

On Wednesday evening, December 15, 2010, the City Council Members met in the Council Chamber.

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

Call to Order by the Mayor:

Mayor Hooper called the meeting of the City Council to order at 7:05 P.M.

10-312. General Business and Appearances

Shawn Bryan, President of Montpelier Alive gave the Council a quick overview of what they have planned for First Night. There will be a street closing coming before the Council to approve. There is a Parade of Lights starting at Kellogg Hubbard Library at 8:45 P.M. and ending in front of City Hall. From approximately 9:00 P.M. until 10:00 P.M. there will be a disco dance out in front of City Hall. Depending upon the size of the crowd they expect they will need to close the street from Barre Street down to State Street. They have worked with the Police Chief and the Fire Department and have their approvals for the plans they have in mind. Street closings will be very flexible so if it is a really cold night and there are very few folks out there they would certainly open the streets up earlier than 10:00 P.M. There will be the dropping of the ball at 10:00 P.M. and the release of some lanterns that will hopefully float into the sky. It is a green event and everything should be cleaned up and back to normal by 10:15 P.M. Montpelier Alive will provide light security. There will be parade marshals and folks there to move barricades. You can purchase buttons at the City Clerk's Office, Capital Stationers, Hunger Mt. Coop, Minuteman Press, Shaw's, Slope Style Ski and Ride, Hanaford's in Barre, Kinney Drugs on the Barre-Montpelier Road, the Bragg Farm, Northfield Pharmacy and the Merchants Bank in Waterbury. If you buy buttons in advance they are \$12; if you buy them on the day of First Night they will cost \$15. Programs and buttons are available in those locations and he encouraged the council to attend. He received an e-mail from Jimmy Swift who is the Coordinator who said Montpelier's First Night is on the front page of the Travel Section of the Chicago Tribune as one of the places to be for First Night. The travel sections across the country are going to be featuring the Montpelier First Night event as one of the places to be.

Council Member Sherman asked what they would do instead of watch fireworks on the State House Lawn.

Mr. Bryan said there is going to be the disco party in front of City Hall, the Parade of Lights, flame jugglers, etc. They had to shrink things down a little bit and collapsed the schedule so they are getting done at 10:00 P.M. instead of later in the evening. First of all, the fireworks are the most expensive part of the event and they have been looking for ways to cut back on costs. Secondly, as they have learned over the years, when they send people off to the State House lawn they never come back. They are really hoping to keep the First Night event central to downtown and keep it here so as they break up at 10:00P.M. folks can go to the musical venues that will still be going on around town, the restaurants and have the opportunity to still enjoy the evening for as long as they want to stay.

10-313. Consideration of the Consent Agenda:

- a) Consideration of authorizing the City Manager, upon legal review, to execute all instruments deemed necessary to further the development of the project at 58 Barre Street, including the sale and financing of the project. This includes, but is not limited to, declaration of the 58 Barre Street Common Interest Community; acknowledgement and approval of the assignment of the Option Agreement to the Vermont Community Loan Fund (VCLF) with the condition for VCLF to complete the project if Capital City Housing Foundation Inc. is unable; and apply for permits for the development.

Background: The exemption for creating small common interest communities is expiring at the end of this year. Attorney Gensburg recommends that the City declare the Common Interest Community now to avoid increased costs. The units formed by the condominium will be retained by the City. The City attorney has approved the Declaration. The City will transfer the housing unit to CCHF at a later date. CCHF is arranging pre-development financing with the Vermont Community Loan Fund (VCLF). The VCLF will require an assignment of the Option Agreement as collateral for the loan. The City is about to submit permit applications for Design Review and Development Review Board.

- b) Consideration of approving Errors & Omission Adjustments to the 2010 Grand List. (The City Assessor has provided a memo listing the corrections; an additional correction will be provided at the meeting.)

- c) Consideration of a request from coordinators of *First Night* for permission to close Main Street (from Barre Street to State Street) from 8:45 to 10:15 P.M. (weather permitting). As the parade comes to an end, people will gather in front of City Hall. This request has been discussed, and cleared, with the Police Chief and Fire Chief.
- d) Consideration of awarding the bid for printing of the City’s Annual Report. Staff solicited bids and received the following responses:

Accura Printing	\$ 6,960
L. Brown & Son	7,205
Leahy Press	No Response
Stillwater Graphics	No Response

A memorandum from staff is attached for further review.

City Manager Fraser said L. Brown & Son has provided excellent service but they have decided to go with the low bidder of Accura Printing this year.

- e) Consideration of the becoming the Liquor Control Commission for the purpose of acting on the following:

Vermont Hospitality Management dba New England Culinary Institute to cater a reception at Hopkins House at National Life on Tuesday, December 21, 2010 from 2:00 P.M. to 7:00 P.M.

Request for the City Council to act as the Liquor Control Commission for the purpose of considering a catering permit to New England Culinary Institute at Hopkins House at National Life on Tuesday, December 21st from 2:00 to 7:00 P.M.

Hyzer Insudtries inc dba Three Penny Taproom to cater a swearing in Gala at the Vermont Historical Society in the Snelling Hoom on Thursday, December 20, 2010 from 4:00 P.M. to 6:30 P.M.

- c) Payroll and Bills

None.

Motion was made by Council Members Sheridan, seconded by Council Member Sherman to approve the consent agenda with the printing of the Annual Report going to the Accura Printing the low bidder.

Council Member Weiss said he would like to pull the first item regarding the 58 Barre Street project.

Mayor Hooper called for a vote on the motion to approve the consent agenda after removing the item requested by Council Member Weiss. The vote was 6-0, motion carried unanimously.

- 10-313 (a) Consideration of authorizing the City Manager, upon legal review, to execute all instruments deemed necessary to further the development of the project at 58 Barre Street, including the sale and financing of the project. This includes, but is not limited to, declaration of the 58 Barre Street Common Interest Community; acknowledgement and approval of the assignment of the Option Agreement to the Vermont Community Loan Fund (VCLF) with the condition for VCLF to complete the project if Capital City Housing Foundation Inc. is unable; and apply for permits for the development.

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Council Member Weiss requested that the City Manager provide copies of each of the documents noted here for Council review.

Garth Genge, Community Development Specialist said some of the documents have already been prepared for the condominium. He isn't sure if the loan documents for the Vermont Community Loan Fund have been prepared but they could get copies of the agreements and provide them to the Council. Everything they are doing as far as legal documents are going

through the city attorney before they go to the City Manager for his signature.

Council Member Weiss said he appreciated the memo Mr. Genge sent out regarding the housing units with the information on the tax status.

Motion was made by Council Members Sheridan, seconded by Council Member Sherman to authorize the City Manager, upon legal review, to execute all instruments deemed necessary to further the development of the 58 Barre Street project. The vote was 6-0, motion carried unanimously.

10-314.

Convene a Public Hearing to consider amendments to the Montpelier Zoning and Subdivision Regulations.

- a) The proposed amendment relates to floodplain development and is required by the National Floodplain Insurance Program (NFIP) because the City of Montpelier participates in the program.
- b) The proposed bylaw amendment allows the City of Montpelier to continue meeting the minimum requirements of the NFIP.
- c) The specific changes to Sections 202; 203; 309; 716; 901; 906; and 1303 as recommended by the Planning Department, Vermont Agency of River Management and the Montpelier Planning Commission, are outlined in the ***Notice of Public Hearing*** (attached). A copy is also available and can be downloaded from the front page of the City of Montpelier's website: <http://www.montpelier-vt.org>.
- d) Recommendation: Conduct the first public hearing; set the date of the second public hearing for December 22nd, 2010.

Mayor Hooper opened the public hearing at 7:15 P.M.

Clancy DeSmet, Zoning Administrator, said they are working their way through a bylaw amendment change to bring our National Flood Insurance Program regulations into compliance with FEMA's requirements. They went through the process in 2008 and they weren't quite up to snuff so they have been working with Rebecca Pfeiffer with the Agency of Natural Resources' River Management Program as well as the Central Vermont Regional Planning Commission and Montpelier Planning

Commission. There have been two meetings with the Planning Commission and this is the first hearing of the bylaw amendments with the City Council. Rebecca Pfeiffer is going to present a power point presentation. The documents the Council has are solely the changes. The second document is a checklist. The ANR has gone through our ordinance with the proposed changes and made comments.

Rebecca Pfeiffer said they primarily help communities with bylaws. She and Ned Swanberg, her co-worker, have been helping the City of Montpelier with their bylaws. In 2008 the city went through a similar process and a lot of the bylaw updates have been prompted because FEMA has been remapping Washington County. They are moving away from a community by community map and moving more towards a county wide map. When the maps become effective, which they are anticipating happening sometime in the summer of 2011, every town and community in the county is required to have compliant flood hazard bylaws. Otherwise the town or city becomes suspended. The date those maps become effective if you don't have compliant bylaws then that community becomes suspended from the flood insurance program which means that flood insurance is no longer available in the community and could have some big impacts on the folks in the city who have flood insurance or who are interested in buying flood insurance.

(Power point presentation)

The floodplain maps are really mapping one type of flood – inundation which is high water. This is Montpelier 1992 during the ice jam flood. This is a classic example of inundation flooding when water is backed up or too much river to fit in the river channel and it backs up. The water slowly rises and then over time as water is able to move downstream it slowly drains out. There is a lot of damage associated with this type of flooding, but in Vermont we primarily see a different type of flooding – erosion due to flooding. This is basically because of the fact that we are a pretty mountainous state and a lot of the water that is coming downhill is going over very steep terrain so the water has a lot of power. That power is able to erode the landscape it is flowing through. This is an example of erosion due to flooding where the water instead of just nicely filling up like a bathtub and slowly draining back down it basically ripped this homeowner's lawn in half and removed half of their septic tank. This is typically the type of damages they see in Vermont and it is usually associated with culverts, bridges, roads and individual private properties. A lot of town

infrastructure typically gets damaged through erosion hazards. In Montpelier it is really both types of flooding you see here.

Further up the North Branch of the Winooski River and on the Stevens Branch, and on the Barre-Montpelier Road the Stevens Branch has slowly been rip rapped on one side and rip rapped on the other side, and that rip rap is meant to help protect against erosion of that river channel.

She reviewed a quick summary of disaster declarations in Vermont, Floodplains and a timeline of the flood insurance program.

The state legislation basically establishes the ability for towns to create municipal zoning bylaws that helped to regulate floodplain development. Part of this appears that state and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood causes to guide the development of proposed future construction where practical away from locations which are threatened by flood hazards. When they look at floodplain development what they are really trying to keep in mind is that the intention is to reduce exposure to flood hazards through the development bylaws that a community adopts and passes. Part of the process that they have been working with the city is to try to keep that in mind.

FEMA has specific terms for the floodplain. They call it the special flood hazard area. When they started the program you could choose. You could say the entire state of Vermont is a floodplain. How are we going to define the floodplain we are talking about? Where are the boundary lines? They use what people commonly think of as the 100-year flood which is a 1 percent annual chance of ever happening. Wolcott had 2 100-year floods in 3 years. Ripton had 2 100-year floods in one summer. There are other areas of the state that hasn't had a flood of that magnitude in over 100 years. It is a rare event but not something that is unlikely to be seen in any of our lifetimes. Within the special flood hazard areas defined by FEMA they also define an area called a floodway. This is like a river right-of-way during a flood. It is almost like your flood channel. It is the immediate area around the channel that is needed to convey water during a flood. As you have a lot more water in the channel there is extra land that is needed to make sure water can move throughout the town and move out to wherever it is going to go so you can drain the floodplain areas.

The floodway tends to be an area that is much more restrictive. Typically, new development tends to be very limited in those areas because it is needed to convey water.

(Mayor Hooper reminded people they were conducting a public hearing on the proposed amendments to floodplain management regulations.

Clancy DeSmet, Zoning Administrator, said he wanted to go through this page by page. The first major change is on page 20-1. This basically speaks to the exemptions and what types of development do not require. This just adds language to include a floodplain.

Council Member Weiss asked if on page 20-1 if he was going to give them a definition of a special flood hazard area. How many areas are there, what are their differences, and where are they located within the city?

Zoning Administrator DeSmet said the special flood hazard areas are actually defined in the definition section of the ordinance. It is synonymous with a 100-year floodplain and the 1 percent chance.

Mayor Hooper said at the next meeting he should bring a map of the downtown.

The next change occurs on page 21. A permit is required for all development requiring floodplain approval as defined in section 309(b) within the designated flood area. Development shall remain changed to improved or unimproved real estate including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. Development that requires conditional use approval, nonconforming use approval or a variance by the DRB must have such approval prior to the issuance of a permit by the Administrative Officer. Any permit issued will require that all other necessary permits from state and federal agencies have been received before work may begin.

The next change occurs on page 3-4(1). Again it just cross references back to 309(b) which is development requiring floodplain approval. There are several people working on this – ANR River Management, the League of Cities of Towns and himself. You can see the progression of changes.

Council Member Weiss said it says a permit is required. Who issues that permit?

Zoning Administrator DeSmet replied he does. Typically, when there is a permit that requires floodplain development he sends all of the information to Rebecca at the state for her comments to make sure that it is okay and then he issues comments that are combined with ANR's to the applicant.

Mayor Hooper inquired about how long it takes to get through the process.

Zoning Administrator DeSmet said there is a built in statutory period of 30 days, but there has probably only been one time.

Rebecca Pfeiffer said a lot of it depends on what is being done. A small deck on the back of a house Clancy can issue permits for more quickly without his comments, but then there are other things where there is major rehabilitation of an existing building or a new building.

Zoning Administrator DeSmet said Food Works did a major development out on Old Farm Way and they had to do venting on the building so if there was a flood it would break through rather than knock the building over so that required a lot more review and analysis than a residential deck. He can usually look at the ordinance and tell the person they need to use flood resistant materials and things like that, and it's a lot quicker.

In section 3-44, this basically mirrors what is codified in the federal regulations. There is sort of an interesting delegation of authority to the city which he isn't that comfortable with but the state enables zoning so he doesn't have a say. It seems like it is asking him to make sure that people get permits that aren't issued by him which he doesn't feel is even legal. They notify applicants that they have to call a permit specialist with the state for every single development. He has had to add language to every permit he issues that says there may or may not be state or federal permits you have to obtain.

Mayor Hooper said if she puts a deck on the back of her house which is 400 feet above the floodplain is he going to tell her all of that?

Zoning Administrator DeSmet said he would tell her to call the permit specialist.

Ms. Pfeiffer said it's not just floodplain permits that the permit specialist reviews. There is wastewater, underground storage tanks, wetlands, etc.

Zoning Administrator DeSmet said he is required by law to tell her she needs to call the permit specialist. He received a letter from the state saying that all of his permits have to have some sort of language informing people that they have to call the state to check to see if they need state permits.

A lot of the other language on this page is just making our records consistent with our community rating system which we currently get a 5 percent discount on all flood insurance in the town.

On page 7-123, there is more clarifying language to bring our language up to date with the current requirements.

On page 7-126, they have added exemptions.

On page 9-141, they have added language to allow for a certificate of compliance to occur with floodplain development. It was implied before but it wasn't necessarily explicit. Not everything requires a certificate of compliance and you can see under 902-2 what requires a certificate of compliance.

Mayor Hooper said now when they issue a permit you are going to need to have those property owners bring a certification that they have complied with the permit requirements.

Zoning Administrator DeSmet said they actually already do that. The only change in this is that it is including all development within the special flood hazard areas. Technically, a project that had any conditions from the DRB or any conditions that were placed on it and it required a certificate of compliance they would still be required to apply for a certificate of compliance and then he would meet them on the site and they would go through each of the elements. All this does is clarifies that. It includes floodplain.

On page 9-143, it codifies compliance within a special flood hazard area, and it is very similar to what they already do.

Council Member Sherman said in the Master Plan there is a section that alarmed people because it sounded like all new residential construction

would be built on stilts. Is that what page 7-125 is talking about with regard to Zone A flood hazard areas that new construction or substantial improvements of any residential structure shall have the lowest floor, including the basement, elevated to at least one foot above base flood elevation. Does the basement have to start above the flood level?

Zoning Administrator DeSmet said the Master Plan was very progressive in that we wanted to get things in there in case they wanted to take the floodplain regulations to a higher level. It doesn't necessarily require they do. Right now all they are doing is trying to make their regulations minimally compliant because right now we are not compliant with the National Flood Insurance Program. You can't flood proof a residential structure.

Ms. Pfeiffer said the reason why the term "basement" is included under residential structures is that for new buildings you wouldn't be building a basement. You could do a crawl space. It is mostly included there for existing buildings that are in a floodplain so if you have a house that has been unoccupied for many years and someone is coming in and want to refurbishing it and do substantial improvements to the building, part of the requirements they would have to bring into compliance is to find out if there is a way to make the basement compliant. A lot of times it is hard to do.

Zoning Administrator DeSmet said if it is a nonresidential structure or commercial building you can flood proof it.

Mayor Hooper said they really need to see the maps to understand this. This is talking about Zone A flooding. They need to know what that means.

Ms. Pfeiffer said Zone A basically is any of the river flooding areas. Everywhere in the city of Montpelier it has been mapped with detailed flood hazard data where you have flood elevations and a floodway except the area over by Blanchard Brook.

Zoning Administrator DeSmet said they are on the definition section, 13-163. There are two changes on that page – development in the floodplain district and the definition of dwelling and manufactured home.

Council Member Jarvis said on 9-143 regarding the certificate of compliance the project review sheet, is that provided to Clancy by ANR?

Mr. DeSmet replied no.

Council Member Jarvis asked how is he to know? He is supposed to inspect the premises to make sure that all permits identified on the project have been required.

Zoning Administrator DeSmet said that is back to the challenge for change language. He isn't sure how to address that.

Ms. Pfeiffer said the project review sheet is similar to on-site septic where it basically says the city can't condition their permit on having that state permit but the city can say before you start construction you have to have the state on-site septic permit. The language basically says before someone can start construction in the floodplain they have to provide the project review sheet to Clancy all filled out. It is the applicant's responsibility to get the project review sheet filled out and bring it back to Clancy.

Council Member Jarvis asked who is identifying the permits required on that sheet.

Ms. Pfeiffer said it would be John Miller the Permit Specialist with the Agency of Natural Resources.

Council Member Jarvis said her fear is putting Clancy in a position where he is supposed to be the individual's expert on what permits they have to get and they aren't municipal permits.

Zoning Administrator DeSmet said he likes to be able to provide as much service as he can and if he knows certain permits are required he can guide people towards that. It seems outlandish for him to be an expert on all of those permits.

Council Member Hooper asked Clancy where it says you need to meet the requirements of FEMA, the state and the city, does he help people deal with FEMA or does this document include complying with FEMA?

Zoning Administrator DeSmet said he helps people to the extent he can. He is in regular contact with ANR every time there is a project in the

floodplain. On page 13-167 the definition of historic structure there is one last change.

Mayor Hooper said the Council is conducting a public hearing on the proposed amendments to the city's subdivision bylaws that deal with floodplain management. Since there is no one present to comment on the proposed changes she closed the public hearing at 8:23 P.M.

Council Member Sheridan moved to approve the first public hearing and set the date for the second public hearing on January 5th. Council Member Hooper seconded the motion.

Zoning Administrator DeSmet said right now Rebecca Pfeiffer is trying to develop a system that incorporates the community rating system changes so it is a little more creative than the federal government has been in the past. They are trying to find a way they can do certain things not to preclude development but to protect property and lives at the same time while protecting the beneficial functions of the floodplain and at the same time getting a more substantial discount on flood insurance. They would revise the language in concert with ANR and do another checklist. Then, it would go to the Planning Commission like they would for the entire zoning bylaw amendment and then come for two hearings with City Council. There is plenty of time to fine tune the ordinance. This is just one portion of the ordinance. Since it is a federal and state program we have to coordinate more with the state and federal government.

Mayor Hooper called for a vote on the motion. The vote was 6-0, motion carried unanimously.

10-315.

Continued discussion regarding the City's FY 2011-12 Budget.

Mayor Hooper said they are going to the community enhancements section of the budget first. It is on page 29 of 67 of the General Fund. Those include the Arts Grant, Green Up, Montpelier Alive, Independence Day, First Night, Wood Art Gallery, Capital City Band, Diversion, Welcome Legislators, the holiday lighting and Montpelier Alive. Those total \$48,800 and they are the same as they were last year. There is also the Wrightsville Beach funding and outside agency funding.

Mayor Hooper said they have been going through the budget document and if Councilors have questions they are pulling out the items and take them up later.

Council Member Jarvis asked the Mayor to remind her of the status of the Wood Art Gallery.

Mayor Hooper said they are developing a nice work plan and going to have a day long retreat on the 6th and putting together a strategy for moving forward and if it doesn't meet certain fundraising goals it is going to also create a strategy for not moving forward. The art collection is obligated to be shown in the city of Montpelier and if they are not then certain other things happen. The Wood Art Gallery has entered into an agreement with the Vermont Historical Society to move some of the most valuable of those paintings over to the Historical Society in Barre so they will be properly protected. There has been a big concern that some extraordinarily valuable paintings are not being properly protected. They are all being cataloged and inventoried so they can get a sense of what they have and what the value is, and decisions are being made on how to manage and protect those pieces. This is all a part of a configured effort to properly manage the collection and try to reach the level of sustainability they haven't been at for quite awhile. It is a very important question because they are at a decision point and she would hope that if the funding is left in here that we would make sure the city see the strategic business plan and they know we don't provide next year's funding unless they are in the city.

There have been some questions about Montpelier Alive and its conduct of its business and the questions have been specifically around the capital allocation.

Council Member Jarvis said she thinks the question is whether this is an appropriate allocation of funds.

Council Member Weiss said he would like to have consideration for a percentage of their total budget from the city is allocated to business areas outside of the immediate downtown because his philosophy is that they ought to be promoting business in the city of Montpelier and not limit it to a geographic area. His suggestion earlier was they take 20 percent of the budget of tax money received by Montpelier Alive and ask them to allocate it to support businesses in other areas within Montpelier.

Shawn Bryan said they have had conversations about how they can work with businesses outside the downtown district, which is a designated district. That is where they have practically been prescribed in terms of where they work. They have had conversations about River Street businesses and ways in which they may be able to engage with them and incorporate them into some of the advertising campaigns. They would look for opportunities to grow business within the city. They have normally focused on the downtown district because that is where they have been set up to work, but they would certainly look at the opportunities to grow business within the city of Montpelier in general.

Mayor Hooper said she would note that the bylaws specifically target the work they do and prohibit them from going outside that area.

Council Member Weiss said a simple solution would be to simply reduce by 20 percent the allocation and take that money to be set into a special category for businesses outside of the downtown.

Council Member Jarvis said Montpelier Alive is not a business organization. It does in part do business promotion and business development, but Montpelier Alive is a much bigger organization.

Shawn Bryan said a very significant amount of what they do is not specifically related to business but community enhancements which are First Night, the Brown Bag Concerts, and recycling barrels around the city and park benches, planters and flowers. A significant portion of what they do is to enhance the livability and viability of the downtown.

Mayor Hooper said this item is flagged and there will be an ongoing conversation about this.

Council Member Jarvis asked who would speak on behalf of the community in defense of the arts grant.

City Manager Fraser said the arts grant program was proposed a number of years ago just as a way to recognize the creative culture of Montpelier and try to support that and keep various activities. It also has a downtown focus. Grants usually enrich the downtown area and it usually funds up to \$2,000 grants for various activities, whether they be photo books, performances, sculptures, etc. There is often unspent money. This is 100 percent city money so the rules of how we use it are our own.

Council Member Sherman said she was sure that prior recipients would come in and tell us absolutely how essential it is to keeping performing arts downtown.

Council Member Sheridan asked what percentage of the \$10,000 are annual grants.

City Manager Fraser said things that are annual are festivals such as All Species Day, Green Mountain Film Festival, and the Capital City Concerts. Lost Nation helps select the recipients so they aren't part of the grant awards.

Green Mount Cemetery:

Patrick Healy, Superintendent and Meri Nielsen, Chair of the Green Mount Cemetery Commission were present to discuss the cemetery budget.

Superintendent Healy said on page 50 out of 67, what he is going to talk about is what is affecting the budget from last year. It is 118.05 percent which is transfer of general fund operations. The increase there is for the request for a new truck. Their truck is nine years old and they would like to replace it. In the last three months they have put over \$2,000 into repairs and the repairs are all due to rust. The front brake lines were replaced yesterday and failed when he was plowing 58 Barre Street. The next line is a revenue item for them which is a transfer from the parking fund of \$1,500. That is due to the additional plowing of the Francis Lot that the city has taken over. That is the parking lot between the Drawing Board and M&M Beverage. The next line item for revenue is the transfer of DPW small parks is \$4,900. That amount includes \$3,700 for the maintenance of the new roundabout at Formula Ford. There are intensive plantings out there and this budget year the cemetery staff will take care of that to see what the maintenance costs were. Thus far they have direct costs of almost \$1,900 in labor to take care of the center islands. It takes a lot of work to keep it looking good.

The next part of the transfer from the small parks is \$1,200 for the new Turntable Park which they will maintain until July 1st. While that area is going to enhance Stone Cutters Way he believes it can be a problem with litter and garbage. The pit that the actual turntable is in is all rocks inside and they are already seeing a collection of leaves and garbage so they will have to police it a little more often than other parks to keep the garbage picked up.

Everything else is about the same for expenditures. There is included 1% increase for salary and wages. Right now their labor setup is that he is the only full-time year round employee at the cemetery. Their grounds manager Rick Lee goes to Public Works in the wintertime. There is a crew from the Department of Corrections that shows up from May 1st to approximately November 1st. There are 10 people who come each day from 8:15 A.M. to 1:15 P.M. They are paying about \$5 per hour for each man which costs \$23,000 for the year. If they had to hire employees they would have to pay \$17.50 per hour, which would include all of the benefits, and that would cost \$80,000 to do the same amount of work as the Department of Corrections does.

The truck is used on a daily basis in the summertime. In the wintertime he is plowing parking lots, the Jacobs Lot, the Francis Lot, the little lot behind Rhapsody, Stone Cutters Way, 58 Barre Street, the parking lot 60 State Street .

Council Member Sherman said the cemetery unemployment went up quite a bit.

Finance Director Gallup said unemployment goes up in every category across the board because of increased claims.

Council Member Golonka inquired about the level of the endowment. He thought it was close to \$600,000. If that is the case he is willing to support taking \$10,000 out of the endowment to support the operating budget. That seems awfully low. Usually it is about 4 percent.

Mr. Healy said on page 50 on the top line there is \$27,000 coming out of the endowment. He said the \$10,000 is what they are putting in from the sale of cemetery lots. It is a transfer going into the trust fund and not coming out. The amount right now is a little over \$600,000 in the trust fund. When he started 24 years ago it was approximately \$350,000. He presented a copy of the Cemetery Commission's investment policy they put together last year.

Council Member Sheridan said the help is from the Department of Corrections. They are talking about reducing the number of people in Corrections. Is it going to make it harder to get their help?

Superintendent Healy said the cemetery historically has had a work crew since 1981 and there have been changes. Right now they are getting the 10 men from St. Johnsbury work camp. He doesn't believe the work camp is going to close. The cemetery is a steady customer so they don't want to lose them.

Mayor Hooper said if they didn't fund the truck what would that mean?

Superintendent Healy replied what would happen is they would spend another \$4,000 or \$5,000 keeping the truck in repairs so it can legally be used.

Mayor Hooper said since Patrick is their only year round employee short of looking at his salary for a reduction there is no way out.

Superintendent Healy replied that is correct.

Mayor Hooper said if they reduced services and went to one person what would that look like?

Superintendent Healy said if they went to one person what it would look like is the way it looked like when he started and a lot of extra things wouldn't get done such as capital improvements they are doing themselves, replacing culverts, fixing monuments, etc. When they requested the mini excavator their goal was to have the truck last one more year than it is right now. Salt likes to eat up trucks. They don't have a facility where they can drive the truck inside at night, but normally trucks in Vermont after 9 or 10 years aren't worth too much.

Mayor Hooper asked Mr. Healy to talk about the capital improvements they aren't making.

Superintendent Healy said they have under the capital improvement fund roads, central avenue drainage, the chapel work plan which will be a major expense and the city has just put out an RFP for all of the buildings the city owns. They will be looking at the cemetery to look at the maintenance garage and the chapel vault. Restoration of monuments is something they will keep doing. With the new development at the west end they are okay for a couple of years. The two main capital improvement parts of the cemetery would be drainage and the chapel building.

Council Member Weiss thanked Mr. Healy for sharing the card with their charges. When was the last time they considered increasing revenues for lot maintenance, upkeep, and perpetual care?

Superintendent Healy said the last time they did was two years ago. They have another proposal the Commissioners are considering for this spring for raising the price of the lots. They have to stay within the market because they don't want to lose customers to some of the countryside cemeteries.

When you look on page 52 is truck repair, mowing equipment repair, excavator and tractor repair. That all used to be a one line item. They divided it up because they need to keep track of each. The tractor is 10 years old but it should last another 15 to 20 years. The excavator is going to be paid off and will be 5 years old next year.

Council Member Weiss asked about the status of the Catholic Cemetery in Montpelier.

Superintendent Healy said the Department of Corrections' Probation and Parole have been contracted to mow the cemetery for the church and we will do burials if they request us to.

Community Justice Center:

City Manager Fraser said the expenditure budget is on page 21 of 67. He would like to note that for this year they have included a budget for the Re-Entry Program. That is a combination of two grants which is \$32,165. Of that tax funding \$15,000 to \$20,000 of it is part of the allocations the city will be picking up anyway. Even if there was no Justice Center those costs would be somewhere in the budget.

Yvonne Byrd, Community Justice Director said their actual revenues less expenses is just over \$30,000 in FY'10. In FY'11 it is projected to be around \$31,000 and for FY'12 around \$32,000. The slight increases have to do with factors beyond their control. They continue to provide that full array of restorative responses to conflict and crime that enhance public safety in Montpelier from prevention which is the community education programs they have done by facilitating public forums like they just did for the High School around dance issues. Through their Conflict Assistance Program they are helping people in conflict. Typically, it is neighbor to neighbor conflict before it becomes criminal behavior. They are

consistently sending out surveys to everyone who uses their services to be able to measure the value of them. Police Chief Facos was pointing out that not a whole lot of the cases wind up in formal mediation to the grievance but what there seems to be a definite improvement in situations with people they talk with. It seems pretty helpful for people to have someone to talk through what is going on and doing a little coaching and offering tips on conflict resolution.

The summary sheet she distributed shows the data on their restorative justice programs. There are about 43 volunteers and growing as they are doing more of the re-entry work with over 1,000 volunteer hours. They had about 667 community service hours that were performed by people going through the restorative justice programs. In the Re-Entry Program there were 3 people they worked with in FY'10 and it is looking about a two-thirds success rate, which is higher than the success rate without the program. They have committed to working with 8 people in Re-Entry in Fy'11 and they are still in the early stages.

This large document details the cases they have had in the restorative justice programs from either pre-charged to post conviction who have been referred. They also captured on that the residences of the offender, the location of the victim as well as the location of the offense. It looks like Montpelier again is the highest number.

Somewhat of a change in staffing is that with the growing Re-Entry Program we now have one more person on the staff for 27 hours a week. That is Alfred Nielsen. Judy continues at 35 hours a week. Something they are working on is a plan for doing a direct outreach to all victims of crime in Montpelier. They are doing that through the parallel justice program they have at the Burlington Community Justice Center with someone at the Police Department. They call all victims of crime within a day or two of an offense offering someone to listen to them and help them access the information they need. It seems to have had a good response there. They haven't quite figured out how to pay for additional staff time for that. They will probably need about 5 hours a week and it will probably cost about \$8,000.

Community Justice Director Byrd said she doesn't think her budget lines have changed very much. On page 2 of 67 the \$82,500 grant they have been receiving every year is still there. Then there is another state grant to fund the Re-Entry Program of \$113,480, which is substantially more than

they have had before. The \$2,000 in contracted services is related to the Re-Entry Program as well. It is working together at the request of the Police Chief and Police in Barre and coordinating their efforts and bringing people into the program through the two Justice Centers.

In terms of expenditures on page 21 salaries are down and that is because some of that is being picked up in the Re-Entry Program.

They haven't had it separated out between the other programs and the Re-Entry Program before. They have held the rest of the expenses in line with past years.

Council Member Weiss said they are getting \$195,000 in grants. When he looks at pages 21 and 22 the total expenditures are \$231,000.

Finance Director Gallup said they separated out the Re-Entry because accounting wise for grants it is really important.

Council Member Golonka inquired about the mediation services.

Community Justice Director Byrd said a little over a year ago the grant that JAG gave \$6,000 came to the Community Justice Center to support the conflict assistance program. They are spending that money in this fiscal year on contracted services. They have a mediator who they pay by the hour to respond. They are also working with the whole community justice network on finding a way to get volunteer mediators to keep the service going. It is something that the interest continues to build. It is really pretty cheap for what happened and the service provided, but it isn't totally new. It has been funded by the money they received through this grant.

Council Member Golonka asked what the percentage of Montpelier versus outside towns is. He is seeing a lot further places than he has seen in the past.

Community Justice Director Byrd said East Stanhurst, New York is where the offender was from but the crime took place in Montpelier and that is why it got resolved in Montpelier. Where either the offenders are from our service area, the victim is, or the crime took place, and for the purposes of that program with the Department of Corrections our service area is defined as Montpelier and the towns that make up the U-32 communities. There are two cases where neither the crime victim nor the offender was in

those service areas. The two in Plainfield both the crime and the offender were in Plainfield. It has to do with the Department of Corrections referring it to them because the Plainfield Reparative Board isn't working any longer.

Council Member Sheridan asked if that was going to increase.

Council Golonka said it is similar to what we do with the Library. There is circulation at the Library. We provide a certain percentage of their operating budget from other municipals. We get \$85,000 from the state and we are throwing in \$35,000 and for the total expenditure we are paying roughly 35 to 40 percent more. Is the state taking advantage of this program? He would like to have a way of calculating that on an annual basis. Is there a better way to measure that similar to the way they do with the Library?

Council Member Weiss said didn't the Council suggest to the Center at least two years ago that they develop some procedure to collect funds from other communities. He doesn't think anything has ever happened.

Community Justice Director Byrd said they looked into it and the amount of time it would take to do it she never had that much time. Judy called all of the Town Clerks in Middlesex, Berlin, East Montpelier, Calais and Worcester. All of them were really discouraging both in terms of telling her the petition process is a nightmare and those they have very little money and we shouldn't be hopeful. We would need first of all to get someone to sign petitions and then someone showing up on Town Meeting Day. Probably the most they could hope for would be under \$1,000 from each. She puts a whole lot of time in just bringing in the Re-Entry money which comes in much greater chunks of money.

Mayor Hooper said she thinks the notion of having some benchmarks in understanding how services are being delivered and to whom is good and we are getting more sophisticated each year in tracking that. She is looking at residents and where the crime took place, and it strikes her that the vast majority is happening in Montpelier. In the same way they are perfectly happy to subsidize services to businesses within Montpelier even though people say businesses don't pay their fair share of taxes, why wouldn't we be supporting these sorts of services similarly? These people are coming into Montpelier and using our services and there is a cost.

City Manager Fraser said the policy issue is that the businesses are not paying their fair share. It is the visitors coming to the community that aren't paying their fair share.

Council Member Weiss said a year and a half ago she was asked to provide the Council with periodic reports and he hasn't seen one of them yet. Why?

Community Justice Director Byrd said she couldn't remember ever being asked. They do put together their statistics quarterly and give them to the Department of Corrections.

Council Member Jarvis said what would be the most useful to her is the next time she visits the Council would be to tell them what she sees happening in the Corrections budget. Her guess is that in the future they are going to have to put more money into the Re-Entry Program because she would see more people coming out of prison and coming out into their communities. We are lucky now that we have grant funding to pay for staffers and organized volunteers to surround those persons and help them adjust back into the communities they left. She doesn't know how much of that is going to be available in the future and how far they can stretch it.

Community Justice Director Byrd said the money they have for this year seems pretty certain for next year which is why she felt good about putting it into the budget. We all know that anything can happen during the legislative session. One thing that has changed but hasn't actually gone operational here in Washington County is that there was a piece of legislation last year that included provision for judges to sentence people directly to reparative board process bypassing them being on probation as well. If they don't complete the reparative process it goes back to the court for sentencing.

Mayor Hooper said what she has heard from members of the law enforcement community is they are in fact very excited about it because it prevents this kind of churning you get once you enter into the court system. It is a swift and immediate sort of punishment and if you fail you are back into the court system.

Council Member Jarvis said in the end the court staff are going to become probation officers.

Mayor Hooper said the whole notion of this new form of sentencing was to avoid putting people into jail. Why is that Montpelier's responsibility? The choice is this system or potentially looking at paying \$40,000 per year to put people in jail.

Council Member Golonka said they aren't looking at the \$40,000 issue here; that's a state issue. The state is pushing more and more towards us and it is going to continue, and when these funds run out they will try to push it even further if we don't stand up to that and say we won't do it.

Community Justice Director Byrd said with parolees they are charging a fee.

Council Member Golonka said the substantial revenues seem to be coming from the Re-Entry Program which seems to be more of a self-sustaining type program right now. His fear is that will become less sustaining because the grant money runs out so we will be subsidizing that as well. That is his concern.

Council Member Jarvis said it sounds like there needs to be a meeting of the district court judges.

Community Justice Director Byrd said she can see putting it on the table. It might wind up getting negotiated. Many of these folks are very impoverished and the idea is to be able to move them into the community.

Mayor Hooper said in going forward we need to talk with the criminal justice system about how we can recoup the dollars.

Parks Budget:

Geoff Beyer, Parks Director, said the park fund is on page 55. There are a couple of changes affecting the parks budget this year. One of the changes is a staff adjustment. They have an 18-hour position that has been going over half time because they have received grants so he has been working over the 20 hours and pushing him into the benefit range. It would be moving Dave officially from 18 hours to 25 hours a week, and the biggest cost is adding the benefits. The only other thing really affecting the budget is in capital and equipment expenses. In the past two years they have been asked to cut their average to \$15,000 and this year they have two pieces of equipment that really need replacing, including the parks truck which will not pass inspection again because of the rust on the frame. Then, there is this 27 year old small tractor without a roll bar they would like to replace as

well. That is \$4,000. They don't need a new one but they do need a tractor with a safety roll bar. Otherwise, the budget is nearly the same.

Council Member Golonka inquired about the reserve balance.

Parks Director Beyer said they used some for the purchase of the property.

Finance Director Gallup said a substantial amount will go to Turntable Park and that will take care of anything that is expiring.

Council Member Weiss said the city has added some mini parks in the past few years. Does the proposed budget include the increased expenses for the operation of those parks?

Parks Director Beyer said the mini small parks that have been added the Parks Commission hasn't been asked to maintain any of those.

The tree budget is on page 30. The only significant change is in Dave's hours and benefits associated with it. They continue to maintain and replace downtown trees, do pruning and occasionally they do some weeding. The major expense is the removal of hazard trees.

Fire Department:

Fire Chief Schneider said the budget itself is for the same services that were provided. There were raises, which are primarily personnel costs and the union and step increases and cost of living increases which is in the contract for next year. There is also an additional cost which hit their department hard in terms of retirement. Basically, they are looking at the same general service for the Fire Department and the same in terms of the Building Department. In the Emergency Management they went ahead and actually cut the budget in half and most of that is for the equipment of the gauges. The emergency management budget now is basically nonexistent. They budget for the size department and the equipment they need in order to provide the emergency service. Because of the nature of the business they are able then to take on additional revenue producing through the ambulance transfers as well as ambulance services to other towns they serve. They do produce a lot of revenue. In fiscal year 2009 they are talking about \$1,546,000 of expenses planned in the budget with revenues of 349 percent or 23 percent. Actually, their expenses were up there but their revenues were up considerably so they ended up with revenues being 35 percent of their actual expenses and saving the city almost \$94,000. The

same thing happened in fiscal year 2010 where in terms of the savings between the planned budget and actual expenses and revenues meant that the city tax effort was actually \$115,000 less than the budget planned. They have a system that is producing. It has the capacity in it to provide the revenues. For 2012 they are increasing the call charges again another \$10,000. We also have an increasingly elderly population in the community so he thinks the ambulance service is one that is going to be used and continue to be used on a regular basis. He thinks they have a good measure of the service that they need to provide. If they are trying to save money or cutting the budget they would be talking about taking out people, and taking people out of the budget would have two effects. One, there would be a slight increase, not a significant increase, in terms of the number of ambulance calls they wouldn't get out to. Right now they are about 98 percent, and he would suspect it might go down to 96 percent. The same thing would happen to the fire side. There would be a few more times when they would not be able to respond as they normally plan to. If those calls are not very significant or serious there would be little damage. If the call was a significant call then it could have a considerable impact. It would also affect the revenues because there would be more calls they wouldn't be able to take and because they would have to rely more on overtime to take those calls the marginal earnings would be down so there would be a decrease in revenue if they cut personnel.

Mayor Hooper said they have to staff to a minimum level so if they get called out on a fire they need a certain number of personnel. If they reduced staffing and had a smaller call force would we still be able to meet the required level of personnel?

Fire Chief Schneider said they do not meet the required levels of personnel for paid departments. They do not pretend that they meet the levels of response for career departments as the standards are across the nation. They know they don't. They are talking about getting a minimum number of people on scene immediately but they are also talking the same time they call on their call force and rely on mutual aid to back them up. They are not pretending to be a full career department.

Mayor Hooper said if they reduced their staffing levels it would mean they would have to call more people in on overtime.

Chief Schneider replied especially on the ambulance calls. There are a lot of calls during the day where they have enough staff, but on the other shifts they would have to bring in people.

Council Member Golonka asked how many mutual aid calls have we been called on outside of Montpelier. He said tomorrow morning he is going to be attending a regionalization meeting and would like to know for that meeting.

Fire Chief Schneider said he is a firm believer that regionalization could work but regionalization initially is not a money saver. He believes it can work as long as the proper resources are put in place to make it work.

Council Member Hooper asked if they were to reduce staffing, can he give any sense how that would reduce our ability to generate revenue on the ambulance side?

Fire Chief Schneider said he didn't see any way they could reduce staffing without first taking out the two part-time EMTs. That will mean they would have two less people or 64 less man hours a week. When calls go out they would be using more expensive personnel to be taking those calls.

City Manager Fraser said when he arrived in the mid 90's the structure of the department there were four shifts with four people per shift and they were 24 hours on, and that was before there were any part-timers. There were the same amount of people on during the peak of the day as there were on during the middle of the night. Over time they reorganized how that department worked and with the combination of part-timers now there are three people on each of those shifts and three other full time employees that can work alternates so they help fill in the peak time. There was so much savings in the overtime when they organized it actually funded the deputy chief position which is also a daytime position. Now sometimes there are six people on duty during the prime time. From a financial perspective it is a lot more financially efficient. Ideally, they have four on duty all of the time. That whole effort really allowed them to take on some of those ambulance calls. Most of this happened after the other towns the city served with the ambulance left so our call volume total hasn't really changed drastically.

Fire Chief Schneider said it has been going up slowly on the emergencies and the big jump is the transfers.

Council Member Sheridan said he thinks the reorganization was terrific and has worked out well.

City Manager Fraser said the leadership and personnel in the department all made it work and has done a great job.

Mayor Hooper said the point is if they pull one or two pieces out of the carefully constructed system it would have to be entirely redesigned in a different way.

Council Member Hooper asked if the increase in salary indicates a personnel change he forgot about.

City Manager Fraser said the union has a 3.5 percent increase and there are also step increases.

Council Member Weiss asked the City Manager if in the salary category for the year 2012 included a full or part time chief.

City Manager Fraser replied a full time chief.

Council Member Weiss said this is a serious matter. It deals with personnel and deals with morale.

City Manager Fraser said the Chief requested for personal reasons to be reduced to three quarters time and he granted the request and he made clear that he felt in the long run that the department needs a full time chief. He did not do this as a budget cut. They seem to be working fine right now but he doesn't think that is the long term answer. He wouldn't be comfortable reducing that position to three quarter time.

Council Member Jarvis asked is it working.

Fire Chief Schneider said he thinks it is working at this point.

City Manager Fraser said his answer is he thinks it is but he is sure there are people that feel it isn't and some of it was from members of the department that were unhappy when this happened and aren't satisfied with that situation.

Council Member Golonka said his concern is the changes are affecting a lot of different departments here. We have budgeted for a full time chief. He is concerned they are spread too thin with a three quarter person working. Is there a point where they say we need to rework this, or does it become permanent three quarter?

Mayor Hooper said this is in fact the reason why they hire a City Manager is to watch the day to day operations and the policy question to the Council is do we want to have a full time chief or consider something else. She thinks they have had good advice that they want a full time chief but we also have an interest in working with a long time valued employee to make sure his needs are being met and the city's needs are being met. Bill's job is to make sure we aren't spread too thin and to intervene if we are failing to meet the needs of the department and the citizens of the community.

Council Member Golonka said he isn't suggesting that. He is suggesting four or five months ago that it was a temporary position. We are into budget season and they are saying it's not. He is trying to understand what kind of timing they are looking at so they can plan accordingly. He wants to have an answer himself.

City Manager Fraser said he didn't have a specific timeline other than at that time he could look at comments he made publicly and he said loud and clear he had no intention of making this a permanent change. This will be a full time position in the budget. That is what they have done. He has not seen a situation where a call has been made or a call has not been responded to appropriately by folks in the department. He has not seen any evidence of any training or anything not being attended to properly. He would submit that a person for five years now as chief and another seven years as deputy chief and 30 years in the department has enough knowledge base that they can function. He thinks if they brought on a new chief, whether it was the deputy chief or someone else, there is a period of time learning the job. He thinks for some period of time having an experienced person who can function as effectively with less time than a new person who is full time for an interim period of time can work fine. He has not seen any fall of service or response time. He has talked to both the chief and the deputy about it.

Council Member Weiss said he is partially disagreeing because of the fact that the Council has a right to oversee the Manager's operations and decisions. We are only talking about a reduction for the moment of the

Fire Department, but he assumes there is a reduction of the Health Officer's time as well. Somebody has got to be picking up that extra time. He doesn't know precisely how that works. Although it may be an administrative matter it is more of a policy matter. Somehow he has to believe that the workload is being shifted downward.

Fire Chief Schneider said after the building position was done and set up it took over the health officer's duties. Durward Lamb had been the Health Officer for the longest time in Public Works. It took the funding from that position and put that into the Building Inspector position and that position is basically the Health Officer/Building Inspector. It is called the assistant there in order to provide for oversight. His position did not get any of the money from Durward's position. All the money went into supporting the building position so that position is the one that handles primarily health related issues. He does get involved in some of the health issues but that isn't his primary function as health officer. His primary function as Health Officer is to oversee and to supervise him and then to get involved in specific issues if there is a reason to be involved, such as the growing situation with the LaRosas and Karl Hammer where it went beyond the normal situation.

City Manager Fraser replied that would be his answer, too. The Chief has the title of the Building Inspector and Health Officer basically to give them an override of the position, but really the work is done by the Building Inspector and Health Officer and that is how it is funded and put together. That hasn't changed a bit.

Mayor Hooper asked if Council Members had a specific concern that work is not being done.

Council Member Golonka said he is raising it only because it seemed to be more temporary and now it seems to be more permanent. Although it has been put in as a budgetary item are we compensating or making up the difference? It is a policy issue for hiring full time. He thinks Ges is doing a great job but he has been concerned that if this extends on we really need to have more of a discussion of how we compensate for the employees who are picking up the slack during this transition period.

Mayor Hooper said they have just heard that with the Health Officer and Building Inspector position that in fact there is substantively no change in those duties and we are just back to the duties of the Fire Chief.

Council Member Golonka said it could change next week where it would require somebody to step up and do a lot more. You would want to have a system in place where you are compensating somebody to make up the difference or not. There are issues there with regard to the rest of the department and the rest of the employees in terms of compensation and how we handle that in case it becomes necessary to make up a difference. He has heard concerns.

Council Member Weiss said if he had his druthers as a policy matter he would like the Council to consider that effective July 1st of next year we have a full time Fire Chief and that would give direction to the Manager.

Fire Chief Schneider said he had been planning on waiting until after the budget process was over. There have been public issues raised and he isn't afraid to talk about it publicly. He had been waiting until the budget process was over to talk to Bill about it but his intention is to retire by May 1st and he was going to leave the decision of the timing to the City Manager. That is his official announcement and his intention. It is not any problem to him. He has had a wonderful time working and it has been almost 32 years full time with the department. He appreciates all of the opportunities the city has given him. He has been trying to give the best he can but there are personal things that have gone on in his life and he has to make this absolute. It is not under any kind of duress or any kind of difficulty. He doesn't want any of the Council to be under a position of stress. It is obviously something that is affecting people, and it is affecting people enough that these questions came up.

Mayor Hooper told Fire Chief Schneider that this has been incredibly professional and generous of him. She is extremely sorry that they forced that position. She personally has no questions or concerns about how the Manager and Fire Chief Schneider have been handling the job. If there were issues or concerns about this that it is the Council's duty to have brought that to the City Manager and have that addressed with him so he could do what we expect of him instead of having this sort of discussion. She thinks it is really unfortunate that his years of service and dedication to the community to be backed into a corner. Thanks for your extreme generosity in bringing this discussion to a conclusion. She also appreciates the Council's desires to make sure we are adequately providing the service but it is our duty to step up and let the Manager know if we are hearing concerns. She is disappointed about this.

Council Member Jarvis said she has a question about overtime. It is such a big number. She wonders whether hiring more people wouldn't reduce that number.

Fire Chief Schneider said the overtime issue is fundamentally that if you are providing a 24 hour service to have three people on 24 hours a day 7 days a week it takes 4 people to do that. You pay overtime basically for about 2 full time equivalents to get what would require 4 full time people on scheduled shifts.

Council Member Jarvis said with the Police Department, the Police Chief Facos told them the last time they hired an officer they would see a net increase of only this much because of the reduction of overtime.

City Manager Fraser said there are two overtime drivers with the Fire Department. One is just a three or four person shift and they take their vacations and they fill it with another firefighter. The other is the call person.

Fire Chief Schneider said it basically looks like emergency management has disappeared. It is primarily paying \$6,000 for the maintenance of the gauges and \$2,000 for miscellaneous expenses to support it. They had some good success when Donna was here when we had somebody dedicated to bringing their plans up. They are going to have to readjust now how they maintain the equipment and the plans. It is an area that is not crucial or critical for 6 months of the year so you have to be careful to make sure somebody does that work.

Council Member Hooper asked if there was any sense of allocating some percentage of someone to do this.

Fire Chief Schneider said there are possible changes in the department that could allow us to allocate a person's time to that function. The way they started out it worked very well and Donna worked in and was able to float in other positions in City Hall.

Fire Chief Schneider said for the building they are trying to get a little bit of money in the capital fund but part of that is going to depend on the plans we have for our buildings citywide to be evaluated.

City Manager Fraser said next week is the administrative budget, police, the Senior Center and maybe the Recreation Department. The other question that is applicable for next week is how we discuss the tazer issue.

Mayor Hooper said the question before the Council with regards to the tazer issue is do they wish to have a policy discussion of the tazers during the budget discussion or do we want to have that separated out. Bill has suggested if we did not fund tazers there is another equal equipment need.

Council Member Jarvis said she doesn't think people will make that distinction in their mind. What the understanding will be is that the Council has approved them.

Council Member Golonka said he would rather have the policy discussion beforehand.

City Manager Fraser said it hasn't been in the budget for the past couple of years. It was in the budget in 2007 but then we said we would have a community discussion. He is suggesting they have the discussion before March so people can vent their ideas. The funds were approved and some of it was used for other equipment. That is exactly what they are proposing to do now. If you want to have an honest conversation with the public and allow people to prepare for it then we probably shouldn't do any of the budgets next week. We move money around regularly in the budget. That is permitted under the law. There is nothing preventing us from buying them right now if we had the money for them.

Council Member Weiss asked what would be the advantages and disadvantages of putting tazers on as a separate article on the ballot.

City Manager Fraser said they have never put those kinds of equipment on before. The Police Chief certainly has a lot of statutory leeway how he or she manages their department. They don't put the cruisers on the ballot. The department has an array of weapons they have purchased without them being ballot items.

Council Member Sheridan said he thinks the City Manager has the right idea. It is just the question of when the Council wants the discussion.

Council Member Sherman said she thinks next Wednesday is too soon. It feels like we are just jumping the gun and giving people no chance to

prepare. It is the Tuesday before Christmas and people are out of town. It needs to be announced.

Mayor Hooper said they will continue working their way through the budget and completing that. She doubts if they will get to a lot of the questions we have asked which then would be scheduled for January 5th so we can have the presentation and ask our questions. We are scheduled to have our first public hearing on January 12th. She has had people ask her if they would have two meetings on tazers. That's the level of concern she has had.

City Manager Fraser said his suggestion would be to do it on the nights of the public hearings because the 5th will be the last working meeting to deal with the flagged items on the budget and come up with the final budget. On the nights of the public hearing we could discuss this issue and take a position.

10-316. Reports by City Council

None.

10-317. Mayor's Report

City Manager Fraser and she had met with Governor Elected Shumlin and they were please with their conversation with him. Eric Scharmberg prepared a nice plan that shows the limits of the train, the bike path and the district heat. They talked about their interest in partnering with state government. They talked about his interest in energy and how that corresponded with the district heating plant. They talked about the trains, the Carr Lot and the flood mitigation efforts.

10-318. Report by the City Clerk-Treasurer

None.

10-319. Status Reports by the City Manager

City Manager Fraser announced that they have been told that at 11:00 A.M. tomorrow morning the Taylor Street Bridge will be opened.

10-320. Agenda Reports by the City Manager

Adjournment:

After motion duly made and seconded by Council Member Sheridan and Sherman, the council meeting adjourned at 11:10 P.M.

Transcribed by Joan Clack

Attest: Charlotte L. Hoyt
Charlotte L. Hoyt, City Clerk

