

**CITY OF MONTPELIER  
CAPITAL CITY OF VERMONT**



**City Manager's Weekly Report – 03/25/2016**

**UPCOMING MEETINGS ...**

*Saturday, March 26<sup>th</sup>*

*City Council Retreat (with Facilitator), 9:00 A.M.  
to 12:00 noon in the Library at Montpelier High  
School*

You can also click on the following link for a listing of the Montpelier Senior Activity Center's upcoming events: <http://www.montpelier-vt.org/calendar.aspx?CID=30,36>

**ATTACHMENTS ...**

-  Arbor Day Foundation Letter
-  Press Release: Statewide Vermont Walk/Bike Summit
-  Press Release: Arrest of Burglary Suspect after Vehicle Pursuit
-  Montpelier Land Use Regulations Update:  
<http://www.placesense.com/current/montpelier>
-  Commissioner Porter: Boat Launch Letter

**CITY MANAGER'S REPORT ...**

**Goals/Council Retreat**

It appears that most, if not all, of you have spoken with Susan Terry and she has structured the time accordingly. We will allot time at the end of the meeting to discuss easements.

**Uber**

As was announced this week, Uber has begun operating in Montpelier. The City has a taxi cab ordinance which was last amended in 1990. Staff will review the ordinance and the steps taken by Burlington to make a proposal for how to integrate the Uber service into the city while being fair and equitable to existing taxi providers.

**Berlin Pond Boat Launch**

I sent a letter to Fish & Wildlife and the Town of Berlin yesterday. Copy attached. I will follow up with an attorney.

# CITY MANAGER'S WEEKLY REPORT

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## Legal

*VCFA vs. City, Tax Appeal.* – Awaiting decision. Oral argument on cross motions for Summary Judgment was held at Washington Superior Court on Tuesday, January 12<sup>th</sup>. Represented by Robert Fletcher

*Illuzzi vs. City, Law, Motyka, Renaud Bros.* – Motion for summary judgment was filed this week; discovery continues. Represented by Constance Tryon Bell through VLCT

## WEEKLY UPDATES FROM DEPARTMENT HEADS ...

### Montpelier Senior Activity Center

#### *Trash Tramps*

- The Trash Tramps are a group of volunteers who meet at the Senior Center every Tuesday at 2:00 P.M. to pick up litter in Montpelier. The Tramps' first official outing was September 29<sup>th</sup> and since that date, the Tramps have met 24 times, missing only one Tuesday because the Senior Center was closed due to bad weather. As of March 2016, 27 people have come on at least one Tramps outing. The average outing attracts 7 participants. Trash Tramps founder, Anne Ferguson, keeps count of the number of Shaw's-size bags that are filled each Tuesday. So far, the total is 297 bags. This total doesn't include oversize items such as sleeping bags and car parts which don't fit in Shaw's bags but which the Tramps pick up and take to city dumpsters.

In recent weeks, the Tramps have started to collect cigarette butts which can be recycled. Anne added handles to quart-size yogurt containers to turn them into receptacles for the butts. She keeps track of the butts collected by weight. The Tramps have been given reflective vests by the City of Montpelier and a grant by the Central VT Solid Waste Management District. Using the CVSWMD funds, the Tramps had the vests imprinted, purchased gloves, tongs, and grabber devices. With remaining grant funds, Anne plans to buy a sidewalk "Buttler," a pole-mounted container where smokers can insert their spent butts. Upon learning about the Buttler from Anne, the Central Vermont New Directions Coalition decided to purchase 5 additional Buttlers for downtown Montpelier.

#### *Senior Center Membership*

- As of March 22, MSAC membership had reached 966, with 30% from towns outside Montpelier (23% from supporting towns). This is the highest level in many years, far surpassing last year's 848! Current counts have surpassed budgeted targets for FY16.

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- Out of the total population across all ages, we serve 1 in 22 people living in supporting towns and 1 in 62 people living in all of Washington County. In Montpelier, we serve about 1 out of 11 people, and about 1 out of every 5 seniors – fast approaching 1 out of every 4. For the age 65-75 sect, the proportion rises to 1 out of 1.9 – about half that age group!
- Reminder: MSAC Membership is open to all people aged 50 and over regardless of town of residency, and dues help keep programming affordable.
- Membership benefits include access to all classes and trips, optional USPS-delivered newsletter, discounted fitness club memberships and more.
- Many benefits are also available to all seniors including non-members, including electronic newsletter subscription, over 30 hours per week of free programming, health clinics, tax preparation and FEAST Together and FEAST at Home meals.

## TOPICS FOR UPCOMING CITY COUNCIL MEETINGS ...

April 13	Zoning Parking Advisory Committee Appointments Community Services Facilitator Contract Dog Ordinance Update Taxi Cab Ordinance
April 27	Master Plan Contract
May 11	Rec Building
May 25	EDSP?



William J. Fraser  
City Manager

City Manager William Fraser  
City Hall  
Montpelier, VT 05602

Dear Tree City USA Supporter,

On behalf of the Arbor Day Foundation, I write to congratulate Montpelier on earning recognition as a 2015 Tree City USA. Residents of Montpelier should be proud to live in a community that makes the planting and care of trees a priority.

Montpelier is one of more than 3,400 Tree City USAs, with a combined population of 140 million. Started in 1976, The Tree City USA program, sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and the National Association of State Foresters, is celebrating its 40th Anniversary this year. In honor of this milestone a national public awareness campaign is being executed across the country including a strong emphasis on media relations and a social media contest which are referenced in the tool kit received by your state coordinators.

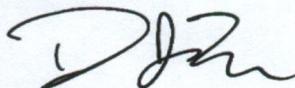
As a result of your commitment to effective urban forest management, you already know that trees are vital to the public infrastructure of cities and towns throughout the country, providing numerous environmental, social and economic benefits. In fact, trees are the one piece of community infrastructure that actually increases in value over time.

We hope you are excited to share this accomplishment. Enclosed in this packet is a press release for your convenience as you prepare to contact local media and the public.

State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward information about your awards to your state forester's office to coordinate presentation. It would be especially appropriate to make the Tree City USA award a part of your community's Arbor Day ceremony.

Again, we celebrate your commitment to the people and trees of Montpelier and thank you for helping to create a healthier planet for all of us.

Best Regards,



Dan Lambe  
President

cc: Geoff Beyer

enclosure

For more information, contact:  
Danny Cohn, 402-473-9563  
dcohn@arborday.org



FOR IMMEDIATE RELEASE:

### **Arbor Day Foundation Names Montpelier Tree City USA**

Montpelier, VT was named a 2015 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

Started in 1976, the Tree City USA program, sponsored by the Arbor Day Foundation, in partnership with the U.S. Forest Service and the National Association of State Foresters is celebrating its 40th Anniversary this year.

Montpelier achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation.

"Tree City USA communities see the impact an urban forest has in a community first hand," said Dan Lambe, President of the Arbor Day Foundation. "Additionally, recognition brings residents together and creates a sense of community pride, whether it's through volunteer engagement or public education."

Trees provide multiple benefits to a community when properly planted and maintained. They help to improve the visual appeal of a neighborhood, increase property values, reduce home cooling costs, remove air pollutants and provide wildlife habitat, among many other benefits.

More information on the program is available at [arborday.org/TreeCityUSA](http://arborday.org/TreeCityUSA).

**About the Arbor Day Foundation:** The Arbor Day Foundation is a million member nonprofit conservation and education organization with the mission to inspire people to plant, nurture, and celebrate trees. More information is available at [arborday.org](http://arborday.org).



**FOR IMMEDIATE RELEASE**

March 14, 2016

**CONTACT:** Susan Schreibman  
Rutland Regional Planning Commission  
[susan@rutlandrpc.org](mailto:susan@rutlandrpc.org)  
(802) 775-0871 x 204

## **STATEWIDE VERMONT WALK/BIKE SUMMIT TO BE HELD IN RUTLAND**

In partnership with VTrans, and a number of other participating organizations and sponsors, the Rutland Regional Planning Commission and the Rutland Area Physical Activity Coalition will host the 2016 statewide Vermont Walk/Bike Summit on April 1-2 in Rutland.

The two- day Summit offers both indoor and outdoor workshops. Friday features 4 themes- Built Environment, Advocacy and Education, Safety Education and Enforcement, and Economic Development - with 3 sessions each - 12 dynamic presentations in total. Sessions will highlight current and future initiatives that advance Vermont's pedestrian and bicycle landscape. Other features include peer exchanges, a highly acclaimed keynote, vendor displays and much more. Health Commissioner Harry Chen will provide opening remarks, and Secretary of Transportation Chris Cole will moderate the opening plenary.

On Saturday, April 2<sup>nd</sup>, the Summit will feature mobile workshops. Participants can choose from 6 options, allowing them to explore the region by way of walking, hiking and biking.

As the primary sponsor of the Summit, VTrans looks forward to participating. "VTrans helped initiate the first Bike/Ped Summit with the Vermont Bike/Ped coalition," said Transportation Secretary Chris Cole. "It's deeply gratifying to see how participation and support has grown since that initial effort. Our support for this event matches our commitment to improving safety and access for bicyclists and pedestrians in our downtowns and on our highways. There are clear benefits for economic development and public health and we look forward to seeing what good ideas come out of this year's summit."

"The Green Mountain Association of Realtors® (GMAR®) is thrilled to be a part of this event. As real estate professionals, we understand the value of elements that make our communities more enjoyable for everyone. The Walk/Bike Summit strives to educate people on the benefits of low-impact transportation that returns a high value to everyone." -Lisa Meyer, President, GMAR

"AARP Vermont is pleased to be part of this exciting gathering of people and organizations committed to exploring innovative ways to better serve the transportation needs of all Vermonters," said Kelly Stoddard-Poor of AARP Vermont. "We are fortunate to be in a state where transportation and mobility concerns are such a high priority."

Statewide, much is being done to facilitate the advancement of bicycling and pedestrian initiatives that strengthen Vermont's transportation infrastructure. Blue Cross Blue Shield of Vermont is involved in

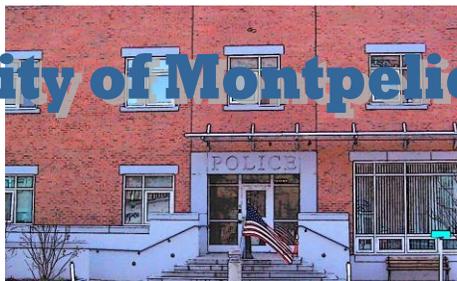
numerous events and programs that encourage and promote a focus on wellness in the everyday lives of Vermonters. “We are so excited to be involved once again in the Vermont Walk/Bike Summit,” said Megan Peek, Community Relations Manager for Blue Cross Blue Shield of Vermont. “We support this event as part of our commitment to the health of Vermonters. The great thing about walking and biking is that many of us can do one or both of these activities easily. We think the summit provides an excellent opportunity to build physical activity into our daily lives.”

To learn more about the Walk/Bike Summit and register for the event, visit [walkbikesummitvt.com](http://walkbikesummitvt.com).





# City of Montpelier Police Department



**Anthony J. Facos**  
Chief of Police

## **PRESS RELEASE**

**For more information, contact:**  
**Chief Anthony J. Facos**  
**(802) 223-3445**

### **FOR IMMEDIATE RELEASE**

March 24, 2016

## **Arrest of Burglary Suspect after Vehicle Pursuit**

On Thursday March 24, 2016 at approximately 8:30 AM, the Montpelier Police Department received a report of burglary that just occurred at the Skinny Pancake, located at 89 Main Street in Montpelier. The caller, an employee of the business, advised that he interrupted a burglary in progress when he confronted a male suspect with a bandana across his face, attempting to steal the safe from the restaurant. The employee recognized the suspect, who was identified as Travis A. McGurran (35) of Middlesex, VT. McGurran fled the scene in a silver 2006 Toyota Prius.

At 9:15 AM, a Montpelier PD detective located the suspect vehicle in Montpelier. McGurran then led Montpelier PD units on a vehicle pursuit through the city and into the Town of Berlin, where the chase ended on Rowell Hill Road in Berlin. McGurran was taken into custody at that location with the assistance of the Berlin PD.

McGurran was also found to be in possession of suspected heroin. There was also evidence of crack cocaine in the vehicle as well.

McGurran was arraigned in Washington Superior Court on the charges of Burglary, Attempting to Elude, and Driving While License Suspended. McGurran was lodged at the St. Johnsbury Correctional Center for lack of \$1,000 bail.



Travis McGurran



## *America's Small Town Capital*

**Mayor John Hollar**

**William Fraser,  
City Manager**

**City Council Members:**

**Dona Bate  
Jessica Edgerly Walsh  
Tom Golonka  
Jean Olson  
Justin Turcotte  
Anne Watson**

**Jessie Baker  
Assistant City Manager**

March 24, 2016

Commissioner Louis Porter  
Department of Fish & Wildlife  
1 National Life Drive, Davis 2  
Montpelier, Vermont 05620 – 3702

Dear Commissioner Porter,

At last night's meeting, the Montpelier City Council unanimously authorized me to take action, including legal action, to halt construction of a proposed boat launch at Berlin Pond. As you are aware, the City has significant concerns about health risks associated with recreational use of a public drinking water supply.

Before initiating legal proceedings, we respectfully ask you and your department to halt this project immediately. Specific reasons include the following:

- 1) The City of Montpelier has a charter change proposal currently before the legislature. This charter amendment would provide the City the authority to regulate use of the Pond. It is premature and, potentially, wasteful for the State of Vermont to invest resources in a boat launch until this issue is resolved.
- 2) The City is required by the ANR Water Supply Division to develop, submit and enforce a water source protection plan. This plan has been reviewed and approved by ANR. The Plan calls for a 200 foot isolation zone around the entire Pond. The proposed boat launch infringes on that zone. Additionally, safety practices included in the plan were based on the assumption that recreational use was not permitted. It is, clearly, a greater responsibility to protect public health than provide recreation.
- 3) The survey used in determining the location of the boat launch raises a question of ownership of a strip of land predicated on the historical high water mark of the pond. It is probable that use of the boat launch will require trespassing across city of Montpelier property.

Commissioner Louis Porter  
March 24, 2016  
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- 4) The property being considered requires written permission from VTrans for any use. The City is not aware that this has been provided or that any other permits have been sought or obtained. There has been no public vetting or review for this project which falls within a public water supply.

These and other issues are sufficient to raise questions about the propriety of a boat launch anywhere on the Pond and at the proposed location in particular.

I am sure that both the City and State prefer to avoid litigation costs. We ask that you honor our request and discontinue this project immediately.

Thank you very much for your attention to this matter. Please feel free to contact me with any questions you may have.

Sincerely,



William J. Fraser  
City Manager

cc: Secretary Deborah Markowitz  
Town of Berlin Select Board  
Dana Hadley, Berlin Town Administrator  
Mayor Hollar & City Council Members