

CITY COUNCIL STATED MEETING & PUBLIC HEARING OCTOBER 12, 2011

On Wednesday evening, October 12, 2001, the City Council Members met in the Council Chamber.

Present: Mayor Hooper; Council Members Golonka, Hooper, Jarvis, Timpone and Weiss; also City Manager Fraser. Council Member Sherman was away.

Call to Order by the Mayor:

Mayor Hooper called the meeting to order at 7:00 P.M.

11-246. General Business and Appearances:

None

11-247. Consideration of the Consent Agenda:

- a) Consideration of the Minutes from the City Council's September 28th Meeting.
- b) Consideration of awarding the Contract for the Personal Property Reappraisal.
 - 1) Two bids/proposals were received: Patriot Properties, Inc. of Lynn, Massachusetts, in the amount of \$35,000 (they would charge \$1,000 per day for assistance with grievances and \$1,600 for assistance with appeals to the BCA, State Appraiser or Superior Court); and the second bidder is G&K Associates of Manchester, Connecticut, in the amount of \$67,500 (their proposal includes assistance at grievance and BCA levels with an additional \$800 per day for assistance with appeals to a State Appraiser or Court). A memo from the City's Assessor is attached with further information.
- c) Consideration of a request from Carrie Baker Stahler, Marketing & Events Director for Onion River Sports, The Shoe Horn and Onion River Kids, for permission to close Langdon Street from 8:00 A.M. to 12:00 P.M. on Sunday, October 30th. She would like to use the street for their Annual Autumn Onion 5k Costume Race; this year it's a fundraiser for

Girls Move Mountains.

- d) Received Mid-Year Goals/Priorities Update.
- e) Consideration of Montpelier Business Association's request to allow free parking for the holidays in the downtown area beginning December 11th (actually a Sunday but makes it an even 2 weeks) through December 24th. They understand that vehicles parked more than two hours may be ticketed.
- f) Consideration of accepting the proposal from Tech Group of Vermont/IOdynamic's proposal for upgrading the City's data backup and archive system for a not-to-exceed price of \$16,790. This will enable the City to have a reliable, secure data retention system that can accommodate the City's rapidly expanding data structure. The funding for this equipment purchase will be provided by the Technology Equipment Reserve Fund.
- g) Acting as the Liquor Control Commission, City Council Members may now consider the following:
 - 1) *Ratification of a poll vote taken for the issuance of a Catering Permit to Yebba, Inc., d/b/a The Abbey Pub and Restaurant, for a Vermont Arts Council Reception scheduled to be held on Friday, October 7th, from 3:00 to 7:00 P.M. at 136 State Street.*
 - 2) Ratification of a poll vote taken for an amendment to a Festival Permit issued to Hunger Mtn. Co-op in order for them to not only serve, but to "store" their wine and beer outside during their 3-day event, October 7th – October 9th. The beverages will be wrapped in plastic and staff will be guarding it overnight.
 - 3) Application for a Catering Permit from Hyzer Industries, Inc., d/b/a Three Penny Taproom, for a Flood Relief Concert scheduled to be held on Friday, October 29th, from 7:00 to 11:00 P.M. at Lost Nation Theater.
 - 4) Request for Eden Ice Cider Company event they will be serving to be held on Friday, October 14th from 5:00 to 7:00 in a retail area at 43 State Street.
- h) Approval of Payroll and Bills

General Fund Warrant dated September 29, 2011 in the amount of \$932.17.

General Fund Warrant dated October 5, 2011, in the amount of \$235,657.91 and \$879.00

Payroll Warrant dated October 13, 2011, in the amount of \$118,902.52 and 30,938.41.

Additional Consent Agenda Items.

- i) Consideration of a request from Ed DuFresne for a Variance of the City's Noise Ordinance for a benefit show that he and Alia from Positive Pie are organizing at the Vermont College Gymnasium on October 28th. They are expecting this to be large event as it benefits small farmers affected by the flood; Rural Vermont and others are on board. Three Penney Taproom has already applied for the Catering Permit.
- j) As the Liquor Control Commission ...
 - 1) Ratification of the issuance of a Special Event Permit to Eden Ice Cider Company, Inc. & Artisanal Cellars, LLC for a ***"Beaming Bioneers Conference Reception"*** scheduled to be held on Friday, October 14th, from 5:00 to 7:00 P.M. in the first floor retail area at 43 State Street.

Requests were made to remove the contract for the personal property reappraisal and Mid-Year Goals/Priority Update.

Motion was made by Council Member Jarvis, seconded by Council Member Timpone to approve the consent agenda after removing the two items requested and the addition of two items. The vote was 5-0, motion carried unanimously.

- 11-247(a) Consideration of awarding the Contract for the Personal Property Reappraisal.

Two bids/proposals were received: Patriot Properties, Inc. of Lynn, Massachusetts, in the amount of \$35,000 (they would charge \$1,000 per day for assistance with grievances and \$1,600 for assistance with appeals to the BCA, State Appraiser or Superior Court); and the second bidder is G&K Associates of Manchester, Connecticut, in the amount of \$67,500

(their proposal includes assistance at grievance and BCA levels with an additional \$800 per day for assistance with appeals to a State Appraiser or Court). A memo from the City's Assessor is attached with further information.

Council Member Golonka said the Council should have a conversation about the personal property tax. He is concerned it is taking too much of the city's staff time and too expensive for the amount of money it generates. He would prefer looking at alternatives.

Andrew Brewer from Onion River Sports on Langdon Street said he believes most people would agree it is a silly tax. He understands it generates revenue for the city but it is a backwards and convoluted way of getting it. He is sure it costs a lot more than \$25,000 to administer it. When you talk about an inventory are you actually going to come into his building and count every single computer?

City Manager Fraser said the personal property tax generates approximately \$200,000, which is equivalent to 2 cents on the property tax rate. The city did a real estate reappraisal which made the city equitable. If we are going to do a personal property tax, it is the same principal and they should probably do a reappraisal to make it fair and equitable. There are 504 personal property accounts and of those 300 pay \$65 or less in tax.

Council Member Golonka felt if we are going to go this route we would have to become so intrusive that we defeat the purpose of attracting businesses to Montpelier. It is just an awkward tax and the other ones we discussed are much more fair and easier to manage. He would like to hear from City Assessor Steve Twombly as to whether it is even worth the time and effort and how much time it would actually save.

Mayor Hooper suggested this should be tabled because the discussion needs to be held in the context not only is it a good tax in itself to be having but also what is the consequence of not having it. What else do we do if we take \$200,000 out of the revenue stream?

Motion was made by Council Member Weiss, seconded by Council Member Hooper to table this agenda item. The vote was 5-0, motion carried unanimously.

- 11-247(b) Received Mid-Year Goals/Priorities Update.

Council Member Weiss said on the 6th of April this year the Council met for almost four hours. It was a facilitated discussion and what the consensus was they have already established goals. He would request they take this off the Consent Agenda and meet as a Council to discuss the report that the Manager submitted at a later date.

Motion was made by Council Member Weiss, seconded by Council Member Golonka to table this agenda item. The vote was 5-0, motion carried unanimously.

- 11-248. "SETTING OF TIMES" by City Council for agenda items.

Council Member Timpone assigned times for agenda items which Council Members agreed to.

- 11-249. Appointment to the Montpelier Housing Board.

- a) Each year, one board member's term expires in October; this year, it is Paul Audy's.
- b) Staff advertised and as of the deadline, had only received a request for reappointment from Paul.
- c) Recommendation: Reappoint Paul Audy to another 5-year term.

Motion was made by Council Member Golonka, seconded by Council Member Hooper to reappoint Paul Audy to the 5 year term on the Montpelier Housing Authority. The vote was 5-0, motion carried unanimously.

- 11-251. Appointments of Youth Member(s) to Montpelier's Conservation Commission.

- a) On December 3rd, 2008 Council adopted an Amendment Resolution to create the Montpelier Conservation Commission which would create two (2) youth (age 15-18) members to the Commission for renewable one-year terms.

- b) Staff advertised and received a letter of interest from Montpelier High School student Meghan Hoyne Wingate; the Conservation Commission Chair said that they would consider other students at future dates.
- c) Recommendation: Appoint Meghan Hoyne Wingate as a Youth Member to Montpelier's Conservation Commission for a one-year term.

Meghan is a junior at Montpelier High School and is very interested in the environment and is in the earth group at the High School. She previously served on the Planning Commission as a youth representative so feels she has some experience.

Motion was made and seconded by Council Members Jarvis and Timpone to appoint Meghan Hoyne Wingate as a non-voting youth member on the Conservation Commission. The vote was 5-0, motion carried unanimously.

11-250. Appointments to Montpelier Planning Commission

- a) Staff advertised to fill the unexpired term of David Borgendale. Since that time, it was discovered that two other terms had recently expired: Jon Anderson's and Tina Ruth's.
- b) As a result of the ad, staff received letters of interest/resumes from Eileen Simpson, 55 Cityside Drive - #20 and Nolan Langwell, 14 Hubbard Park Drive.
- c) Jon Anderson and Tina Ruth have both indicated that they would like to be reappointed.
- d) Recommendation: Opportunity to meet new applicants; possible Executive Session in accordance with Title I, §313, Executive Sessions, (3) *The appointment or employment or evaluation of a public officer or employee*; reappoint Jon and Tina to another 2-year term; appointment to fill Dave Borgendale's unexpired 2-year term until August, 2012.

Eileen Simpson and Nolan Langwell were present and spoke to the council of their interest in serving on the Planning Commission.

Council Member Jarvis moved that the Council go into Executive Session at 7:28 P.M., in accordance with Title I, VSA, 313 Executive Sessions, (3) The appointment or employment or evaluation of a public official or employee and invite Planning & Development Director Hallsmith to attend. Council Member Timpone seconded the motion. The vote was 5-0, motion carried unanimously.

Present: Mayor Hooper; Council Members Hooper, Weiss, Golonka, Jarvis, and Timpone; also City Manager Fraser and Planning & Development Director Hallsmith.

After motion was duly made and seconded by Council Members Jarvis and Timpone, the council came out of executive session at 7:37 P.M., in accordance with Title I, VSA, 313 Executive Sessions (3) The appointment or employment or evaluation of a public official or employee. The vote was 5-0, motion carried unanimously.

Motion was made by Council Member Jarvis, seconded by Council Member Timpone to appoint Eileen Simpson to the unexpired 2 year term that will expire August, 2012 and reappoint Jon Anderson and Tina Ruth to another 2-year term. The vote was 5-0, motion carried unanimously.

- 11-252. Consideration of authorizing the City Manager to award a contract for Final Design Services for the Central Heat Distribution System.
- a) The City of Montpelier was awarded a U.S. Department of Energy cost-sharing grant and is developing a District Heating System Project for downtown Montpelier in cooperation with the State of Vermont.
 - b) The State of Vermont is developing the heat plant, and the City is developing a heat distribution system to serve certain City and School buildings in the initial phase of the project.
 - c) The City has developed preliminary information on the distribution system. To advance the project, services are needed for final design and the development of the bid specification for system construction.
 - d) An RFP for Final Design Services was developed and issued. Seven proposals were received in response to the RFP. A Review Team of representative from the Montpelier Advisory Committee, The

- e) City/School Coordinating Committee, BGS, City and School staff and technical support experts reviewed and ranked all seven; the top three proposers were interviewed.
- f) Recommendation: The recommendation of the Review Team is to authorize the City Manager to negotiate a final contract for Final Design Services with Hallam-ICS.

Planning Director Hallsmith and Harold Garabedian described the process to Council Members.

Mr. Garabedian said the District Heating Project is moving forward. In July the Council authorized them to do an RFP for final design services for the distribution system. The closing date on the RFP was September 9th and they received seven very good proposals. They assembled a review team and they invited three to come in for interviews and they are recommending the Hallam-ICS team.

Mayor Hooper said she was one of the committee representatives and felt much better informed in terms of the decision making process and understanding the complexity of what they are engaged in. There was a series of questions the review team had after meeting with the three finalists and an element of that was the ability to work with the community and have an understanding of what the community issues were.

Council Member Weiss inquired if there was a timeline associated with the issuance of a contract.

Mr. Garabedian explained there is a presumed timeline in terms of moving the project along. They are looking for design services to be completed this winter and begin the project next spring.

Council Member Weiss asked if the contract included the purchase of the pipe.

Mr. Garabedian replied no, just the design.

Motion was made by Council Member Weiss, seconded by Council Member Hooper to authorize the City Manager and staff to negotiate a contract for final design services with Hallam-ICS. The vote was 5-0, motion carried unanimously.

City Manager Fraser said they had just selected a consulting team to work with the city. The State of Vermont has received two bids for boilers. They met last week with the Clean Energy Development Fund and we are able to get our loan through them. They are developing a procurement agreement and the attorneys are looking at the language. They are continuing the work on the comprehensive thermal energy purchase agreement. Their main concern is that everything is shared with the public.

11-253. Continued discussion, and possible adoption. Of the proposed Capital Improvement Plan Policy (presented at the September 28th Council Meeting); and direction to staff regarding the FY 13 Operating, CIP and Equipment Plan Budgets.

- a) The City's Finance Director has provided a memo entitled ***Background Information for FY 13 Budget Work*** and a ***FY 13 Budget Schedule***.
- b) Recommendation: Further discussion; adoption of the proposed Capital Improvement Plan Policy (with or without further amendments); and direction staff re: the FY 13 Operating, CIP and Equipment Plan Budgets.

City Manager Fraser said they are interested in how the council wants to fund this, whether it is pay as you go or as a bond.

Council Member Hooper inquired of Finance Director Gallup what our borrowing costs are presently.

Finance Director Gallup said she uses about 4.5 percent when she speculates. She saw in an article this week that the Bond Bank said it could be as low as 2.5 percent because it is a safe haven for people who can't find other places to put their money and Vermont has a very high rating.

Council Member Jarvis said if they decided to do everything the committee recommended, which is about 1.3 million for the next fiscal year. We are looking at about \$600,000 in our Capital Improvements Budget.

City Manager Fraser said if they raised \$700,000 this year just to pay for capital improvements. Next year when they do the budget there would be \$700,000 which is an impressive amount.

Mayor Hooper said her point was to lay out some principles of how we should be handling the capital improvement projects and we should be replacing a certain percentage of our infrastructure on a regular basis. She was hoping the Council would embrace the policy statement. There is a separate issue of the consequences of having embraced that policy statement.

Council Member Golonka said it is difficult to have in this policy as written is in the debt service and fund policy we are saying the Council "shall". If we have it as a policy it should be a goal that we are going to fund. In general he agrees with the principle. Funding the rehabilitation of streets is one of their core functions here in formulating the budget. He would be more in favor of taking advantage of the lower cost of capital borrowing and making a push to fund the significant jobs in the early years and capitalize it to a bond.

Council Member Jarvis said they could say "these targets shall be the Council's goals. We are adopting this as a policy for guidance".

Council Member Jarvis moved the Council adopt the recommended Capital Improvements Policy with the amended language. Council Member Timpone seconded the motion. The vote was 5-0, motion carried unanimously.

Mayor Hooper said the second part of the discussion is how they pay for it. Looking at a mix of pay as you go and bonding.

Finance Director Gallup said they have a Capital Improvements Plan Committee meeting next Monday at 4:00 P.M. This is just one meeting that we would be bringing to the committee a lot of plans for what we could do. The City Manager and she are not crazy about bonding for street repairs.

Council Member Weiss said when the committee meets next week his major concern is the original report calls for an expenditure of \$30 million over an extended period of time to get this city where it should be as a capitol city in the state of Vermont. He would like to see a plan which states how over a 15-year period of time we can expend \$30 million. If we bite it off in small chunks 10 years from now we are going

to be biting it off in small chunks again. The MATRIX report noted that our infrastructure needs a lot of attention. How can we come close to meeting a \$30 million obligation which is worthy and needed?

Finance Director Gallup said the department heads are looking at their operating budgets right now.

Mayor Hooper said she thinks they need to be looking for other sources of revenue. We shouldn't be going back to the property taxpayers exclusively to be supporting these services, the improvement of roads which are used by our residents are also used very heavily by others who come into this community. There is a building inequity in how we are paying for these services. She continues to look at local options tax. They have looked at other fees. She doesn't know where else to go in order to address what she feels is a real inequity in how we maintain our services. It needs a deep and robust conversation in order to understand what that means and what the consequences are. We know we do need to raise taxes in order to maintain our infrastructure so the question is what type of tax do we need to look at. Can we have enough time to talk about it fairly and completely in order to put it on the ballot in March? The article could be written so it would be effective by July 1st. Then, would the Legislature give the authority to do that? She would want to engage the community fully in the discussion.

Council Member Weiss suggested they put it on the agenda for the 26th of October when there will be assembled many of our citizens at the community dinner.

11-254. Continued review of MATRIX recommendations.

- a) As a result of the Final "Management Assessment" Report from the MATRIX Consulting Group, various departments began implementing, or at least working on, the recommendations outlined in this report.
- b) The City Council began receiving reports/updates from department heads at their August 10th meeting.
- c) To date, Council has heard from the Fire Chief, Police Chief, Assessor, Assistant City Manager/Tax Collector, Finance Director, City Manager, Clerk-Treasurer, Cemetery Superintendent, and the Planning Director. This evening, they will hear from the Public

Works Director, the Community Justice Center Director, and the Parks Director.

d) Recommendation: Receive reports; discussion.

Yvonne Byrd, Director of the Community Justice Center went through the recommendations in the MATRIX report. They recommend that the CJC continue to exist. Should the state funding be eliminated or significantly reduced the city should reevaluate the CJC, which is not surprising. Regionalization of the CJC services should be explored. The other recommendation is that the CJC should report to the Assistant City Manager as part of the organizational realignment and the creation of the Community Services Department. It said the Community Justice Center did similar work to the Recreation Department and Senior Center and she thought that was a big mischaracterization of the nature of their work. Whether the CJC reports to the Assistant City Manager or the City Manager is not a great concern to her. However she felt it was important that CJC be presented to the community in an accurate portrayal of who they are what they do.

Mayor Hooper said CJC being part of a Community Services is a different model than is followed in some other communities in the state. For example, Winooski has a CJC as a part of their Police Department.

Community Justice Director Byrd said in Burlington they are in the Community Economic Development Department. Others in Vermont sort of stand-alone like they do. Their mission is to provide responses to conflict in crime which is a different kind of parallel and not the same kind of work as the Recreation Department and the Senior Center which is more quality of life enhancement of a different type.

City Manager Fraser said there is a community service aspect to all of them.

Council Member Weiss said the Community Service Department contains the Montpelier Senior Activity Center and the Recreation Department. They can't do the Recreation Department at this point and he would only point out when they get another presentation that it is recommended that the Parks Department and the Cemetery Department go to Public Works. Maybe they would not be part of this so-called community. How would she feel if they just said she was to report to the Assistant City Manager?

Community Justice Director Byrd replied she thinks it would work fine.

Mayor Hooper said there is some interesting value in keeping the CJC separate from the Police Department. It enables the police to participate in a different way than if the CJC is integrated into their department. She can see developing more of a community aspect of what the Community Justice Center does.

Community Development Director Byrd replied she just wants to work to sell the community on the idea that the services of the CJC are a good and legitimate way to respond to conflict in crime.

Council Member Weiss said she brought up the recommendation about a regional organization. He has heard the state is interested in a regional entity. What is the status of the possibility of regionalization on a statewide basis?

Community Justice Director Byrd said she didn't know about a statewide basis. She is thinking county wide. Something that Police Chief Facos has referred to a number of times is that there is inequity in terms of referring cases pre-charge when it isn't available to everyone in the county. The whole development of the CJC was based on the belief that these kinds of issues should be resolved at a local level, and she believes that really works. She doesn't think there is ever going to be money to have a CJC in every small community in the county. When Corrections was looking to fund it they were looking for the communities that had their own police departments. At this point she thinks there is interest from Corrections, especially where they are talking about keeping people out of the criminal justice system and out of prisons. There is interest in Barre and Montpelier CJC serving the county with the calls from the State Police, but there needs to be discussions about what it will take financially and where the money is coming from.

Todd Law from Public Works said he had sent a memo to Council Members. The MATRIX study brought up a lot of good points and validated a lot of things they had already thought. There were a few issues he saw that he didn't quite agree with. The biggest one is staffing. In the report it discusses all kinds of additional work to be done. Our utilities are in disrepair; culverts are failing; district heat and utility projects that are up and coming; our roads are in disrepair; the sidewalks need repair. They all take labor or staff. The first thing that really caught his eye was a reduction in staffing across the board right now. He doesn't think it is wise. They can't get their normal maintenance projects done every year. They are missing on several key elements, including some of their catch basin cleaning. Right now they are reactive

instead of proactive which is not where they want to be. He had suggested to the MATRIX Consulting Group that they add a person to the engineering portion to make it more efficient. They talked about asset management and they have been working on that. They have made significant progress on the sewer system. They now have a fairly functional GIS inventory inspection report that was done by our intern which took almost two years to meet the requirement of the state. They want to do that with the storm water and the water system. They have included the street lights for the inventory that Tom McArdle is working on with the Street Light Committee. An engineering technician would be valuable. If we are really going to move forward on utilities the most cost effective way to do this is in-house. There are two professional engineers on staff.

Getting back to asset management, this is extremely important. He started this about a year or two after he became Public Works Director in the City of Montpelier. A lot of our mapping was antiquated dating back to the mid 80's before we started doing a lot of improvements so the information was outdated and not current. It was definitely time to start doing some asset management, inspections and inventories. Adding staff would help them to finalize that, get the GIS data done, get the inspection reports and inventories done. Asset management is critical. They already do streets. Bridges are done by the State of Vermont every two years.

Another big key item was the utility recommendations. That has been hammered over and over, that some of our infrastructure is extremely outdated. When you have a pipe in the ground that is supposed to be there for 50 years and it is 100 years old it has outlived its life expectancy.

They bring up equipment. For the five years he has been there they have put in for \$225,000 worth of equipment which is what their equipment management tells us they need to make sure they keep their equipment as reliable and up to date. To balance the budget over the last five years there have been significant cuts in the equipment plan. Luckily they have a very good maintenance crew to keep their equipment up and running.

Another item was moving the Director of the DPW Garage. Right now he has an office at the DPW garage that used to be the superintendent's office. When he brought on a new supervisor he spent a lot more time down there. When they did away with the superintendent's position he

spent a lot of time down at the DPW garage. He thinks it is critical for him to be in this building. When someone comes to City Hall they want to see the City Manager, Police Chief and having him there alleviates a lot of problems for Tom McArdle as an Assistant Director trying to answer all of the questions and gives a one-stop shopping atmosphere that the residents need, want and desire. It is critical for him to be here to oversee the administration, engineering, etc. while it makes sense for him to spend time down at the garage there is also a waste water plant and a water treatment facility that needs him as well.

Sidewalk inspections are very important. Right now they have sidewalk stewards, volunteers, who are going around assessing sidewalks, finding trip hazards and sending them on to the department. He forwards them right to the Street Supervisor and he takes care of the repairs. It would be wonderful to have staff to be able to do this, but it is a great resource to have these volunteers perform the work for them.

Residents and landowners taking on maintenance of the sidewalks in the winter, he doesn't know how to respond to that one. He would like to see models of this before he jumps into it to at least receive some sort of public reaction. Sidewalks are extremely important.

They started looking more into the Manager Plus Software for fleet maintenance down at the DPW garage. He is looking for a work order tracking system. There is another module they can put into this program where it will track work orders and view what they need.

Sharing a facilities manager with the schools? He is not a facilities manager. He performed some of the duties when he was in Essex and when he came on board here the custodian was on his own being supervised by the Assessor's Office. Bill asked if he was willing and he said yes. The current person they have in the maintenance position is absolutely wonderful. He has taken the job and does a great job. He still has a lot of involvement with him about budgets and what kind of equipment he needs so it definitely needs attention and time. It needs somebody who can advocate for the building and for the maintenance position.

The new Capital Needs Assessment opened his eyes. Buildings are going to take on a new life. They are going to have to start looking at what they recommend and see where we are in updating their recommendations and figuring out how to fund it. It is going to be a big endeavor.

When he started the job there was something called a quarterly report. It was the same time that MATRIX was here they started weekly reports to the Council. They hadn't been as diligent with quarterly reports. He is hoping the weekly reports satisfy the monthly reporting they are looking for.

Work plans – for the most part they rely on what has always happened in the past. They have modified some of their yearly annual plans and some are just normal DPW type work. The biggest issue is having everything they need to do annually on a work plan.

They have been so busy the last couple of years with flooding, etc. that staff meetings which normally happen have been cut down to about once a year. It would be extremely beneficial to make sure our supervisors know what we are doing and they are a little more efficient. Right now the supervisors have their own staff meetings where they discuss their projects without the oversight.

Paving and pavement management – they talked about capital improvements, a little more in the operating budget and how they can stretch some of their CIP monies. They have definitely been under funding a lot of the preventive maintenance that will help extend the life of the asphalt. Normal life cycle of asphalt paving is 20 years and you add 5 years crack sealing and micro surface for 10 years you get another 15 years at a fraction of the cost. Hopefully it doesn't go to the reconstruction like they have been seeing a lot because that is a significant cost.

They are making progress on a lot of things. They have been making progress on the asset management with their interns. The sewer system took a lot longer than they expected, pulling all of the manhole covers, doing the inspections, writing the reports and putting it on GIS which was very time consuming. It was a legislative directive so it was a requirement they needed to do. It gave them something to start from with their infrastructure.

Council Member Weiss said on page 125 there is a recommendation that the Cemetery and Parks Department should be transferred to Public Works. What is his position on that recommendation?

Public Works Director Law said right now those two departments work very independently of them. They work very close with the cemetery crew and they fill in for them on the winter months plowing. There is a

lot of overlap. Geoff is a one-man shop. Putting them under DPW he doesn't know what it gains for the city as far as efficiencies or effectiveness. He thinks there is a lot of overlap already.

Council Member Hooper said the MATRIX Group seemed really interested in performance measures and keeping track of how many potholes. Do they need to keep better numbers?

Public Works Director Law replied he thinks so. It would help them do a lot more street and sidewalk repair. They are hoping to use the software to input all of the repairs and getting more information.

Mayor Hooper said in the past five years we had a rock slide, floods and rerouting of the sewer line and repair work associated with the floods along with the 2008 storm DPW has had a lot of work. There is always going to be something like that occurring and she isn't sure how you staff for that but we need to be positioning ourselves to manage that. Are there opportunities there we should be thinking about differently?

Public Works Director Law replied the biggest thing is being proactive rather than reactive. That is what he is looking at for his goal. If they can get out and alleviate or mitigate these situations it will help. They have had at least one, if not more than one event that has consumed a lot of time for mitigation, response, repairs and maintenance. In May when it flooded they stabilized a lot of infrastructure. They had to take the time to stabilize ditches and excavate a lot of their storm systems to stabilize them. When Irene came in they looked at these areas where there had been significant issues and those areas seemed to weather the storm fairly well. Having at least one additional person on staff they would hopefully start making some repairs and mitigation strategies they need to do.

Geoff Beyer from the Parks Department said he enjoyed reading the MATRIX report and can see the logic behind their recommendations. He can see some advantages of combining departments and some disadvantages. Right now they have very different operating styles. The Parks Department depends on volunteers and doesn't have a union. They are a small struggling organization with a good cause so they attract a lot of volunteers. He believes the recommendation about a tree inventory is good and they have been working on that. The Council might not like the recommendations which would come out of the inventory which would require quite an expensive budget to alleviate the problem.

Council Member Weiss said on page 80 there is a recommendation to develop a tree ordinance. What would an ordinance cover?

Parks Director Beyer said currently there is an ordinance that any trees in their right-of-way must to be cleared by the Tree Warden before they are cut and removed.

City Manager Fraser said what they working on internally are steps for making decisions and planning to address the issues.

11-255. Consideration of a Report: ***Storm Water Management for Montpelier Building Owners.***

- a) This report was compiled by Ken Russell, Interim Community Development Specialist, with helpful input from a couple of City Council Members and several City employees; technical content was reviewed by the City's Public Works Director and Building Inspector.
- b) An excerpt from the report reads: "In the wake of the two extreme water events this year, public awareness of flooding and contamination issues are at a peak. It is a good teachable moment for helping the general public and building owners to understand better the connection between sewer upgrades and water quality as a whole, and to rally efforts to make necessary changes."
- c) Recommendation: Review and discuss the report; approve, with or without any further amendments; and provide staff with suggestions regarding distribution of this information.

Public Works Director Law said the report is as a result of the Montpelier Business Association meeting they held. Some of the flooding that occurred during the May storm and Tropical Storm Irene caused a lot of concerns from building and business owners about the sewer line backing up into their buildings. Typically, that is not the case. What happens in the downtown is the roof drains are tied into the sanitary sewer. Pre 1960 there was no sanitary sewer but all combined sewer. The pipes went out to the river and there was no treatment plant until 1960. A lot of these historic buildings still have combined sewer lines that still take the roof drain flow so there are some significant roofs that are contributing to increased flows during major storm events. The ordinance reads that roof drains or

storm water should not be combined with our sanitary sewers. There is still a problem.

Discussion followed on the problems with storm water management and how to get the information out to the public. An article in *The Bridge* was suggested as well as a direct mailing to building owners.

Mayor Hooper asked if it would make sense to try to obtain voluntary compliance from building and business owners and perhaps there could be a strategy of how to help people financially to make the improvements. Perhaps it could be grant money or a revolving loan fund.

11-256. Update from “Good Governance” Committee regarding the 2010 CENSUS DATA AS IT RELATES TO MONTPELIER’S THREE VOTING DISTRICTS.

- a) The Mission Statement for this Committee reads: “To ascertain whether or not the population of Montpelier’s three voting districts is in compliance to achieve substantially equal weighting.”
- b) A document is attached which provides some background information; City Councilor Alan Weiss and some of the other committee members will provide this update.
- c) Recommendation: Receive update; discussion; possible direction to the committee.

Council Member Weiss reported they have an excellent committee.

Eric Scharnberg reviewed maps showing the current district boundaries laid on top of the Census block boundaries. The data from the Regional Planning Commission contained data on total population and housing units. They figured the total population data was a good way to determine whether or not reapportionment might be a valid topic for discussion.

Council Member Weiss said they hope to produce a third map showing population by age. They are not in a position tonight to make any recommendation regarding whether or not the districts need to be reapportioned. Based upon Attorney Giuliani’s recommendation that 10 percent is the correct deviation figure to use

so that is what the final report will indicate. Then it will be up to the Council to decide if changes need to occur and if a ballot item needs to be on the March Annual City Meeting Ballot. They hope to have the plan finished in December.

11-247(b) Receive Mid-Year Goals/Priorities Update.

Motion was made by Council Member Jarvis, seconded by Council Member Timpone to remove this agenda item from the table. The vote was 5-0, motion carried unanimously.

Motion was made by Council Member Weiss, seconded by Council Member Golonka to accept the report. The vote was 5-0, motion carried unanimously.

11-257. Council Reports.

Council Member Weiss said he had received a call from a resident near the Union Elementary School concerned about the way motorists were behaving picking up children and creating roadblocks. He called the dispatch at the Police Department and Monday afternoon there was an officer present with a car and folks picking up their children are not blocking so traffic is flowing nicely.

Council Member Golonka reported that Congressman Welch is joining the Rotary Club on Monday for lunch at the Capitol Plaza.

Council Member Jarvis reported that Saturday is the Montpelier Home Tour which is to benefit the Montpelier Chamber Orchestra as well as Montpelier Alive. Tickets are available from the groups and at the Farmer's Market as well as at the houses.

Council Member Timpone reported the Community Dinner is scheduled for October 26th and everyone should come.

11-258. Mayor's Report.

Mayor Hooper reported they needed to have a water rate discussion. She received an e-mail about an abandoned car and the Police

Department took care of it. Apparently, it is legal to leave a car on the street for a relatively long period of time before it can be removed.

11-259. Report by the City-Clerk Treasurer.

None.

11-260. Status Reports by the City Manager

They are close to a contract with the Police Union. Council Member Timpone represented the city at the Vermont League of Cities and Towns' Town Fair which was a good event. They are pulling together with people from the state and federal governments working on the storm recovery.

City Manager Fraser said on the personal property tax reappraisal contract we never settled what we want to do with that.

Council Member Weiss said he would like a little more information. Does the contract work they do cover multiple years with the Assessor?

City Manager Fraser replied it is a reappraisal.

Council Member Golonka inquired how many towns have a personal property tax.

Assistant City Manager Hill replied it was very few.

Mayor Hooper said her druthers would be to not have this tax but she is not willing to give up a source of revenue.

11-247(a) Consideration of awarding the Contract for the Personal Property Reappraisal.

Two bids/proposals were received: Patriot Properties, Inc. of Lynn, Massachusetts, in the amount of \$35,000 (they would charge \$1,000 per day for assistance with grievances and \$1,600 for assistance with appeals to the BCA, State Appraiser or Superior Court); and the second bidder is G&K Associates of Manchester, Connecticut, in the amount of \$67,500 (their proposal includes assistance at grievance and BCA levels with an additional \$800 per day for assistance with appeals to a State Appraiser

or Court). A memo from the City's Assessor is attached with further information.

Motion was made by Council Member Jarvis, seconded by Council Member Weiss to remove this item from the table. The vote was 5-0, motion carried unanimously.

Mayor Hooper said her recommendation would be to call them and tell them the city is going to put off making a decision for several months. She would rather look at the larger revenue picture before she makes a decision about this. There is no way she can support getting rid of the personal property tax unless they have a strategy for putting other revenues in place.

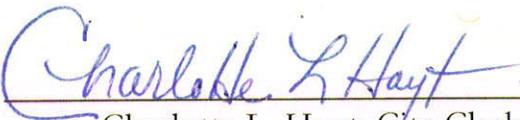
Council Member Weiss said if it costs \$70,000 to do the assessment and it is good for 10 years, that is \$70,000 a year and we are going to collect \$200,000 for each of the 10 years. It makes sense to him.

Motion was made by Council Member Jarvis, seconded by Council Member Hooper to reject the bid awarding the Contract for the Personal Property Reappraisal. The vote was 5-0, motion carried unanimously.

Adjournment:

After motion was duly made and seconded by Council Members Hooper and Jarvis, the council meeting adjourned at 10:15 P.M.

Transcribed by: Joan Clack

Attest: 
Charlotte L. Hoyt, City Clerk

Storm Water Management for Montpelier Building Owners

Ken Russell, Interim Community Development Specialist, City of Montpelier, 10/05/2011

For years, the City of Montpelier has been working with building owners to modernize an antiquated sewer system. Before 1960, there was one pipe containing all types of sewage, untreated, into the Winooski. Since then, the city and many building owners have worked to separate the sanitary sewer, containing sewage, from regular storm water. Many of our buildings predate this conversion and have a single pipe coming out containing all outflows from the building. Often these pipes are buried inside columns or behind other structural elements, making retrofitting to a more modern system costly.

In the wake of the two extreme water events this year, public awareness of flooding and contamination issues are at a peak. It is a good teachable moment for helping the general public and building owners to understand better the connection between sewer upgrades and water quality as a whole, and to rally efforts to make necessary changes.

In fact, in the wake of the recent floods both the City of Montpelier and building owners such as Tim Heney have recently upgraded some of their buildings, redirecting 17,400 square feet of storm water catchment and reducing pressure on our sewer systems. These steps make a significant difference in the capacity of our system to handle flood events and to protect our water supply, building occupants, and those tasked with cleaning up after the floods. In addition, it contributes to protecting our rivers and streams from contamination.

Steps Building Owners can Take to Address Storm Water Contamination Issues

-disconnect your roof drains from other sewers leaving your building. This will take pressure off the sanitary sewer system, thereby reducing the chances of contaminating floodwaters with sewage and other contaminants. Public Works will work with building owners to properly direct the flow of the storm water from the roof.

-eliminate or reduce the amount of direct inflows into the sewage system. For instance, don't flush your toilets during potential flood emergencies.

-install back flow preventers to prevent sewage from backing up into buildings during extraordinary water events.

-it may be possible to install gate valves to be able to shut down the connection between your building and the sewer during extraordinary flood events. Plumbing inspectors tend to prefer automatic systems that can avoid possible human error but in case by case situations it might be worth exploring. Have your plumber contact the state plumbing inspector.

-buy pumps. Several building and business owners who bought pumps after the May floods had much better results during the Hurricane Irene floods. It is important to check and maintain pumps, especially if it has been years since the last use.

-pour concrete water barriers strategically to cut off routes for flooding into your building

-install flood gates at building entrances. At least one building in town has two and a half foot steel flood gates that can be inserted into a properly engineered fitting, creating an air – and water -- tight seal at the entrances to the building. Again, due to water pressure, any such efforts need to be done with proper engineering.

-work with your neighbors to come up with plans for flood response such as pumping operations, inventory evacuation, and communication

-build two to three foot walls around boilers. With a pump system and for a good number of flood events, this might well suffice. Any attempts to fully block flood waters should take into account the great amount of water pressure and be done with proper engineering. For instance, at nine feet under the surface, water pressure is at 576 pounds per square inch.

-you may consider preparing to disconnect your burner from the rest of your boiler during a flood. With older units this involves retrofitting to allow for quick disconnects of your electricity, a proper capping of the fuel lines, and removal of the bolts that hold the burner in place. Larger burners will require some heavy lifting involving a number of people. One downtown building owner with six apartment units has set up a system that allows him to remove the burner in 10 minutes with one assistant. New units tend to have the quick disconnection capability. As with all mechanical systems, proper expertise should be employed especially considering the health and safety risks involved with electricity, high heat, and fuel. Seek a licensed professional. Also, consider the impacts of such a plan during cold weather. The two recent floods occurred during relatively mild weather. To interrupt and re-establish building heat in the wintertime presents serious choices. Also special care should also be taken when firing up a boiler that has flooded. You may need to –carefully -- fire it up to dry out the water that has infiltrated the system, before going to full boil.

We Can Help

Our Department of Public Works provides technical assistance to building owners who are separating sanitary sewers from storm water systems, including locating existing infrastructure, and are happy to work with building owners to help prevent inflow and infiltration problems.

Do it Right

A common theme in talking to experts is that money invested in mitigation efforts will save money in the long run. In addition, it was stressed that employing the right expertise such as engineers or licensed plumbers will lead to better outcomes and lower overall costs.

Cost Factors

The cost of separating storm water from sanitary sewer systems varies depending on how deeply embedded in the building structure current systems are, distance to existing hook ups to storm and sanitary sewers, the location of the roof intercepts, and the size of the building.

Resources on Financing Options and Best Practices

As is evident from the recent floods, capital investments in pumps, flood barriers, and re-piping of building sewage systems can pay off in reduced damage to buildings and contamination of property and personal effects. Loans that spread the costs out over years can make these investments more palatable to cash strapped business and building owners. Following are some sources to consider:

VEDA, the Vermont Economic Development Association has set aside \$10 million for businesses and farms affected by Hurricane Irene. The loan application process is purported to be efficient and quick.
www.veda.org

SBA, the US Small Business Administration offers a variety of loans and assistance to small businesses, including a special category for disaster assistance.
www.sba.gov

FEMA, the Federal Emergency Management Agency offers direct assistance to individuals affected by disasters, public assistance for infrastructure for areas affected by Irene including Washington County, and low interest loans to small businesses.
www.fema.gov

EPA, the Environmental Protection Agency offers a menu of Best Management Practices for storm water for a variety of interests including governments, developers, and building owners.
<http://cfpub.epa.gov/npdes/stormwater/menuofbmeps/index.cfm>

The EPA also offers resources on funding sources for water pollution prevention:
<http://water.epa.gov/polwaste/nps/funding.cfm>

The Watershed Management Institute, Inc., that receives funding from the EPA, maintains a guide to financing storm water management: <http://stormwaterfinance.urbancenter.iupui.edu/>

ANR, the Vermont Agency of Natural Resources, offers technical assistance for storm water management in wake of the flood: <http://www.anr.state.vt.us/site/cfm/PressRel/Detail.CFM?ID=1891>

ANR also offers information on green infrastructure best management practices to reduce runoff and thereby reduce flooding:
http://www.anr.state.vt.us/dec/waterg/stormwater/htm/sw_green_infrastructure.htm

VLCT, the Vermont League of Cities and Towns, offers information on low impact development –
[http://www.vlct.org/assets/Resource/Models/o_LID-Tech_Paper.pdf#search="LID"](http://www.vlct.org/assets/Resource/Models/o_LID-Tech_Paper.pdf#search=)

FEMA offers a report called Protecting Building Utilities From Flood Damage: Principles and Practices, that offers guidance on how to design building utility systems such as boilers and to resist flood impacts: http://www.fema.gov/pdf/fima/pbuffd_chapter_3-1.pdf

MBLF, the Montpelier Business Loan Fund offers loans of up to \$15,000 at the Boston Prime Rate to local businesses who are unable to obtain sufficient financing through existing commercial lending institutions. Interested businesses should contact the Montpelier office of Community Development at 223-9506 x32.

PUBLIC WORKS MATRIX REPORT REVIEW

October 12, 2011

-STAFFING

The report discussed a great deal of additional work by DPW- CIP, District Heat, Asset Management. Our staff cannot accomplish our normal work that we need to perform each year, reducing staff seems contrary to getting more work completed. My opinion is to add resource(s) to allow us to meet the remainder of the reports additional recommendations and to maintain a sustainable budget. An Engineering Technician/ Assistant Engineer would enable us to continue to make substantial progress on the Asset Management by completing our infrastructure inventory, mapping and inspection in a timely fashion and also allow us to begin design on some of the utilities that are in dire need of repair/ replacement. We have proven that "in house" design and inspection is a cost saving measure that could be utilized on many smaller projects and allow us to oversee the significant amount of summer construction that occurs annually.

The study refers to "superintendents" on a consistent basis, which is a misnomer for the position that our division supervisors actually serve. These are working positions that are responsible for the day to day scheduling and oversight of the divisions personnel. A superintendent, in our organization, provided middle management and oversight of the division supervisors. Re-assigning our supervisors to superintendent positions would be a step back in our goal to become as efficient and effective as possible.

-ASSET MANAGEMENT

We agree that infrastructure asset management is necessary to allow this department to properly assess our utilities and roads, bridge, etc (Assets) within the control of the City of Montpelier. We have been mapping and inspecting our utilities and roads. The study states that we need to include sidewalks in the inspection rotation. This goes to the comment that we need more admin/ technical assistance to get this additional work completed.

-UTILITY RECOMMENDATIONS

The study discusses unaccounted for water use and utility replacement. We have been attempting to fix leaks and account for water that was previously not tracked including hydrant flushing, fire fighting and others. The other item that we would like to begin performing is a large meter testing program. The only drawback is that the "no lead" law that has been established in Vermont, when the meter is changed out, it must be replaced with a new meter that meets the law. This would mean significant expense with most larger meters costing between \$1,500 and \$5,000.

-EQUIPMENT

We agree that the equipment plan for DPW has been underfunded. Our equipment replacement plan has been established using good equipment management technics such as life cycle costs, maintenance costs and salvage. The schedule for replacement is set to keep maintenance costs to

a manageable level, ensure the best equipment reliability and to balance the purchase cost with salvage or trade costs. We have stated in the past that DPW needs \$225,000 to \$250,000 to maintain the fleet management schedule. We have been coming up short due to budget constraints in the past few years. This does not include the enterprise fund equipment (water and sewer).

-MOVING DIRECTOR TO DPW GARAGE

I disagree with this. While a majority of the employees are housed at the garage, and spending time at the garage is immensely important, I feel that the Director should still be at City Hall to supervise the day to day operations of the administration/ engineering staff, answer questions of the residents, etc and for the various day to day activities. The employees at the DPW garage are all working personnel who most generally are out of the garage area performing activities in the City. I would propose to spend additional time first thing in the morning at least 2-3 times per week and then ensure more time is spent at the other locations also.

-SIDEWALKS

I'm not certain how this would work. This is a great reduction in service that we provide to our residents and businesses during the winter months. I would look for guidance from the Council and the residents to see if there is a real desire to make this switch.

-MAINTENANCE PLUS SOFTWARE

While this program may provide some benefit to the DPW for providing work orders, it is tailored for primarily fleet maintenance, but can do some of the functions for work orders. We will begin using this when we are able to do the front ends with the program initial set up and training for our staff. We will use the IT staff to assist with ensuring this program will be able to be set up on a single server for consistency and tracking of work orders. We are involved with the planning departments development and interviews/ demonstrations of software that can be used as a single source for assessing, zoning, planning, building, etc. that will hopefully give us a better resource for tracking work orders electronically.

-FACILITIES MANAGEMENT TO SCHOOLS

I'm not certain how logistically this would work. I do know that this function does consume a fairly sizeable amount of time to manage, which most likely will get greater with the Capital Needs Assessment. Our current building maintenance person is doing a great job managing things, but needs someone with more authority for capital projects, balancing budget etc.

-MONTHLY REPORTS

This function used to be performed when I started this position. We have since eliminated the "middle management" position that would provide a good deal of the information for the report. The supervisors were also not "working foremen", which we have indicated is the preferred method of a department this size. Writing additional monthly reports will take a great deal of administration time for each division of the public works department. With the weekly updates, does it make sense to do a monthly report also?

-WORK PLANS

Work plans will take a while to develop with the amount of work we provide. There are normal daily, weekly and annual functions that we provide that we could put into a work plan. The issue with our jobs is that we are very reactive to situations. While we try to be pro-active in our planning, it is extremely difficult to stay within a work plan. I would categorize this as time allows.

-STAFF MEETINGS

We need to re-kindle the former supervisors staff meetings. Our schedules are so busy that it has been increasingly more difficult to hold these meetings for all to attend. Now that we have a full contingent of supervisors, we will begin to re-organize and "get on the same page" with these staff meetings.

-PAVING/ PAVEMENT MANAGEMENT

We agree that we need to invest more money into our streets. This includes CIP funds for paving projects and pavement preservation techniques such as cracksealing, micro-surfacing, etc to extend the life of our pavements to greater than 20 years. This means making this a priority in the operating budget as well. This is the secret to preventing pavements to degrade to a point where reconstruction is the only (more costly) solution.