

On Wednesday evening, April 8, 2009, the City Council Members met in the Council Chamber.

Present: Mayor Hooper; Council Members Jarvis, Golonka, Hooper, Sherman, Weiss and Sheridan; also City Manager Fraser.

Call to Order by the Mayor:

Mayor Hooper called the meeting to order at 7:08 P.M.

09-83. General Business and Appearances:

Joseph Keane, a resident of Baird Street, appeared to inquire about the status of discussions with Capital City Farmers Market. He had spoken to the City Manager earlier this weeks and was wondering what the status is regarding the space for the citizens of Montpelier along the wall by Julio's.

City Manager Fraser said they had received a number of e-mails about this as well. The Manager of the Farmers Market along with two board members came in and talked about their plans. They have no interest in relocating any booths along the wall at Julio's. They hoped that nonprofits and kids in that area would continue. They did raise a concern about commercial vendors that weren't part of the Farmers Market. Before when the Farmers Market was in the bottom parking it was very clear which part was the Farmers Market and which part was general vending. Now that the Farmers Market will expand and go all the way up to State Street they wanted to make sure there was no confusion about what the Farmers Market space was and what wasn't. They would prefer not to have the vendors there, but he isn't sure the city wants to get into the middle of that. He reminded them that they were guests on the city's leased land and they didn't have any objections to that. They seemed to understand fully that they had no say over that space. They have a board meeting tomorrow and the City Manager asked them to send the city a description of what they would like and they would respond as to whether it was something the City could support or not.

Mr. Keane said they have a diagram of the upper lot being chopped up.

City Manager Fraser said he also saw the diagram, but the plan is still preliminary.

Mr. Keane said he appreciated the City Manager's efforts. He thinks the whole Farmers Market is a community asset.

Maggie Morse said that since there is going to be continued dialogue does it make sense to have this issue put on the Council agenda for the next meeting so they can be kept informed.

Mayor Hooper said she believes it depends on what the degree of the issue is before the Council. They have heard clearly retaining the wall by Julio's and the use of it by nonprofits and as it has been used and then allowing the Farmers Market to use some portion of the space, or all of the space, where the parking spaces are opposite Julio's wall. If that is what the staff decides and there seems to be community consensus on that she isn't sure the Council needs to have an agenda item.

Darla Morrissette appeared to say she wanted to be included in the wall conversation. She is there and making money and wants to set up as always. She feels if the Farmers Market wants them to differentiate they could put up a sign that says they are not a part of the Farmers Market and are independent vendors. She has been there since 2006, enjoys being there and makes money, and just hopes she can still be on the wall.

City Manager Fraser said one of the issues from the city's perspective is they don't want to get into enforcing who is there and who is not there.

Ms. Morrissette said she applied to the Farmers Market in January and was turned down because she didn't meet their criteria.

Mayor Hooper said this whole conversation began when she suggested to the Farmers Market that they consider moving up because of a concern she was having with safety issues at the front of the market. By removing the cars and asking the market to move up it seemed like a nice way to meet their space needs and the city's interest with the public safety issue. It is unfortunate that it has been perceived as the market trying to grab some real estate.

Ken Senecal, a resident at 420 Murray Hill Drive, said he had been asked to come to the Council to follow up on a letter that the Board of Directors for the Murray Hill Neighborhood Association sent to the City Manager about the Vermont Composting operation. They certainly have sought to address all of their concerns on a neighbor to neighbor basis. Concerns were raised not much more than a year ago about the impact on the Murray Hill Neighborhood by residents and the Board of Directors chose not to raise any public issues at all about the composting association. They support composting and want absolutely nothing to do with interfering with a farm operation. The Board chose instead to have meetings directly with Vermont Compost to see if they couldn't identify the concerns and resolve them in a neighborly way. That has not led to a good result for Murray Hill.

Mr. Senecal said there are 84 families living at Murray Hill and they have a strong interest in protecting the neighborhood. The city has established through its Master Plan that protecting existing neighborhoods is a major priority as well as protecting its tax base to generate income for the city. The Murray Hill Neighborhood was established long before Vermont Compost's current owner purchased the property and long before the composting operation began. This isn't a case of folks who decide to move in beside a farmer and then say they don't like the smells. This is an established neighborhood that was in existence that has substantial interest at stake. At this point they have decided they need to do some things publicly to protect those interests and they want to make sure the Council is aware of the extent of their concerns.

Mayor Hooper noted that Council Member Jarvis had recused herself from any conversations around the Vermont Compost issue because her firm represents that business. She told Mr. Senecal that the council had received their letter and that the Council appreciates the Murray Hill Neighborhood Association letting them know what their concerns are.

City Manager Fraser said the city did look at all of the health aspects raised and the Health Officer responded. They were provided a copy of the water report which seemed to indicate there wasn't any water issues. The city is going to send them a list of the dates and times that all permits were issued. The city has brought a couple of court citations on barking dogs and roaming chickens and they are waiting for a court disposition on that. The city is also seeking to resolve some issues with regard to food wastes.

Mr. Senecal asked if he understood from Mr. Fraser's comments that Vermont Compost has gone through the development review processes through either the prior Planning Commission or the current Development Review Board.

City Manager Fraser replied yes, the city will send a whole outline of when the permits were issued.

Mayor Hooper said if they have questions about the information that the City Manager is going to be sending them it might be good to sit down with the City Manager and members of the Planning

Department to review what was permitted and what the process was.

09-084.

Consideration of the Consent Agenda:

V.A.

Approval of the minutes from the March 25<sup>th</sup> Regular City Council Meeting.

Consideration of declaring the week of April 19-25 as *Montpelier Affordable Housing Week*.

(Housing Task Force Member Jim Libby has drafted a Declaration for the City Council to consider and sign.)

Summary Budget Report by Department for General Fund and Detailed Budget Status Reports for General Fund, Water Fund, Sewer Fund, Cemetery Fund, Parks Fund, Parking Fund and Senior Center Fund for an eight-month period beginning July 1, 2008, and ending February 28, 2009.

Consideration of accepting Unifund, LLC's proposal for a Citywide Financial Management System and authorizing the City Manager to sign the Software and Services Sales Contract in the amount of \$66,975 for the purchase of BudgetSense for Windows software and implementation services.

Consideration of accepting the proposed Parking Lease Agreements with Heney's (60 State Street) and Capitol Plaza and authorizing the City Manager to sign on behalf of the City.

Consideration of becoming the Liquor Control Commission for the purpose of reviewing the following:

Ratification of a Catering Permit issued to 10 Gems LLC, d/b/a Black Door Bistro, for a "Cocktail Reception" held on Tuesday, March 31<sup>st</sup>, from 3:00 to 6:00 P.M. at the VSEA Office at 155 State Street.

Application for a Restaurant First Class Liquor License for Kismet, LLC, d/b/a Kismet, located at 207 Barre Street.

Annual renewal of Liquor Licenses. (City Clerk will distribute list of applications at the meeting.)

Annual renewal of Tobacco Licenses. (City Clerk will distribute list of applications at the meeting.)

Approval of payroll and bills:

Payroll Warrant dated April 2, 2009, in the amount of \$128,777.97.

General Fund Warrant dated April 8, 2009, in the amount of \$259,982.80 and Community Development Agency Funds in the amount of \$12,500.00.

Motion was made by Council Member Sheridan, seconded by Council Member Jarvis to approve the consent agenda.

Council Member Hooper said he would like to pull the parking lease agreements.

Council Member Weiss said he would like to pull the Liquor Control Commission. Items.

Council Members Sheridan and Jarvis removed the parking lease agreements and the Liquor Control Commission items from their motion. The vote was 6-0, motion carried unanimously.

09-084A. Consideration of accepting the proposed Parking Lease Agreements with Heney's (60 State Street) and Capitol Plaza and authorizing the City Manager to sign on behalf of the City.

Motion was made by Council Member Hooper to table the parking lease agreement issue. The motion was seconded by Council Member Weiss. The vote was 6-0, motion carried unanimously.

Council Member Hooper said he would talk to the staff about his issues.

09-084B Consideration of becoming the Liquor Control Commission for the purpose of reviewing the following:

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Council Member Weiss said he is trying to understand how the Council becomes the Liquor Control Commission. He wasn't aware that the Council historically has ever been appointed the Liquor Control Commission.

City Manager Fraser said the Select Board or the City Council's legislative body is the local Liquor Control Commission by state law and therefore can pull permits, etc. When you are hearing liquor licenses the Council is sitting as the Liquor Control Commission. They had this discussion a number of years ago and the City Attorney did say there should be a separate motion to convene as the Liquor Control Commission and then adjourn that meeting to return to the City Council meeting. He said he wasn't aware of any towns or cities in Vermont that do it that way.

Mayor Hooper asked Council Member Weiss if he would make a motion that the Council become the Liquor Control Commission and approve the items before them.

Motion was made by Council Member Weiss, seconded by Council Member Hooper to become the Liquor Control Commission to approve the items before them. The vote was 6-0, motion carried unanimously.

09-085. Appointment to the City's Tree Board.

V.A.

Abby Colihan's 3-year term expires this month.

Staff advertised and as of the deadline, noon on Thursday, April 2<sup>nd</sup>, had only received an e-mail from Abby indicating that she would like to be considered for reappointment.

Recommendation: Appointment.

Motion was made by Council Member Sheridan, seconded by Council Member Hooper to reappoint Abby Colihan to the Montpelier Tree Board for a three year term. The vote was 6-0, motion carried unanimously.

City Manager Fraser noted for the record that over the years Abby has been one of the city's most enthusiastic and dedicated Tree Board member s.

09-086. Further consideration of appointments to Montpelier's Design Review Committee. V.A.

At their March 25<sup>th</sup> meeting, Council had five individuals to consider for at least one vacancy on the Planning Commission; Jason Czarneski filled Matt DeLorey's unexpired term: March '09 to March 2011. Council chose to let Karen Vogan finish out her term.

Those who remained were asked if they would be willing to serve on the City's Design Review Committee; as it turns out, one full-time position and two Alternate seats needed to be filled. Nolan Langweil offered to fill one of the 3-year Alternate positions.

There still remains one "full-time" position (which had been held by Margot George) and a second Alternate seat which need to be filled on the Design Review Committee. Those who have indicated interest are:

Jay White  
336 Westwood Drive

Guy Tapper (Current Alternate  
52 North Street seeking a full-time slot)

Recommendation: Possible Executive Session in accordance with Title 1, Section 313, Subsection (a) to review and discuss; appointments.

City Manager Fraser said the Council has voted to make a decision on this. The staff is requesting that the Council reconsider that decision from the last meeting. There was a current alternate who expressed interested in that position that they had overlooked and we needed to bring it to the Council's attention.

Mayor Hooper said there is one vacancy, which at the last meeting not realizing there was an alternate interested in the full-time vacancy, the Council appointed another applicant.

City Manager Fraser said before the Council can discuss this someone who voted on the prevailing side needs to make a motion to reconsider.

Council Member Sheridan, seconded by Council Member Jarvis moved to reconsider the appointments to the Design Review Committee,. The vote was 6-0, motion carried unanimously. favorably 6 to 0.

Mayor Hooper said there is a full-time position that is vacant and there is an alternate who has expressed an interest in that full-time position. The applicant for the other position has indicated he would be willing to serve in any capacity offered to him.

Council Member Sheridan moved that the Council appoint Guy Tapper to be the full-time member of the Design Review Committee and Jay White to serve in the alternate position. The motion was

seconded by Council Member Weiss. The vote was 6-0, motion carried unanimously.

- 09-87. First reading/public hearing to consider proposed amendments to the City's Code of Ordinances, Chapter 10, MOTOR VEHICLES AND TRAFFIC, Article VII, PARKING AND PARKING METER ZONES, Sec. 10-717. LIMITED PARKING, Subsections (a) and (z) as they relate to increasing the allowed time for parking on Barre Street. V.A.

The City's Traffic Committee recommends the following amendments :

Sec. 10-717. LIMITED PARKING.

(a) Barre Street. ~~Fifteen~~ Thirty-minute limited parking is provided on the north side of Barre Street from the northwest corner of #206 Barre Street (~~Federated Auto~~) southeasterly for a distance of fifty-one feet from 6:00 A.M. to 6:00 P.M.; and on ...

(z) Parking is restricted to a ~~one~~ two-hour maximum time limit from 8:00A.M. to 4:00 P.M. weekdays on the northerly side of Barre Street from its intersection with Monsignor Crosby Avenue to its intersection with Hubbard Street with the exception of a 15-minute loading and unloading zone as described under Sec. 10-717(y).

Recommendation: Conduct the first reading/public hearing; provide staff with any further changes; set the date for the second public hearing on April 29<sup>th</sup>.

Mayor Hooper opened the public hearing at 7:25 P.M. and asked Police Chief Facos to explained the proposed changes.

Police Chief Facos said at the last Traffic Committee they discussed two issues of recommended changes for regulating parking on Barre Street. One was the area around 58 Barre Street regarding the need to add disabled parking spaces. The y also discussed the one hour limit on the spaces in front of the Senior Citizens Center . It was the committee's recommendation to chage the one hour limit to two hours which is regulated on the City Ordinance Section 10-717 Limited Parking Section (z) Barre Street.

Another area of concern on Barre Street was the rationale behind subsection (a) for the area of 203 and 206 Barre Street down near Sibley Avenue and the Barre Street Market. It has been posted for 15 minutes. There are some other businesses that are there now and they felt it was more appropriate to post it for thirty minutes because of the traffic pressure in that area. The Police Department has spent a lot of time dealing with calls on violators of the fifteen minute limit. This year alone they have handled 38 calls. Last year they handled 168 complaints. These are complaints that involve police officers, so the officer will go if they are available, take note that a car is there and instruct the complainant to let them know if they are there longer than 15 minutes. It is time consuming and serve one business on a public street. They don't do that for other businesses and it just seems very unreasonable considering many times the offending vehicle is at a neighboring business. It is simply an oversight with the new demands of business as well as visitors in that area right now. That was the logic of changing that from 15 to 30 minutes.

Council Member Sherman said part of the confusion and problem around 206 Barre Street are the signs. They are not very clear. Will this make it consistent with the rest of the street?

Police Chief Facos said the complaints they have been handling are specifically in front of 203 Barre Street, which is the south side and not the north side.

Council Member Sherman said it is the grocery store that wants a short parking time, but the restaurant and hair stylist want the parking time longer so people can do business there.

Police Chief Facos said he would share that with the Traffic Committee to make sure that it is properly signed.

Mayor Hooper said in the downtown area she thought their goal was always to have two hours of parking.

Police Chief Facos replied that is correct for the downtown business district.

Mayor Hooper asked if there were other time periods allowed in other parts of the city.

Police Chief Facos said how they regulate the parking on Barre Street is that as soon as you are east of Hubbard Street it's not regulated for time at all. Suddenly when you get to the location described in section (a) is where a time limit has been put on. When that happened there was an auto parts store on the other side of the street. They didn't have the residential impact that they currently have with the condominiums and apartments.

Mayor Hooper said there are other small retail uses in residential neighborhoods like the two markets on Elm Street. She said it seems like they are treating this area differently than other areas.

Police Chief Facos said that is exactly the concern he expressed. This one area also had a significant impact in terms of police response. They are enforcing the ordinance and he was raising the concern to the Traffic Committee that it wasn't a logical thing.

Council Member Sherman asked why they are giving it the different time period. Why is it 6:00 A.M. to 6:00 P.M. where it looks like the standard time frame for parking limitations is 8:00 A.M. to 4:00 P.M.

Mayor Hooper said she wonders if they should take away any restrictions and just allow people to park there in the same way we allow people to park in the rest of the unregulated parking on Barre Street.

Council Member Jarvis said she was surprised that the business owners in that area aren't present.

Police Chief Facos said wasn't sure if they had been notified.

Mayor Hooper reminded people the Council is conducting a public hearing on the parking ordinance and inquired if there was anybody who cared to address the Council. Since no one appeared, Mayor Hooper closed the public hearing at 7:45 P.M.

Motion was made by Council Member Sheridan, seconded by Council Member Sherman to approve first reading and set the second public hearing for April 29<sup>th</sup>. The vote was 6-0, motion carried unanimously.

Council Member Sherman added that the pedestrian crosswalk in that area is very valuable, but is invisible at the present time.

09-088. Update on the Montpelier Senior Center.

*(possible voting action)*

Bill Doelger, Chair of the Montpelier Senior Center Advisory Board, will provide Council with this update (including fundraising).

Recommendation: Receive update; discussion; direction to Advisory Board and staff.

Mayor Hooper said in preparation for this meeting she noted that Bill Doelger, Bev Hill, Priscilla Minkin, City Manager Fraser and she met on Monday to have a general conversation about the efforts of the Senior Center and the notion of a regional community center to consider different sorts of options that are out there. Priscilla Minkins and Paula Francis have been the leaders of the regional initiative. They had a general conversation about the opportunities that were out there with regard to collaborating with communities in the area and had some thoughts on how that would work.

City Manager Fraser said they met Monday and talked about specifically the issue of a regional center and also how we make decisions about the Senior Center and 58 Barre Street. Bill Doelger is going to go into more detail. There is also a second agenda item to talk about the building. They came up with a list of questions for the Council to ponder.

Bill Doelger said the planning task they feel is urgent. If the committee is unable to raise enough in a capital campaign soon enough, then some financing may be needed. Interest rates are unusually low now. Stimulus money is available, but there is a limited amount and most of it depends on competitive project planning. Times are very difficult for many people and we need to act expediently.

Finally, the continued use of the 58 Barre Street location is threatened by oil prices which were three times what they are today less than one year ago. The risk of a sharp increase in oil prices makes a decision on 58 Barre Street and the future of the Montpelier Senior Activity Center an immediate concern. When the next budget is prepared for the Montpelier Senior Activity Center (MSAC) in December there needs to be a clear path ahead for voters to consider at the next Town Meeting Day.

The MSAC Planning Committee seeks the Council's support in working towards a new facility built with funds raised through a capital campaign and sustained through various sources. The steps to achieve this goal are:

1. Determine the questions and answers that will initiate planning. Among these questions are regional support and what aspects make a new facility appealing and sustainable. The Committee goes before the Central Vermont Regional Planning Commission on Tuesday, April 14<sup>th</sup>.
2. Determine local and regional needs that can be met and supported by a new facility and how these will determine program planning. Conversations are being initiated with the Central Vermont Hospital and the Council on Aging as well as state agencies.
3. Do a demographic and research analysis that determines future growth. Support will be sought from an expert in this area.
4. Find funding sources, both public and private. CVRPC may provide assistance as well as Congressional office staff.
5. Involve the community and region in the process to identify needs and seek support. Among the first steps is the community forum on Monday, May 4<sup>th</sup>, at 5:00 P.M. The Mayor and the City Council are invited to attend that forum.

Mr. Doelger said he had also contacted John Hollar and asked if the School Board and the schools might even consider what needs they might see in a community center. He has also contacted the Recreation Department Director for his input.

6. Do site selection and select a site based upon needs in August. There is a list now being researched according to various criteria.

7. Initiate fundraising by creating a process, annual mailing and procedure for accumulating, managing and releasing funds. Fundraising data base – software has been installed on a dedicated computer at the Center. A dedicated group of volunteers will be formed to train on the software, initiate procedures and work on the first annual appeal letter.
8. Gather program, demographic and other information to begin an architectural siting plan and concept drawings for presentation purposes.
9. Draft an Executive Summary and compile a presentation document.
10. Recruit a Steering Committee led by Ann Cummings and target the silent phase of a capital campaign to begin in early November.

Assistant City Manager Hill said she had cautioned Bill Doelger that the Council has not actually made a decision about taking the Senior Center out of the 58 Barre Street building, and that is a decision that will have to be determined before a decision to start a campaign to build a new facility or actually select and secure a site for a new place. The Planning Committee actually meets every couple of weeks. They feel very strongly that staying in the existing site as it now exists will not meet their needs. They don't feel it meets their existing needs much less their future needs. As you can tell, they are strongly leaning toward trying to secure the Council's support for relocating, whether it be a Montpelier Center or a regional center.

Mayor Hooper said the Council has just received two sets of information, the report that Bill Doelger just reviewed and City Manager Fraser passed out a list of questions that might help us think about how we move through a decision making process. She suspects there are many questions that people have that need to be answered. City Manager Fraser has outlined some of those.

Assistant City Manager Hill said the other thing that will be very helpful will be the May 4<sup>th</sup> forum and the seniors are hoping that many of the Council Members will attend to hear in general the issues. She believes that after that forum she will be able to come back and make a recommendation to the Council about how they handle the membership issue for out of town members.

Mayor Hooper said she was reminding herself of the excellent planning session they had at our last meeting and the facilitator suggested a series of steps for analyzing issues in front of the Council. She talked about scoping, exploration, policy, and decision making. That framework might help the Council in exploring this. The first issue is understanding the scope of the problem in front of us, which is providing services exclusively to Montpelier citizens, or is it having a regional conversation. She isn't sure the Council can answer the questions tonight but probably need to agree on the process for moving this forward.

City Manager Fraser noted that later on in the agenda there is an open ended discussion on the building. Obviously, the two are connected. The city's goal is to get a sense of where the Council wants us to spend our energy.

Council Member Weiss asked Bill Doelger if he was planning to go to the Regional Planning Commission on April 14<sup>th</sup> and for what purpose?

Mr. Doelger said it is to get their help with this endeavor, whichever direction they go in. One of the first questions has to do with whether this should be a regional facility or a Montpelier Center. Is Montpelier going to lead the effort to respond to the needs of this community, the regional community, or is it Montpelier who leads again in meeting the needs of Montpelier and the surrounding towns?

Council Member Weiss told Mr. Doelger he continues to appreciate his efforts. It is his opinion that he doesn't have the authority to go to the Regional Planning Commission for this discussion, and he thinks they shouldn't do it. We should wait until May 4<sup>th</sup> to hear what the discussion is at the forum and give the City Council the opportunity to consider what the next steps will be. He was asking him not to go to the Regional Planning Commission.

Mayor Hooper said she thinks part of the interest in visiting with the Regional Planning Commission is simply to understand what interest might be out there. One would presume that a regional planning commission would be a lead partner if the Senior Center had an interest in becoming a regional entity. Information gathering is part of the purpose.

Assistant City Manager Hill said they have a lot of statistics that would be needed if we were to go further, so it was more for fact finding. This is to see if there is interest in the other towns in doing a regional concept if that is what the city wanted to do. It was to find out what opportunities may or may not be out there.

Council Member Golonka said one of their stated concerns is that we do not want to be the regional provider of services for outside communities. He can understand the meeting with the Regional Planning Commission to basically convey that message that if there is no interest for financial support from other communities there is no reason for him to support a regional senior center. He would be interested if there were some dollars attached with these outside communities, but he is fearful they will say they are interested in having a senior center but Montpelier can pay for it. He doesn't want to see that.

City Manager Fraser said if they were to have a regional center, the first question would be what would the region be? He said he expressed the opinion that small may be better with Montpelier and the neighboring towns in the U-32 District. Barre does have its own Senior Center. There might be individuals that come further away, but in terms of working on municipal support those communities view Montpelier as their downtown. A thought he had was that they send a formal communication from the City Council to the Select Boards telling them what we had in mind and asking if they are interested. One thing we would need to talk about is whether we would be willing to give up some governance if it was truly a shared funded regional facility, such as the Wrightsville Dam with a regional governing board. The notion would be that Montpelier reach out to perhaps those five towns and let them know we are grappling with this issue and ask them if this is something they are interested in participating in with shared governance and shared funding. If they say no, then we can work on a Montpelier only Senior Center.

Council Member Golonka said they won't get that from the Regional Planning Commission but from the Select Boards.

Assistant City Manager Hill said the regional planning representative will go back to the Select Boards with the proposal.

City Manager Fraser said he would rather have them do that than to get advanced notice from their planning person, or do we just simply send them a letter?

Mayor Hooper said there are several different models that we have been following. Very soon we have to make choices, so it struck her that the Council needs to gather information about the possibilities of those different models. There is a community group that has been talking with Barre City, Barre Town, Berlin and Montpelier as well as some other communities actively. We need to ask that group for their answer. There is the model Bill Fraser just described of the Wrightsville Dam model or the U-

32 model. The third one is talking to the Regional Planning Commission to understand what a much larger area might be interested. Each one can be approached differently.

Mr. Doelger said it would be very helpful if the city would draft specifications on those three models and present them formerly to the Regional Planning Commission. If it were thought out properly and came from the city it would make a lot more sense.

Mayor Hooper said they are back to the issue that Alan Weiss raised by saying this is just an interest in taking the temperature of the Regional Planning Commission. At this point what they are now suggesting is the Council could formerly ask the RPC.

Council Member Weiss said that would be very acceptable.

Mr. Doelger said there is a lot at play here. You are asking the local communities in the region to support something that is regional, which is contrary to the way most communities operate. How would Montpelier and its taxpayers feel about driving outside of Montpelier to go to a facility which they don't directly control? On the contrary, how would Montpelier feel if they were spending a little less or that same amount to support such a facility? It would unburden the taxpayers of the Montpelier if the facility were a regional facility outside of Montpelier.

City Manager Fraser said it could be a regional facility inside Montpelier, too. In terms of those five communities, Montpelier is still about 50 percent of that population and certainly would be the lion's share of the tax base so we would still be making the major contribution regionally.

Mr. Doelger said going back to the three models the Mayor just talked about, one is a larger model, another is the U-32 or Wrightsville Dam model, and the third model is shrinking it down further to a sort of Montpelier only model and welcoming people from outside where we have room and they pay accordingly. It would be good to specify those and make them clear and present them to the various Select Boards and governing bodies. If they come back to the city and say they can't get support, then we can proceed. If they ask a large public or private donor for money, these are some of the questions they may ask us. If we haven't asked it going in, then how are we going to respond? Doing it after the fact is almost impossible.

Council Member Golonka said the issue of the Corry Fund is going to come up if we talk about regionalization or moving away from the governance based in Montpelier. That is potentially \$50,000 to the budget, and he can't imagine that the taxpayers of Montpelier would be happy to endure. Have they had any discussions with the Corry Fund in that regard and how they would structure a new Senior Center that would comply with their requirements but also allow for a more regional model?

Assistant City Manager Hill replied she had. When she talked with Mr. Foti he said he would be willing to take a look at what the proposal would be and how it would restructure the Senior Center. She felt if they were to do a regional center they could direct that the Corry Funds would be used only for the Montpelier residents, whether it is for their membership fees, class fees or meals. He didn't say he definitely would agree to that. He said he wasn't even sure how the court would feel about that.

Council Member Golonka suggested that before they go down that path they do get a more concrete answer from the trustees of the Corry Fund.

Mr. Doelger said depending on the response from the regional towns it might be a moot question.

Council Member Sheridan said the first question that needs to be answered is the one we are talking about. He had actual three factual scenarios - regional, the way it is now and just Montpelier residents with no outside membership. Once they have that question answered they can move on.

Assistant City Manager Hill said she would like to hear the responses from the May 4<sup>th</sup> forum. City Manager Fraser has asked Tom Viall to help facilitate that forum. Tom is a member of the Senior Center.

Mr. Doelger said Council Member Weiss may be right that the forum may produce some very strong resistance to the idea that the seniors in Montpelier would have to travel somewhere else to attend a Senior Center.

09-089. Consideration of leasing a van for the Senior Center.

V.A.

Senator Bernard Sanders has awarded an earmark to the Montpelier Senior Center for a van.

City staff has been working with GMTA (Chris Cole and staff) to select a vehicle that meets the requirements and does not require a CDL license to drive.

A letter outlining that process, dated March 18, 2009, was enclosed in the Council packets; since that date, one major change is that the lease will be between GMTA and the State. VTrans personnel will be in attendance to address questions and changes that have occurred since this was first discussed.

City Councilors have also received a sample of the lease provided by VTrans; City staff has arranged for insurance through the VLCT who carry the fleet insurance for the City.

Recommendation: Authorize the City Manager to sign documents to procure and lease a van through the federal funds earmarked for the Montpelier Senior Center.

Assistant City Manager Hill said she would like to invite Chris Cole from GMTA and Christa Chadwick, the Public Transit Assistant Administrator from VTrans to join her since they have all been working with her on the leasing. GMTA presently has a similar lease with the Essex seniors. A copy of the lease had been provided to the Council Members.

Assistant City Manager Hill said the seniors received an earmark over a year ago from Senator Sanders. They were one of four centers in the state of Vermont that did receive this earmark and Montpelier is one of the last two to proceed.

Initially, they thought the lease was going to be between VTrans and the City of Montpelier. Christa Chadwick informed her last week that it will actually now be between GMTA and the City of Montpelier.

Council Member Golonka said reading the lease he is a little concerned he doesn't see Montpelier listed anywhere so he doesn't know how that protects or preserves our rights either for the Senior Center or for the use of the vehicle. At least when we were a party to the lease we had some standing.

Assistant City Manager Hill said the draft lease she gave them anywhere it says GMTA and the corporation of the State of Vermont that would be the City of Montpelier.

Council Member Golonka asked if the city would be considered a lessor or lessee.

Mr. Cole said the City of Montpelier would be the lessee.

Council Member Golonka said he would like to see a filled out copy of the lease to clarify that. He said there are a lot of blank spaces. He asked who would own the vehicle after the second year, and what rights would the City of Montpelier have to this vehicle at that point.

Assistant City Manager Hill said it is actually a five-year lease.

Christa Chadwick said the useful life of the type of vehicle that the Senior Center is interested in purchasing with the earmarked funds is what they refer to as a cutaway vehicle. It is less than 16 passengers so it does not need a CDL driver. The useful life is five years or 150,000 miles. The lease would be for the five years.

Council Member Golonka asked what would happen to the vehicle after that.

Ms. Chadwick said the city would have the option of either renewing the lease at that time or they could purchase the vehicle if it met useful life standards under FTA.

Council Member Golonka inquired if the vehicle was for the exclusive use of the seniors or would GMTA use it for any other purposes.

Chris Cole said it would be for the exclusive use of the seniors. They wouldn't use it in their operations. It wouldn't even be housed at the GMTA facility.

Assistant City Manager Hill said the vehicle would be kept at the Public Works garage. GMTA has also agreed that they would allow our maintenance people who service the vehicle as long as they can meet the PM threshold required.

Mr. Cole said the vehicle is a FTA purchased vehicle. Therefore, it has to comply with all of the FTA regulations. The biggest thing that folks get hung up is the PM thresholds. Each vehicle comes with a preventive maintenance recommended schedule from the manufacturer. The FTA requires you to meet those thresholds, but they give you 10 percent variance. If the oil needs to be changed every 3,000 miles you have to change the oil between 2,700 miles or 3,300 miles, and there is no wiggle room. One mile over and you are out of compliance. If you are out of compliance VTrans gets a finding on their review every three years and potentially they could have federal funds that come into the state withheld. The FTA has withheld funds from the State of Vermont before. About 10 years ago FTA vehicles throughout the state were operated by Senior Centers and they were found to be noncompliant. The model now is to have transit agencies that know the regulations oversee the vehicles to make sure they are maintained in accordance with the FTA thresholds. The FTA owns 80 percent of the vehicle so they want their capital investment maintained. The GMTA does this with the Essex Senior Center who has two vans. Initially, they allowed them to do the maintenance on the vehicles at the town garage, and for the first three-year lease it didn't work so well. They weren't meeting the PM thresholds, so they later amended the lease to say that GMTA needed to do the maintenance on the vehicles. That way they are insured they meet the thresholds. They call them on a monthly basis and tell them what the mileage is and they tell them what day to bring it in for servicing. They are more than willing to allow the Senior Center to monitor the thresholds. If they send GMTA the mileage they can help them with the scheduling for servicing at the city maintenance facility. This is one of the things that the FTA is very serious about.

Assistant City Manager Hill said there is also an FTA requirement that the people working on the maintenance have to meet the drug testing standards which the city does.

Council Member Sheridan asked who else would be able to use the vehicle.

Mr. Cole said the primary user needs to be the Senior Center. He looks at it as a split of 80/20. There is other uses that can be incidental to the main function. The main function of the vehicle is for seniors. The federal government has 80 percent of it; the locals and the state have 20 percent. Anything under the 20 percent usage could be considered incidental. It really depends on how much you are using the vehicle for other things unrelated to its original intent. Once it gets up there and it is systematically being used for more than what it was intended, that wouldn't be allowed. Governmental use is fine.

Council Member Golonka inquired about use by the Recreation Department.

Mr. Cole said the Recreation Department in Essex uses their senior van every now and then.

City Manager Fraser said regarding the PM thresholds, the city has a very detailed oriented maintenance staff. Is this something that GMTA would connect with the city regarding maintenance? The city has a top of the line supervisor and they have computer records.

Mr. Cole said he was going to suggest that. GMTA has a computerized maintenance software system. As long as the Senior Center calls every Friday and gives a mileage update for the week, the triggers are usually set at 1,000 miles.

Assistant City Manager Hill said she has checked with the Vermont League of Cities and Towns and the vehicle can be insured under the city's fleet insurance.

Council Member Sherman asked who gets to drive the van and keep the keys.

Assistant City Manager Hill said that would be under the direction of Lucinda McCloud. This is something the City Manager has talked with her about. Even though it doesn't require a CDL license he wants to be sure that whoever is authorized to drive the van receives training, and she has talked with Chris Cole about how they could do that.

Mr. Cole said GMTA has a bus driver trainer they could make available.

Council Member Jarvis asked if we knew what the cost of insurance will be.

Assistant City Manager Hill replied that the estimate was approximately \$600. Don Lorinovich had called the school insurance and they also received a quote between \$500 and \$600.

Council Member Golonka said he recalled at a prior Council meeting there was intention that the Senior Center would pay for the difference through a request from the endowment fund. Is this subsequent to this approval?

Mr. Doelger said there is a matching dollar amount.

Council Member Golonka said he is assuming the Council will have to approve that as well.

Assistant City Manager Hill said in the March 18<sup>th</sup> letter it says what the cost would be and 20 percent would come out of the endowment.

Council Member Weiss told the Mayor and Council Members he was opposed to this. He knows that Council Member Golonka was correct. This is a blank lease the Council is looking at and it needs to

be filled out. He also believed when the first presentation was made the thought was that this would be a good vehicle for the Senior Center when they wanted to go on trips. Now he is looking at – the lease and if the Council agrees to it we are required to provide door to door transportation services for the elderly and disabled people. He does not know specifically what that means. Does that mean if somebody wants to go to the store, the hospital, some place else, that we will have to provide that service? This vehicle has to be housed in a garage. Therefore, we need to get it to a garage, get it out of the garage, and there are also expenses. We shall pay all operating expenses, such as fuel, oil, tires, etc. In item 2 of the lease it says the lease is for 7 years and the discussion is the lease is for 5 years. There is a letter dated March 18<sup>th</sup> signed by the Director of Planning Aaron Frank that GMTA recommends that the City of Montpelier consider a lease agreement with Vermont Transit before signing the purchase order. The lease says GMTA. He doesn't think this is a good deal. He doesn't think it has had enough serious thought. There are too many implications. He really doesn't care that two other communities in the state of Vermont went for this. He doesn't think Montpelier should, and he will vote no.

Assistant City Manager Hill said regarding the maintenance costs they have already talked about some operating costs as part of the budget and she will build it in as part of the trip cost. Even though it says door to door, she is under the impression that isn't a requirement. The seniors have actually talked about the fact that at some point if there are issues wherever they might be located required they didn't have enough parking that they might have the bus run to a park and ride and they could be transported to the center for the morning's events. All of the operating costs Lucinda felt she could build into the trip costs to cover those expenses. They can provide the Council with a filled in lease agreement. She would like to get a feel whether the Council supports the concept of the van first and she could have a filled out lease back to them for the April 29<sup>th</sup> meeting. They will be purchasing the van the first part of May.

Mr. Cole said he provided a copy of a lease that CCTA has with the Town of Essex. This is a representative sample of some of the clauses in the lease. It wouldn't be necessary to have all of the clauses in the lease because it is a different situation. The Town of Essex doesn't receive operating funds from the Elderly and Disabled Program. Part of the deal for them getting the senior buses is because they were willing to provide those door to door services out of their municipal budget. That was the trade off for them receiving the vehicle because you can't receive a vehicle and receive operating expenses from the Elderly and Disabled Program. That clause wouldn't need to be in the lease because there is no expectation for them to provide door to door elderly and disabled services. He went on to say that GMTA only agreed to be the lessor a week ago so he hasn't had a chance to draft a proper lease for presentation to the Council.

Assistant City Manager Hill asked why it was initially thought it was going to be from VTrans to the City of Montpelier and then was switched to GMTA.

Ms. Chadwick said when they were originally setting up the earmark with Senator Sanders' Office they told them all along it would have to flow through a public transit provider. As Chris mentioned, they have procurement documents already in place with FTA and they can already administer such products, provide maintenance, etc. They were hoping that in the lease agreement that one component of the purchase could be done with VTrans, but because VTrans themselves do not do the purchasing, but Buildings and General Services who are experts in FTA, they had to reverse that decision.

Mr. Cole said it was more work for the lessor and GMTA agreed to do the work in their cooperative relationship with VTrans and the City of Montpelier. They didn't want to do it initially because it is more work. It would be good for the City of Montpelier and VTrans asked them to do it.

Council Member Golonka said he would like to see Montpelier listed somewhere with some residual rights. He doesn't like Article 3 where it basically says the lessor shall remain the sole owner of the equipment and nothing contained herein or the payment of rent shall enable the lessee, which would be the city potentially, to acquire any title or other interest in the equipment. He would like to see some residual ability of the City of Montpelier to buy this equipment at the book value at the end of the lease term, if possible.

Mr. Cole said it is possible to purchase, but the best thing to do is just renew the lease for \$1 per year.

Council Members Jarvis and Golonka felt that wording should be contained in the lease.

Assistant City Manager Hill said that Chris Cole had originally said to her that the city wouldn't want the vehicle after 5 years. The Senior Center isn't going to put the mileage on the van like GMTA puts on a vehicle.

Ms. Chadwick said if they are not maintaining the mileage there is a useful life for the 80 percent portion that is the primary interest in this vehicle, so you may have to renew the lease to get the maximum.

Mr. Cole said with all of these vehicles the City of Montpelier will be the last on the list in terms of any residual money coming back. The State of Vermont is the first lien holder in protecting FTA's interest and the city would be the second. GMTA would hold title to the vehicle, but they are not a lien holder on the vehicle, because they have no financial interest in it.

Assistant City Manager Hill said there is a need to have a new draft lease before the Council.

Mayor Hooper said she also heard Council Member Weiss raise a concern about the management of the vehicle and what our costs are. Have we budgeted for the costs that are going to be associated with the vehicle? The Council needs to be assured that is taken care of.

Mr. Doelger said there was a budget number in the budget. He believes it was \$600 for maintenance.

Assistant City Manager Hill said they were also going to add on for the trip costs to help cover the maintenance expenses.

Mr. Cole said the maintenance costs for the first year are going to be minimal because anything that goes wrong will be covered under warranty.

Mayor Hooper said she doesn't think the Council is going to approve this tonight.

Council Member Jarvis said they need to know if the Council is approving this conceptually.

Mayor Hooper said with some reservations and wanting to see what the issues are there is conceptual support for the van. This is something they would like to move forward on.

Mr. Cole said he would like to draft a copy of the lease that would be applicable to the City of Montpelier and have City Manager Fraser and Bev review it and make whatever changes they feel the Council would like to see included.

09-91.

Consideration of endorsing a GMTA Resolution supporting greater regionalization of public transit services. V.A.

Nancy Wasserman, one of the City's reps to the Green Mountain Public Transit Advisory Board, asked that this item be on this evening's agenda.

Ms. Wasserman would like to provide a status report on these efforts, answer questions, and discuss the Resolution.

Recommendation: Receive status report, discussion and adoption of the Resolution.

Nancy Wasserman, Chair of the Green Mountain Transit Agency, appeared before the Council along with Harold Garabedian, who has been Chair of the Green Mountain Transit Agency's Strategy Committee, and has served for three years. Chris Cole is the General Manager under a contract GMTA has with CCTA.

Ms Wasserman said they were present to follow up on a presentation they did for the Council last fall about efforts to enable greater regionalization. Their ridership predominantly right now is on the Link which is regional transportation rather than local routes, although they both have seen incredible increases over the last two years. For a variety of reasons it will be much more efficient and a much more effective use of resources if there was a larger region managed in public transit in the state. As their auditors have looked at this, Chris right now is operating two separate organizations, two sets of books, two board and two set of minutes, and it is the same staff effectively doing the planning work. There are separate drivers and separate buses, but the overhead piece could be much more efficient. They are drafting enabling legislation that allows communities and transit districts to potentially be able to do this. They are looking for municipal support. They have worked for support from other public transit agencies. They are approaching the League of Cities and Towns and working with VTrans. They are trying to draft specific legislation that reflects the concerns that various municipal bodies, including the meeting with the Montpelier City Council last October. They are present tonight with a draft resolution and they would like support from the Montpelier City Council.

Mr. Garabedian said Nancy talked a lot about the governance. The other piece is the enabling of greater services. What they are seeing is inter-regional transit being a demand. GMTA has actually been able to reestablish transit in Northfield and looking to link that. There have also been some preliminary discussions about transit from Montpelier to St. Johnsbury. There is a lot of opportunity in the future for more regional transportation.

Council Member Weiss said the 6<sup>th</sup> clause where it says the GMTA and the CCTA Boards of Directors, his recollection is that this has been a historical difficulty for a good number of years. You are proposing that this resolution really has two goals, the first is to encourage legislation regarding the Board of Directors and the other is to encourage regionalization. Do you want two things?

Ms. Wasserman said the answer to that is yes. They aren't saying to go ahead and do it. They are asking the Council to support the exploration and supporting the commencing of the potential process where it might be able to be voted upon by people who benefit from these services, either through their municipal representatives or the actual voters themselves.

Council Member Weiss asked if they didn't need the Vermont Legislature to enact a law to make this possible before anything else can happen.

Ms. Wasserman replied yes.

Council Member Weiss said they are looking for the Council to support their legislative endeavor.

Ms. Wasserman replied yes.

Mayor Hooper asked if they would like to sign the resolution.

Motion was made by Council Members Hooper, seconded by Council Member Sherman to sign the moved the Council sign the GMTA Resolution supporting greater regionalization of public transit services. The vote was 5-1, with Council Member Weiss voting against the motion.

Mayor Hooper called for a short break at 8:50 P.M. and reconvened the meeting at 8:58 P.M.

09-093. Update from staff and students of the City Hall Basement Teen Center.

Jamie Cote requested time on this evening's agenda to provide Council with their annual update, including a power point presentation; camera operator Chris Craig will also be a part of this presentation.

Recommendation: Receive update; opportunity for discussion.

Mayor Hooper said the next item on the agenda is a presentation from the City Hall Basement Teen Center.

Sam Angell, Teen Coordinator, Chris, a Freshman student at Montpelier High School, and Patrick Shaw, a Freshman at Montpelier High School appeared before the Council.

Mr. Angell said the Teen Center basically provides a safe place for teens to go and hang out after school.

Chris said the Basement Teen Center is a community that includes youth full-time staff and AmeriCorps mentors and community coordinators. They are supported by many organizations, including the City of Montpelier, private donations, local businesses, the Boys and Girls Clubs of America and the Vermont Coalition for Teen Centers.

Mr. Angell said 152 Montpelier teens participate in the Basement activities in the past program year. Sixty-two percent of the 247 youth in the program were Montpelier residents. The Basement Teen Center sponsored 144 special activities last year. Thirty community volunteers donated time to lead activities and special events. Twenty to twenty-five youth participate and drop in daily. Youth made a total of 2,158 visits to the Basement Teen Center last year.

Patrick said some of the equipment they have at the Basement Teen Center includes two computers, electric and acoustic guitars, large screen high definition television, arts and crafts supplies, a pool table, a full kitchen stocked with food, several board games, teen literature, a play station game and DVD player and a VCR.

Mr. Angell said they are constantly trying to think up exciting new things to do. One of the projects he is working on is building a new picnic table. There are Music Mondays where people go in and play music. There are art Tuesdays. There have been artists and many other people from the community who have come in and helped do different art projects. There is a wonderful self portrait of himself hanging up in the Center. There are Movie Nights on Friday nights, and that happens until 10:00 P.M. They watch two movies that are picked out by teens in the Teen Center. They have dinner there which is made by one of the staff. There are pool tournaments. The Teen dinners go along with the Teen Movie Nights. They have baking days. They actually held a Bake-a-thon where they made all different kinds of baked goods, such as cookies, brownies, etc. There are free guitar lessons that goes along with Music Mondays.

Patrick said sometimes they go bowling, mini golf and various other activities around the community. They went to Bolton twice this winter. Some of the teens go out into the community and do community service. There are overnight trips as well. Last year they went to Toronto.

Chris said the mission statement for the Basement Teen Center is serving the youth of our community in partnership with the youth of our community.

Council Member Sheridan asked what volunteer activities they do.

Chris said they help out with a few small things around the building. It is a new program and one that he worked on starting with his co-workers at the Washington County Youth Services Bureau a couple of months ago. It is still in the beginning phases. They are working now with the Parks Department and with the Onion River Exchange to find community opportunities for youth to get out as a group. Rather than going to the zoo on a field trip they clean up the river. They are going to do some trail maintenance in Hubbard Park over the summer. For Green Up Day they are looking at possibly partnering with the High School to do a Winooski River Clean Up.

Council Member Sherman said they have 20 to 25 people at the Teen Center during the week. She wonders what the split is between young men and young women.

Mr. Angell said it is approximately 50/50. There are a group of males who like to go down and practice their guitar and skateboard tricks. There are a group of females who socialize, and it is a great environment to do that in. That is 20 to 25 students per day at the Basement Teen Center, and they come and go from 3:00 to 6:00 P.M. When the weather is nice they move outside.

Assistant City Manager Hill said on behalf of the staff there have been some good and some not so good times, but in recent years it has really been good. They have really self disciplined themselves. They were outside one day and she asked them if they could pick up the area. They are very pleasant and there haven't been any incidences.

A Washington County Youth Service Bureau staff member mentioned they need more space for their activities, so they too are looking for a facility that would be more community oriented where they could also interact with other age groups.

Council Member Sherman said in past years they have had a spectacular garden and she wonder if they planned to continue that.

Mr. Angell replied yes.

09-090. Update on 58 Barre Street Building. V.A.

Staff would like to have Council's input as to the direction they would like to take.

Recommendation: Receive update; discussion; direction to staff.

City Manager Fraser said there were a couple of reasons they wanted this on the agenda. At the Council's workshop last week they talked about trying to allow some longer discussions about issues that affect the Senior Center. We kept hearing information from other people that there was already a decision made formally or informally about 58 Barre Street. He had provided the following list of questions for the Council's consideration.

Mayor Hooper asked the City Manager to review the report the city received from Gossens Bachman in terms of the usage of the property.

City Manager Fraser said Gossens Bachman had taken a look at the building and what needed to happen in terms of bringing it up to speed. This included renovating the Senior Center in place, heating, ventilation, new flooring and other systems. They suggested we could possibly turn to senior housing with a partnership with Housing Vermont. They estimated a \$3 million cost to do the entire building. Approximately half was going to be assigned to the Senior Center and the other half to the housing component. Finances are the sole driving force for this decision, and he realizes there is program needs and size, are there other opportunities for this building? In terms of the Senior Center for \$1.5 million they could renovate the building and keep them in place. At one point he had made a comparison of those numbers over a 20-year period verses what it would cost to lease space. Can we build another building with that comparable size space for that kind of money? Can we move to a different location for that kind of money? Or, renovate a different building?

City Manager Fraser said money is not the only factor. There may be other needs and requirements.

Mayor Hooper said in order to make a decision on the disposition of 58 Barre Street we need some information. What other information does the Council need in order to make a well informed decision?

Council Member Hooper asked what kind of things could be considered given the parking limitations.

City Manager Fraser said that was one of the issues that Gossens Bachman looked at, particularly in conjunction with the Senior Center. It would free up some parking if they weren't there. That was one of the reasons they recommended senior housing because of the limited parking.

Council Member Sherman asked what the other options were. There is talk about the middle school being available for an alternative use. What else is in the city, if it stays in the city that might be an option?

Assistant City Manager Hill said there is also the issue of the recreation building. It needs more work than 58 Barre Street does as far as electrical and energy efficiency issues.

Council Member Sheridan asked what kind of funding sources were available. Does any of this qualify for stimulus? He knows they can get up to \$60,000 to help with the elevator grant. Are there other grants available?

City Manager Fraser said the city is looking into that now. The housing component, if it stayed on the model, would be built by Housing Vermont and they would seek housing grants and bring their findings to the table to deal with that portion of the project. The city would have to come up with its project. We would look for whatever was available. He had been scouring the Stimulus Bill and it's not great for this kind of thing, but it doesn't mean that's it not there. To the extent that the city is going to have some sort of cost, the \$1.5 million seemed like a fair price.

Council Member Hooper asked Bev Hill what the annual lease was right now.

Assistant City Manager Hill said the city charges the Senior Center roughly \$25,000 and \$60,000 to operate the building.

Council Member Sheridan asked what the other tenants pay now.

Assistant City Manager Hill said nothing. The school provided them the space. It depends upon what the city does with the building.

City Manager Fraser said they have given them some range of prices on a square foot basis.

Assistant City Manager Hill said nobody wants to move in there if they are going to dispose of the building or start renovating it within a year. The people that are there right now are the Central Vermont Adult Basic Education and Community Connections.

Council Member Sheridan inquired if we were receiving any rent from them in the meantime.

Assistant City Manager Hill replied no. The school is still technically in control. They are running the operation through the end of June and the people are staying there under the former agreement with the school. It's coming out of the school budget right now. The city will definitely charge those who stay. The City Manager and she had worked out a formula to bring before the Council. She has other people who have expressed some interest, but they want some type of commitment of how long they can be there. Do we want to be in the landlord situation of renting and leasing?

Council Member Golonka said Bill Fraser told them earlier tonight that it is not the ideal location for either the current use of the Senior Center or for a future planned use of a Senior Center facility. With that statement we basically have a building that is of no use for the one use we are using it for right now. He is not inclined to explore options that would impale investing \$4 or \$5 million. He doesn't believe the \$3 million figure is accurate. It didn't include asbestos abatement and it didn't include lead removal. He believes there is a whole host of oil issues in the basement. He would prefer partnering with some type of project developer and unloading the building and get it back on the tax role. We can find a suitable place for the seniors at some other location in the city with the understanding that we have addressed the use of a senior center for the current and future. He just can't see how running an operation for 500 members is ever going to work in a space that has potentially 15 parking spaces. He just doesn't see that ever changing. Because of that he would be more inclined to explore the other options of searching for alternative sites and getting rid of that building as quickly as we can.

Assistant City Manager Hill said it's not going to be easy finding alternative sites, either.

Mayor Hooper said one of the issues that is outstanding is if we moved this facility somewhere, what would the cost of operating this facility be at that location? This is part of the balancing act that we can't rent a facility that would be so costly as to not enable the Senior Center to exist.

Council Member Golonka said it is costing the city \$60,000 to subsidizing that building. If it does go back on the tax roles there will be extra revenue coming in that will offset whatever expenses we pay to house the seniors somewhere else. It's a big money pit and we'll be much better off finding some new place that can house the Senior Center in a better capacity.

Jane Osgartharp, a Senior Center member and on the Planning Committee, said she would like to bring a bigger perspective to this. We are not just talking about the Senior Center. We are talking about a building which she really feels has historic value in Montpelier. She doesn't believe it is part of the design review section.

Mayor Hooper and Council Member Golonka said it is.

Ms. Osgartharp said that section of Barre Street, with the church and the Senior Center and the buildings really give this city character. She remembers when she first came to Montpelier back in the 1960's. It was ugly! They had all of these awful facades around our wonderful buildings because it was considered the neat thing to do back in the 1940's and 1950's. With some historic preservation monies that were voted in during the 1970's there was money available for property owners to essentially bring their buildings back to what they had been originally. It made an incredible difference to what our downtown is now.

Ms. Osgartharp said she knows parking is a problem. To her, there are ways around the parking. If the building was properly renovated, whether it was the School Department or the City of Montpelier, we have allowed these buildings to go into decay because we haven't done proper maintenance to these buildings over the years. We have put ourselves in this hole. This building could work well as a Senior Center and as a senior housing location with housing on the upper floors and then activities in the lower floors. She was involved in a project similar to this in Waterbury almost fifteen years ago where they took a downtown building of historic significance, which was almost in total decay. With funding from many different sources we manage to reconstruct the building. They built 16 apartments on the upper floors and had the Senior Center on the first floor and some businesses on the rest of the first floor, and it is working well. It's not a drag on the Village of Waterbury.

If we look at the bigger picture and the longer term, that is a good building and we should keep it. Whether we use it for a Senior Center or not, she doesn't know. She thinks that is a possibility.

Council Member Jarvis said she had some of the same thoughts as Tom Golonka. Her first thought is, what do the people of the Senior Center want?

Mr. Doelger said Mr. Metcalf looked at the problem. He determined that the costs of operating the building in 2007 was \$88,000. Gossens Bachman just said the building uses 12,000 gallons of fuel oil a year. Even if you vacated the building it would require approximately 8,000 gallons. Right now fuel oil is relatively reasonable, but it can easily get back up to \$4 a gallon or more and your looking at \$50,000 in operating cost for just fuel oil alone. He also went on to say that it burns a significant amount of electricity because the wiring is old.

Council Member Jarvis said assuming they decided it would be good to do the renovations; do they want to be there?

Mr. Doelger replied no. He went on to clarify that was his feeling and that there were mix feeling among the members.

Mayor Hooper said they aren't going to resolve the issue this evening. One of the questions they need to resolve is what the needs of the Senior Center are. Do the users of the Center currently want to be there? Also, projecting into the future, is it going to serve the needs of the Senior Center into the future? She is really confused about what they are trying to accomplish. She was trying to get the list of questions that were necessary for the Council to be able to make some decisions so they could allocate an hour or two for a conversation about this. She wasn't trying to answer the specific questions tonight.

Council Member Jarvis said it seems the City Manager is saying we are looking to spending a lot of time and resources to try and figure this out, but if your mind is made up tell them.

City Manager Fraser said they have had people say at public meetings and in public sessions that there are x number of votes to sell the building. If that is what they want to do, he doesn't want to spend a lot of time trying to figure out how to save it if they want to sell it.

Council Member Jarvis asked if the present members want to stay there assuming things are brought up to code. Will it work for future needs? Would the Senior Center be able to stay there during whatever renovations happen, and how long might that be? It seems that there might be a minimum of a year where you need to house the Senior Center somewhere else, so there is that cost. Do we want to be in this position of being developers and possible landlords? When we talk about Sabin's Pasture, it seems there is a resounding no from a lot of people.

Mr. Doelger said they would like to stay there one more year and work through some of the questions that would resolve the issue permanently. If it worked out that they would have to move to a temporary location that would cost money, his preference is they find a site for a new building, remain at 58 Barre Street for a year and hopefully before the next heating season starts find some way to vacate the building. That is his goal.

Council Member Weiss said his request for information would be the results of the conversation with a regional center and the results of the survey with other communities.

Council Member Sheridan said he doesn't see a problem for a month or so trying to get some answers to some questions. He doesn't think it will throw everything off schedule if they don't make a total

decision. He asked Bill Doelger who he was speaking for when he said they didn't want to stay at the Center. He tends to speak as if he were the sole voice of the Senior Center.

Mr. Doelger said that wasn't his intent.

Council Member Sheridan said he needs to say they had a vote and this is his personal opinion because when he says no the Council figures he has gotten some kind of general agreement from the membership, and he hasn't seen that. He doesn't want to make any decisions until after the May 4<sup>th</sup> forum.

City Manager Fraser said he wanted to be clear that he isn't trying to urge the Council to take a vote tonight. They have been receiving feedback from people on the Council, and others, that this was a done deal. He also pointed out an example from our city's own past, which is this notion that the question was asked if you wanted to stay in place and he referred to the police and fire station renovations. If the decision is that they just want to get rid of this building, then that option is obviously foregone. A renovated Senior Center in place may prove to be financially sound. There are not a lot of great sites for facilities like this, and we already own one of them.

Council Member Hooper said he is leaning strongly toward getting rid of the building at this time. Particularly with the parking, it is inadequate for its current use and limits the future choices for the Senior Center.

Council Member Sheridan said what he is afraid of is pushing them out too quickly when we don't have a place for them to go. We will be forced to take some more expensive options, and we will back ourselves into a corner and it will end up costing more than it does now. He wants to make sure that there are options out there and we don't just say we hope to get lucky

Council Member Sherman said she thinks it is all about location and walkability, and you can't beat 58 Barre Street. When you talk about public transportation, there are so many pieces in place. Renovation of something we have should really be explored before we lose it.

Mayor Hooper said her sense of the Council is that we would like to gather some more information.

Mr. Doelger said he didn't think anybody needs to act before the May 4<sup>th</sup> meeting.

Council Member Golonka said he doesn't think anyone on the Council is thinking about kicking the seniors out into the street. If we decide we want to get rid of that building it would be contingent upon finding a new home for the seniors, and he thinks that is understood.

Council Member Sheridan said he has heard concerns about that, and he wants it said on television that isn't the Council's intention because there are people at the Senior Center that think we don't care about them and they will end up in the streets.

Mayor Hooper said one of the pieces that is critical here is that we are being driven very appreciative of closing the Senior Center by the reality of the costs that we are looking at if it continues to be there. The Council needs to begin making a decision pretty quickly, so we should schedule a workshop session in May to discuss this topic.

Council Member Sheridan suggested May 20<sup>th</sup> after the May 4<sup>th</sup> forum.

Council Member Jarvis said she really appreciates that Bill Doelger is trying to make a push for the fundraising of the capital campaign. She thinks they are going to be disappointed on how quickly the

Council is able to move on helping the Center move. If they decide to go down the road of fundraising to build a new Senior Center she thinks it is extremely unlikely they will be building next summer.

Assistant City Manager Hill asked how the Council feels if the Center wanted to do an annual campaign for fundraising and start setting aside monies for either the improvement to the facility or for a new facility.

Council Member Jarvis said she thinks they will run into problems with explaining to people what the money is for and she is concerned about the Corry Fund money and not jeopardizing that as well.

Mayor Hooper asked if this was something the City Council should be making a decision about. It seems like that is the operation of the Senior Center. Certainly, informing the Council and telling them what is going on is important.

City Manager Fraser said he would like to make a point about the cost. There is no sense in throwing away money, but we are all concerned about the operating cost of the Center. If you accept the \$88,000 figure to run the whole building and we look at only the Senior Center space at \$7,500 they are talking about \$11.73 per square foot to operate that facility. The city cannot lease that space for that price. That doesn't even count any potential leasing coming from upstairs. He doesn't know if the \$88,000 counts janitorial services or not. We are not blowing money away by keeping the Senior Center there. Can we bring that number down? He hopes so. It is an old building and needs some work, but it is not financially irresponsible to keep that building operating. They are below market lease rate keeping them there. If we want to find another spot for them, it wouldn't be at this cost.

Mayor Hooper said this is not a simple subject so we are going to take some time talking about it in May.

Council Member Weiss said this is not an appropriate time without the support and the knowledge of the Council for the Senior Center to go into any fundraising activity.

Council Member Hooper inquired if the Senior Center was a nonprofit.

Assistant City Manager Hill said the Senior Center is working to establish one. They had thought about starting some time next fall doing an Annual Appeal for support that would be a dedicated fund.

Mayor Hooper said she believes the Council conceptually approves the notion of the Senior Center becoming a nonprofit.

Council Member Jarvis said spoke of the rest of the space at 58 Barre Street and felt it is very clear to her that nothing is going to happen with this building in the next year. There shouldn't be anything stopping them from entering into leases for the rest of the space. The leases wouldn't have any right of renewal.

Mayor Hooper said the Council has laid out a course of action for making a decision and we will place on a future agenda for a workshop on the issues.

09-92.

Presentation of an overview as to how the Police Department and the Montpelier Community Justice Center plan to use the Federal Byrne Justice Assistance Grant. V.A.

This law enforcement direct grant award is for \$33,209. The Police Department will be submitting the grant application pending Council approval.

Recommendation: Receive presentation; discussion; authorize the submittal of the grant application.

Police Chief Facos said this is a formal follow-up to the 2009 Byrne Memorial Justice Assistance Grant which Montpelier received a direct award of \$33,209. The deadline for the grant itself will be May 18<sup>th</sup>, but part of the requirement for that is to have a public hearing. It is similar to what they just did with the COPS application. Yvonne Byrd from the Justice Center has talked about their needs with the City Manager? They could use more funds than what is here, but fortunately their violent crime isn't high enough to secure more funding.

The formula the Justice Department uses for this is the ratio of violent crime based on our national incidence based reporting system to population. They are planning to spend the \$33,209 for a crime tracks records management system server purchase, which includes digital imaging interface or mug shots and compatibility with our new VJIS project. VJIS is the Vermont Justice Information Sharing system. Our records management system is the heart and soul of everything they do, which is communications, dispatch, pulling up an old case file or report. Their system is different from the bulk of the rest of the state of Vermont. A long time ago Chief Hoyt had the vision and the opportunity to go with a computerized dispatch before the state was ready to, which is why they have a different system. VJIS is really an important aspect of staying with the current vendor so we can link our information to the rest of the state of Vermont. This has a \$13,500 price tag.

Police Chief Facos went on to say there was a need for some technical surveillance equipment which relates to safety as well as evidence collection and protection. This is a wireless system upgrade for a surveillance tactical camera system that the city currently has. For \$6,000 this will enable the system to go wireless. All of the items they are requesting with the Byrne funds have not been in the budget in the past or are in the FY 2010 budget.

There is a body wire transmitter receiver that officers use for special investigations, which is important from a safety standpoint, as well as evidence collection and preservation. That cost is \$5,500. Another thing he added back on was ballistic head protection with a minimum of at least four helmets for \$2,209. That is something the officers really should have available to them during a high risk situation, whether it is high risk warrant service or actual shooter response. This would coincide with the ceramic heavy tactical armor that they unfortunately had to use for riot incidences in the last 24 hours besides the school incident.

Yvonne Byrd is going to talk about a pilot program of conflict assistance for \$6,000, which is a key crime prevention component. That brings the total up to \$33,209.

Yvonne Byrd said she and Police Chief Facos have been working together on developing a protocol for the most appropriate kind of intervention for complaints that neighbors have about one another around issues of animal noise, animal complaints, and a whole number of complaints they have been tracking and how to work with folks to get them to come to some resolutions that they generate themselves. In a lot of cases the reaction of having the police come to say their neighbors complained about them tends to escalate the complaint. As they were working on the protocol for increasing the referrals for those kinds of interventions and concerns, how do we have the capacity to take care of them? This is intended to develop that capacity.

Council Member Sheridan asked Police Chief Facos a question on technical surveillance.

Police Chief Facos said for the record there never was a camera in City Hall. It was a spotting scope. It resolved a lot of cases. It was a grant he wrote under former Police Chief Hoyt just before the transition period. It's a special permit that has multiple applications that will be used judiciously in accordance with case law. It has multiple applications and they can even set it up to watch ice moving

under a bridge. They wanted the capacity to go wireless. It was covered under a grant which also included the officer going out for special training on the system.

Council Member Hooper inquired if there are maintenance costs for the new computer system.

Police Chief Facos replied yes, but it is with the same vendor they have had since 1990. They know our needs so there is a service agreement. Our mug shots are currently stored on a type of juke box that is very tempermental. With the imaging component they can actually incorporate photos right into the hard drive as well. It has triple redundancy, all security features that meet federal security standards, which they need to be in compliance with, and there is a policy in place for any systems they have that will link up to public safety.

Council Member Sherman said they are getting a \$33,209 grant and it is primarily for Police Department equipment and upgrades, and \$6,000 of the grant goes for the conflict assistance program for the Justice Center.

Police Chief Facos said it is a law enforcement grant, but there are opportunities to help the Justice Center.

Council Member Weiss said his intent is to recommend that the Council give zero to the Montpelier Community Justice Center. In the fiscal year we are in now they are receiving about \$20,000 through taxpayers' money. In the next fiscal year they will receive a little over \$111,000, of which \$91,000 goes to the salaries for two employees. He was not sure whether that included benefits. When he looks at the bottom of the page that was handed to the Council they are looking for more money for themselves, and he thinks they are adequately paid and we shouldn't take this money from the Police Department and let them have an additional \$6,000. Let the Community Justice Center do the things they want to do on this page at the salaries they are currently receiving.

City Manager Fraser said he would like to make a couple of corrections. Council Member Weiss said in the current budget they are getting \$20,000 and next year \$111,000. He wants to remind Council Members that \$80,000 of that is offset by state grants, so the city only actually increased from \$20,000 to \$31,000. Some of that had to do with the reallocation of the benefits. They are actually currently spending about \$100,000 of the state grants as well. The \$20,000 to \$111,000 isn't an accurate comparison. Secondly, with the \$6,000 being proposed \$5,000 of it is actually not for the existing employees. It is for them to have additional mediators on call to provide backup services, so if they have more cases than they can handle. He said he wanted to remind the Council that at budget time the city gave them \$15,000 less than what they said they needed with the expectation that they would seek to fill that gap with various funding sources.

Council Member Jarvis pointed out that this description of what they would like to do with the money is about using this new program which would be connected with the Justice Center to better utilize law enforcement resources. This is about trying to funnel away some of these neighbor disputes and other cases that take a lot of police resources and have the Justice Center deal with them instead. She heartily disagrees with Council Member Weiss.

Council Member Golonka said a year from now, or a few years from now, when this money has been spent, is this going to become embedded in part of the department and they will be asking for an increase in their budget.

City Manager Fraser said they talked about that.

Council Member Golonka said that is his problem with grants. They provide seed money and the city is required to fund the serves in the future.

City Manager Fraser said if they are going to ramp up the number of police referrals do they have the ability to handle it. Is it truly going to be a savings or better use of police time? His thinking was that in Yvonne's original proposal to use \$24,000 for four years of the JAG grant. It was for a longer period of time and we only had \$33,000. Tony had a list of \$35,000 he needed, and this is how we ended up. His view was to grant fund for a year, see if it is a success and see if it did what it is supposed to do, evaluate it and consider whether to continue the project. On the scheme of things it wasn't a giant sum of money compared with other things we do. If it is a success it may well be in the city's budget. If it is proving it is getting more than \$6,000 worth of productivity out of the Police Department, it may be worth it. It's not like we are hiring new employees to do it. They are going to be contracted mediators so it's not like there are long term employment commitments and benefits.

Council Member Sheridan asked what happens if all of the money isn't used up?

City Manager Fraser said the money could be carried forward and reserved for that purpose.

Police Chief Facos said from the equipment side all of the equipment he has outlined will have a service life of beyond five years.

Mayor Hooper said she is reading this as a response to her rather loud statement at the last meeting of go and find some money for the Justice Center, and she appreciates that very much. It seems to her that the investment on the Justice Center side is going to be equivalent to what they did with sprinkler program. We are investing in conflict resolution so we don't necessarily have to invest in increasing the size of our Police Department. It sounds like a good plan to her.

Ms. Byrd said the Department of Corrections is working hard right now, along with the Justice Centers throughout the state, to seek stimulus money to support us so there is more state funding and less local funding. They are looking at all of those opportunities.

Motion was made by Council Member Sherman, seconded by Council Member Hooper to authorize Police Chief Facos to submit the Byrne Justice Assistance Grant application. The vote was 5-0, with Council Member Weiss abstaining.

09-094.

Report by City Council:

Council Member Sherman reported that the construction of the roundabout was postponed for a week. She passed that information on to GMTA because the buses need to know when they can't get through. She has received calls about night noise during the construction. How late can they work?

City Manager Fraser said they can work all night long for 10 days. The opinion offered by Tom McArdle was they would probably opt to use them in two consecutive weeks.

Council Member Sherman said the jackhammers have caused a great concern, and there is a possibility of housing a jackhammer so it isn't so loud. There are also opportunities to have alternative backup beepers on trucks, and some construction projects require this.

Council Member Sheridan said he owed the City Manager an apology. He announced at the employee meeting that they could talk freely and there would be no City Councilors or Press present. Right after City Manager Fraser made the announcement he (Council Member Sheridan) showed up, stood at the

doorway and listened in. He didn't know the Council Members weren't invited. To him it was an open meeting and just happened to be going through the building so he stopped to listen.

Council Member Hooper said he would like to thank the police for finding his dog in a speedy manner.

09-95. Mayor's Report:

Mayor Hooper reported she received the Annual Report from the Montpelier Housing Authority which she will leave with the City Manager's Office. She thanked the City Manager for e-mails to the Council keeping them up to date about the personnel meeting and what was going on with the Farmers Market.

09-096. Report by the City Clerk-Treasurer:

City Clerk & Treasurer Hoyt had nothing to report this evening.

09-097. Status Reports by the City Manager:

City Manager Fraser thanked Council Member Sheridan for his comment. He said he told employees he wanted them to understand the respect that the City Council has for them and they are not unlike other communities that sort of challenge employees in the headlines. We are doing this here direct and there is no press or Council Members present. We are here trying to have a conversation. The employees did a great job. They asked all of the questions they expected them to ask.

He offered his compliments to both the Barre and Montpelier Police Departments and all of the Central Vermont agencies. There was some sort of internet activity that occurred last night where an unknown student made a remark about they were going to bring a gun to school tomorrow and take care of business. To the credit of this internet provider, the screeners caught it and tracked it to a Barre server and notified Police Chief Bombardier that this had come in. Any of us could have an e-mail that went to a Barre server, so they notified the Montpelier Police Department and the State Police. All of the Barre schools and Montpelier schools and U-32 had officers present this morning. They were communicating with the police departments and school departments. Coincidentally, while this was happening, a pot holder had got stuck behind the dryer at the Middle School and caught fire so the Fire Department had to respond. That's a classic move that people start a fire to get everyone to come out of the building to open up and fire on the kids who have been locked into the building. They were in very high alert fearing that the scenario was being played out. They ultimately tracked the e-mail to the individual who sent it. It was a Spaulding student so the other schools were released. Barre had the person in for questioning by 8:45 A.M. The whole thing is pretty amazing, that the internet provider caught it and the student had not come to school with any weapons or intent to do any harm, so no one was ever in any danger. The response was excellent; the coordination amongst the agencies was excellent. The appropriate level of action without scaring people unnecessarily was excellent.

Last night there was also a violent action with a domestic situation in Montpelier. We forget those are the situations we put our employees in day after day. They did a great job.

City Manager Fraser said as we try to schedule the workshop meetings, the May meetings are May 13<sup>th</sup> and May 27<sup>th</sup>. One of the things we wanted to discuss at an upcoming meeting is the district energy discussion and the other is the Carr Lot, and also revisiting Sabin's Pasture. These are all issues we wanted to spend some time on. Gwen Hallsmith is not going to be here on the 29<sup>th</sup> of April. One

suggestion is we could meet on the 15<sup>th</sup> solely for the purpose of having the workshop on the Carr Lot. The key decision the Council has to make is if and how we are going to proceed on the land acquisition. If we don't meet on April 15<sup>th</sup>, then we couldn't talk about it again until the 13<sup>th</sup> of May. That's the next piece we have to make a decision on, which is what we are going to do there.

Council Member Weiss inquired if the Town of Berlin opened the Ambulance Service proposals.

City Manager Fraser replied they did not. They want to wait and see how the regionalization meeting goes tomorrow night.

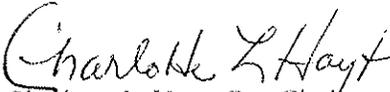
Agenda Reports by the City Manager:

09-098. No further items as of "press time".

Adjournment.

After motion duly made and seconded by Council Members Hooper and Sheridan, the Council meeting adjourned at 10:28 P.M.

Transcribed by Joan Clack

Attest:   
Charlotte L. Hoyt, City Clerk