott Kerner, owner of The Three Penny Taproom, for the closure of Langdon Street on Saturday, May 5th, from 1:00 to 10:00 P.M., for their Annual Anniversary Party. They plan to erect a tent in Andrew Brewer's parking lot, serve food and beer, and have a band set up in the nook across the street from Onion River Sports' front door (Lendway, et al. property).
- h) Approval of a request from Craig Royce for the closure of Governor Aiken Avenue on Sunday, April 22nd, from 10:00 A.M. to 3:00 P.M. for an "Earth Day Celebration". The plan is to have vendors set up along the street and information available to bring awareness of what "Earth Day" is all about. If approved, he will apply for a Special Event permit at the Council's April 18th meeting. (Mr. Royce has talked with Police personnel.)
- i) Acting as the Liquor Control Commission, City Council Members may now consider the following permit applications:
 - 1) Catering Permit for Yebba, Inc., d/b/a The Abbey Pub & Restaurant, for a Cocktail Reception on Tuesday, April 17th, from 3:00 to 7:00 P.M. at the State House.
 - 2) Outside Consumption Permit for Hyzer Industries, Inc., d/b/a The Three Penny Taproom, for their 3rd Year Anniversary Celebration on Saturday, May 5th, from 3:00 to 10:00 P.M. on Langdon Street (pending approval of the street closure).
 - 3) Catering Permit from The Skinny Pancake for a Green Drinks

Event (beer and wine) to be held on Tuesday, May 8th, from 6:00 to 8:00 P.M. at the City Center Lobby area.

- 4) Annual renewal of Liquor Licenses (City Clerk will distribute list of applications at the meeting.)
- 5) Annual renewal of Tobacco Licenses (City Clerk will distribute list of applications at the meeting.)
- j) Payroll and Bills
- 4) 12-096. Appointment to Design Review Committee.
 - a) Jay White's term has expired; staff advertised and has only received a response from Jay who would like to be reappointed.
 - b) Recommendation: Reappoint Jay White to another 3-year term on the Design Review Committee.
- 5) 12-097. Appointments to Montpelier's Energy Committee.
 - a) Edith Pike-Begunska and Carl Etnier have stepped down. Staff advertised and received responses from the following: Daniel Costin, 234 Main Street; Becky Wigg, 65 River Street; Alison Hollingsworth, 14 Liberty Street; Clyde (Chuck) C. Rogers, 19 Loomis St. Apt. 1; and Carrie McLaughlin, 159 Berlin St.
 - b) Recommendation: Opportunity to meet 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; appointments to fill the vacancies on Montpelier's Energy Committee.
- 6) 12-098. Appointment to the City's Tree Board.
 - a) There are currently two vacancies on the board: Abby Colihan's term has expired and Jean Jolley resigned.

- b) Staff advertised and has only received a response from Abby who would like to be reappointed.
- c) Recommendation: Opportunity to meet 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; reappoint Abby Colihan to another 3-year term; direction to staff as to whether or not the remaining vacancy should be re-advertised.

7) 12-099. Consideration of an appointment to the Regional Bike Path Committee.

- a) Assistant City Manager Beverlee Pembroke Hill recently advised staff that Bernard Johnson was no longer serving on this committee. She also indicated that James Sharp was interested in serving again.
- b) Mr. Sharp served on the committee many years ago but had to step down for a period of time. Because he has been a member, he is familiar with the project, and it wouldn't take as long to bring him "up to speed". Staff was also reminded that when this vacancy was last advertised two years ago, no responses were received.
- c) Recommendation: Appoint James Sharp to the Regional Bike Path Committee.

8) 12-100 Request for contract amendment to tax stabilization for Connor Brothers StoneCutters, LLC.

- a) On August 25, 2011, Connor Brothers Stonecutters, LLC submitted an Application for Tax Stabilization for 575 Stonecutters Way.
- b) On September 14, 2011, the first public hearing was held. Minutes attached.
- c) On September 28, 2011, the second public hearing was held. Minutes attached.
- d) On September 30, 2011 Findings of Fact and Decision issued for Tax Stabilization of Connor Brothers Stonecutters, LLC as approved by the

Montpelier City Council on September 28, 2011. Copy of Findings of Fact and Decision attached.

- e) Applicant has provided information through letter dated March 29, 2012 that they now meet the criteria for Level Four benefits.
- f) Applicant was granted the right to seek the Level Four benefit as part of the September 30, 2011 Findings of Fact and Decision if they could document the employment criteria. Applicant can now show they meet the criteria.
- g) Recommendation of Staff: Approve the Level Four benefit and defer the beginning of the contract to July 1, 2013.

9) 12-101. Zoning Update

- a) Planning Director, Gwen Hallsmith will be present to update the Council on the status of the current Re-Zoning process that is underway with the Planning Commission.
- b) Discussion

10) 12-102. Report on Council procedural responsibilities on liquor and catering license requests.

- a) After consulting with Laurie Pecor at the Department of Liquor Control, it was determined that responsibility for approving catering requests can be delegated by the Council to the City Clerk.
- b) Approval of liquor and tobacco licenses cannot legally be so delegated. With Department approval, however, the City Clerk can affix stickers to Council-approved licenses for forwarding to the Department, rather than collect Council signatures.
- c) Recommendation: The council authorize the City Clerk to approve catering requests on behalf of the city, mandating a 48 period that the request be posted on the web and/or in the Clerk's office for public review prior to approval (and allowing for the Clerk to bring questionable requests before the council). Also, that the Council authorizes the City Clerk to formally request permission to use stickers on liquor and

tobacco license requests in the place of Council signatures.

- 11) 12-103. Council Reports
- 12) 12-104. Mayor's Report
- 13) 12-105. Report by the City Clerk-Treasurer
- 14) 12-106. Status Reports by the City Manager
- 15) 12-107. Agenda Reports by the City Manager
- 16) Adjournment