

On Wednesday evening, April 27, 2011, the City Council Members met in the Council Chamber.

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

Call to Order by the Mayor:

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

11-108. General Business and Appearances

The City Council honored and recognized retiring Fire Chief Gesualdo Schneider and acknowledges the new Fire Chief, Robert Gowans. They presented a proclamation from the city to Fire Chief Schneider for his thirty-two years of service to the City of Montpelier. Chief Schneider was instrumental in getting the City's sprinkler ordinance adopted which became effective in 2003. A copy of the proclamation is attached to the minutes.

Fire Chief Schneider expressed his thanks to the council and to the City of Montpelier.

Deputy Fire Chief Gowans said a few words about Fire Chief Schneider's family and experiences he had while works with the Chief.

11-109. Consideration of the Consent Agenda:

- a) Consideration of Minutes from the April 13, 2011 City Council Meeting.
- b) Acknowledgement and signing of a "Proclamation for Public Service Recognition Week," May 1-7, 2011.
- c) Approval of the Vermont Agency of Transportation (VTrans) Grant Reimbursement Claim Form #TA 65, for the new completed North Street Retaining Wall Project. This reimbursement represents an amendment to the TA 65 form approved by the City Council at their meeting of January 5, 2011. The City Council was informed of the anticipated amendment at that time. The amendment request for additional funding participation in the amount of \$59,682 has now been approved by VTrans. With this amendment combined with the previously approved funding of \$84,408.30, the total grant for the

project will represent 89.4% of the final project cost. A majority of the City Council must indicate approval by signing the TA 65 form.

- d) Consideration of an “Agreement for Services with Faith in Action” for the Community Innovations for Aging in Place (CIAI) REACH Project. Staff is recommending that the City contract with Faith in Action for the purpose of providing project support services for the REACH Project; this is an extension of the previous agreement dated December 10, 2009.
- e) Summary Budget Report by Department for General Fund and Detailed Budget Status Reports for General Fund, Water Fund, Sewer Fund, Cemetery Fund, Parks Fund, Parking Fund and Senior Center Fund for a nine-month period beginning July 1, 2010 and ending March 31, 2011.
- f) Consideration of becoming the Liquor Control Commission for the purpose of acting on the following:
  - 1. Annual renewal of Liquor Licenses (City Clerk will distribute the list of applications at the meeting.)

Brook Hollow Productions, Inc  
dba The Savoy Theater  
26 Main Street

First Class Cabaret Liquor License

That's Life Ventures, Inc  
dba That's Life Soup  
41 Elm Street

First Class Restaurant Liquor License

Application for a First Class Liquor/Restaurant License for Bagitos, Inc., d/b/a Bagitos, who will be starting a new business where Rhapsody's was located at 28 Main Street.

- g) Payroll and Bills

General Fund Warrant dated April 20, 2011 in the amount of \$242,063.55 and \$270,276.14.

Payroll Warrant dated April 28, 2011, in the amount of \$114,300.04 and \$26,262.56.

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

Council Member Weiss said he would like to pull the Agreement for Services with Faith in Action and the financial report.

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

- 11-109(D) Consideration of an “Agreement for Services with Faith in Action” for the Community Innovations for Aging in Place (CIAI) REACH Project. Staff is recommending that the City contract with Faith in Action for the purpose of providing project support services for the REACH Project; this is an extension of the previous agreement dated December 10, 2009.

Council Member Weiss said under the scope of work for the Faith in Action Project he wonders if this is a Central Vermont project or are they supporting Lyndonville as well.

Planning & Development Director Hallsmith said the Faith in Action offices that are delivering other services are based in Lyndonville. That was part of the grant application made to the federal government. Part of it is the focus on rural elder care in particular and they are partners that help them make the link between rural elders and people in the REACH Program. It has been part of the grant since the beginning.

Council Member Weiss mentioned there is a dollar match for a payment schedule. Whose match is that?

Planning & Development Director Hallsmith replied they raise their own match for the grant so they raised the 15 percent match that was required for the federal funds.

There is a legal note that calls for a Request for Proposal for the CARE Bank Program partner. Is that part of this project?

Planning & Development Director Hallsmith explained that one of the commitments she made to the City Council in their goals was to find a new partner for REACH so it wouldn't be with the city any longer. It's called a CARE Bank which is the name of the organization. The city's obligation to Faith in Action under the grant will not extend to the new partners so their current contract will take them through the time until there is a new partner.

Motion was made by Council Member Weiss, seconded by Council Member Hooper to approve the agreement for services with Faith in Action . The vote was 6-0, motion carried unanimously.

- 11-109(E) Summary Budget Report by Department for General Fund and Detailed Budget Status Reports for General Fund, Water Fund, Sewer Fund, Cemetery Fund, Parks Fund, Parking Fund and Senior Center Fund for a nine-month period beginning July 1, 2010 and ending March 31, 2011.

Council Member Weiss said on page 21 of the financial report he still doesn't understand that between the two months on page 21 where reviewing the Re-Entry Program of Community Justice they spent an additional \$9,000. He has no concept where those funds are coming from and with two months left in this fiscal year we are going to get reimbursed for what is now a \$56,000 deficit.

City Manager Fraser said there is a contract with the state for that. Before it was grant funded and they billed periodically.

Motion was made by Council Member Weiss, seconded by Council Member Jarvis to approve as submitted the Summary Budget Reports. The vote was 6-0, motion carried unanimously.

Mayor Hooper said with the Council's consent she would like to add the district heat update to the agenda and discuss whether there is going to be a bond vote.

- 11-110. Consideration of a proposal submitted by Green Mountain Power to site a solar array and public EV charging station in the city of Montpelier.

Rebecca Towne, Administration Manager at Green Mountain Power, requested that this item be placed on this evening's agenda.

She was prepared to discuss this with Council at their April 13<sup>th</sup> meeting but was asked to wait; Planning Director Gwen Hallsmith wanted the Energy Committee to have an opportunity to review the proposal at their April 19<sup>th</sup> meeting before presenting it to the Council.

Don Lorraine, Commercial Accounts Manager for GMP, attended the Energy Committee Meeting on the 19<sup>th</sup> and will be present this evening, along with Gwen Hallsmith, to explain GMP's proposal.

Recommendation: Council is being asked to endorse the entire project and approve someone to finalize the legal agreement; GMP can then move forward with the installation.

Planning & Director Hallsmith said she wanted to offer her vote of support for the proposal because as they move into an era where fossil fuels are increasingly expensive having these alternative forms of transportation are going to be critically important and people will need these charging stations to move on to the next place they are going.

Don Lorraine from Green Mountain Power told the Council what GMP has embarked upon is a pilot program to deploy three electric vehicle charging stations in their service territory and Montpelier came to the top as a possible location. It's in the I-89 corridor and makes sense for the traveling contingent that commutes from Burlington to Montpelier. They approached the City Manager with the idea. They had support and had to further understand how to get this deployed. The Executive Summary of the Charging Station is that GMP pays for the installation, pays for the charger, accompanies it with solar, because they wanted to marry it with the renewable energy resource to offset the electricity being used to charge the electric vehicles. They have a combination charging unit that would be a parking spot of your choosing and the solar panels they were hoping to deploy next to the charging station to make a nice impact and have some renewable resource.

Justin McCabe, a member of the Energy Committee, said that was presented at their meeting last week and the Energy Committee unanimously said they would like to continue the evaluation understanding they need further details on the location of the solar panels and other details revolving around the project.

Planning & Development Director Hallsmith said they were looking at a base in City Hall with solar panels on the roof.

Mr. Lorraine said they had a couple of designs and the building could accommodate some solar awnings off the side of the building so it would be visible from the charging system. This would be a net metered project as well so all of the electricity generated would offset some of the consumption throughout the building. The good thing about the solar panels is they can put it on any city property.

Discussion followed on the use of a parking spot, number of electric cars in the area and the placement agreement wording. The thought was that city hall would be a temporary location and the hope was that it would be moved to the transit center when that was built.

Mayor Hooper said the proposal is giving some direction to staff and figuring out if we would like to have an arrangement.

Council Member Weiss said in concurrence with the Montpelier Energy Advisory Committee he moves that the City Manager enter into an agreement regarding a public electric vehicle solar powered charging station. Council

Member Sherman seconded the motion . The vote was 6-0, motion carried unanimously.

11-110.

Update from the Senior Services Coordinating Committee.

- a) Eileen Peltier, Chair of the Senior Services Coordinating Committee, and members of the Committee will present to the Council their recommendations for the future of the Montpelier Senior Activity Center.
- b) Recommendation: Receive report; discussion; possible direction to the committee and/or staff.

City Council last summer charged a committee to come up with a vision for the Senior Center with interested parties in the community and organizations working with seniors. Eileen Peltier is Chair of the Committee and Jim Sheridan and Sarah Jarvis served as Council representatives. Liz Dodge, the Senior Center Advisory Board Chair, Tina Muncy and Bill Doelger served. Bev Hill, Ken Russell and Garth Genge have worked with them.

Council Member Jarvis thanked the group for meeting weekly.

Eileen Peltier, Chair of the Committee and Executive Director of the Central Vermont Community Land Trust, said part of their mission is to build strong diverse communities. Twenty-five to thirty percent of the residents in their portfolio are seniors. She has experienced going around the communities in Washington County the single most thing that comes up is senior houses and senior services and it is critically important to Washington County and the state of Vermont. Vermont is getting older and she thinks it is great the city has taken the opportunity to transform this building into a great facility.

They shared with the Council what they think the vision of what a senior center should be. They are proposing a new mission statement. They added the word "Area" after Montpelier so there is an open enrollment for people outside the city to become members. They had physical, mental, social, cultural and added economics. One of the things that came up was access for people of all income

levels into the Senior Center. They also want to be a flexible welcoming environment for members. Their proposal is to remove the activity from the name. They highlighted volunteers as part of the Senior Center and felt it should be included in the budget. There was a lot of discussion around a resource room and Meals on Wheels.

Council Member Jarvis said they gave the committee's recommendations to the Advisory Board and had a discussion with them and incorporated their ideas and suggestions.

Some City Councilors were concerned about the issue of Montpelier area and how it opens up the issue of regionalization. Citizens of Montpelier are paying \$220,000 for the Senior Center and they are now asking them to take on more of a role in the Meals on Wheels Program. .

Ms. Peltier said Montpelier Home Delivery is not primarily funded by donations. It is about \$6,000 in donations and the vast majority of it comes through the Council on Aging on a fee per meal basis.

Mr. Doelger explained the open membership to the Council. There is some income from participants from outside Montpelier who sign up for classes. They pay more than Montpelier residents. They hope to review the fee schedule.

Mayor Hooper said she is very pleased to see that the Montpelier Home Meals delivery came back under the egis of the Senior Activity Center. She is a volunteer driver for the program and all of the meals go to Montpelier residents. She hopes they do reach out to the surrounding communities and ask them to participate.

Council Member Jarvis said the issue of whether the city hires a new department head for the Senior Center is very timely. The Program Director will be leaving by September 1<sup>st</sup>, maybe sooner. It would be the committee's recommendation that within the next month that a job description be created.

Assistant City Manager Hill said one of the reasons the Meals on Wheels Program failed before was because the Program Director was running the center and that program also. There would be an employee under the Director responsible for the meals portion of the program.

Motion was made by Council Member Weiss, seconded by Council Member Hooper to receive the report.

City Manager Fraser suggested to City Council that instead of focusing on who is going to do what at the Senior Center that they focus on policies, services and programs.

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

Mayor Hooper asked Council Members if they wanted to endorse and accept the vision statement.

Council Member Sherman embraced that positively and recommends staff come back with a more concrete recommendation. Council Member Weiss seconded the motion. The vote was 6-0, motion carried unanimously.

11-112. Mill Road Update.

On October 13, 2010, Council approved a proposal submitted by Public Works staff which consisted of surface rehabilitation involving the pulverization of the asphalt surface into a gravel consistency. This process is also known as reclaiming and is a common method used to prepare a road for a new asphalt surface. In this case, the proposal left a gravel surface while deferring approximately \$110,000 for the application of bituminous concrete pavement.

A layer of recycled asphalt pavement (RAP) was spread over the reclaimed road which provided support and achieved a serviceable riding surface. RAP material is relatively erosion resistant and calcium chloride was added as a compaction aid and for dust control.

Following this authorization last fall, Mayor Hooper requested that this item be placed on the Council's second agenda in April to review how the road worked, hear concerns from residents, and to address outstanding issues.

Recommendation: Receive update from Public Works staff; opportunity for discussion (which might include residents of Mill and Corey Roads who have been notified of this meeting); and possible direction to staff.

Tom McArdle, Assistant Director of Public Works, presented an update on Mill Road to the Council. Last fall they suggested they revert to gravel on a couple of roads with low volume and residential in nature. They did that on Murray Road and Bliss Road as well. Mill Road had a tremendous amount of drainage problems and persistent potholes. They did the work last fall and the price was

significantly less doing it with their own crews. They put in culverts and a lot of ditching. Going to a gravel surface makes a big difference in the neighborhood and has some benefits. There were concerns about drainage issues in the neighborhood and lack of maintenance.

Linda Gordon, a resident at 268 Mill Road, voiced concerns about the water in their backyard. There are two culverts on Route 12 coming down into their backyard. They have put a lot of culverts in themselves and still have a lot of water. They have lived there for 37 years and she has never seen the water they have now in their backyard. They are motorcyclists and are concerned about the dust on the road. They have a white RV and a white motorcycle trailer. She wasn't pleased with the snowplowing around their mailboxes. They are concerned about the value of their homes with a dirt road.

Mr. Gordon voiced concerns about maintenance and the lack of it.

Greg Abare, a resident at the end of Mill Road, thanked the Council for following up with what they talked about last fall. He thinks the road is in good condition. Residents just need to know it is plowed and safe, but when a road is being completely changed and there is a new maintenance process with that they would expect more communication in that process. He would like to have another update in the fall.

11-113. Central Vermont Economic Development/Central Vermont Regional Planning Commission Update.

David Borgendale, Chair of the CVRPC (and Montpelier's representative) and Bev Hill, Assistant City Manager and Chair of CVEDC, will be present to review the history of the Co-Location/Consolidation Report for these two organizations and the history behind the report.

Recommendation: Receive report; discussion. No vote is needed at this time.

David Borgendale reported when the Legislature came up with "Challenges for Change" there was a directive to the Department of Economic Development. There was a directive to look at these services which are partially state funded and how money might be saved for the state. The RPC's activities are funded through grants as opposed to state funding and the municipal dues of the members. The economists said they couldn't measure the impacts of the state's economic development efforts because they weren't big enough to showing any kind of measurable response. In response to the directive coming from the agency the two boards were required to have a meeting to look at the possibility

of consolidation of the two organizations. The recommendation came back that there should be consolidation of the two organizations. He voted to move forward on this with some trepidation about it. A lot of the impetus for doing this is the RPC is not very happy with their facility. He thinks there may be some administrative benefits to consolidating the two organizations with some savings and maybe improve the operations. His biggest concern is how they would work out governance of the combined organizations because the two boards come from very different sources. The CVRPC Board is made up of the member towns and cities. The Economic Development group is a self appointed board. The initial proposal was to maintain the two boards and have a combined Executive Committee. There are 23 member communities on the RPC and each one has a representative so it is a pretty large board. Most of the decisions are made by the Executive Committee.

Assistant City Manager Hill presented the Council with a brochure that explains the CVEDC organization. Their membership is made up of businesses from 23 towns. When Challenges for Change was presented to them as an organization they had seen their state funding reduced and knew it wasn't a good time to come to municipalities or businesses asking for money so if there was a way these two organizations could operate more efficiently they should take a serious look at that. They have been concerned about the service delivery from the organization. There are some challenges to the consolidation of the two groups but they should pursue further ways to do that.

Council Member Weiss asked if the two groups decide to merge does it require legislative action.

Mr. Borgendale said the RPC has certain statutory obligations under Chapter 117. If they were consolidated there would need to be some amendment to the legislation to deal with it.

#### 11-114(A) District Energy Update

City Manager Fraser reported they made their second presentation today to the Clean Energy Development Fund and they voted to award a million dollar grant to the project and a \$750,000 loan. They have continued to make contact with the Legislature and meeting with them to provide all the information they can about the project. The House approved \$7 million and the Senate approved \$1.9 million for the District Heat Project. They are recommending they have the \$2 million bond they talked about before and then add on. The consultants are very close to presenting the final route.

Planning & Development Director Hallsmith reported they are closing the gap. They are optimistic about the reception they have been receiving from building owners and we need to build as much capacity as we can with the money they have. That will be the key to the success of the project.

Harold Garabedian said capacity falls under three concepts. There will be some excess capacity because they are maintaining the goal to make it work for the five buildings first. The building will be constructed with the capacity to add an additional full size boiler in the future.

Planning & Development Director Hallsmith reiterated as they moved into construction they need to understand that there are building owners ready to sign on and now is the time to design the capacity. They want to maximize the capacity of the plant.

Mayor Hooper said the Montpelier Energy Team has endorsed the project. One of the Council's goals is to make a decision on this. The state is at a point of making a decision in terms of the state contributing its share.

Council Member Jarvis added it seemed important for the Council to take a stand and make a commitment in order to secure the state funding. She moved the Council will ask the voters in June to bond for at least \$2 million for the city portion of the district heating plant. Council Member Timpone seconded the motion.

Council Member Weiss said he had told members of the Energy Advisory Committee the project has merit but the city absolutely can't afford it.

Council Member Jarvis replied they have to afford it because it's the money they are going to spend on heat for the next 10 years.

Council Member Weiss said once the people making wood chips begin to realize how high the cost of oil has gone they are going to raise the price of wood chips.

Mr. Garabedian reminded them there is good data from the Department of Forests and Parks that shows the price differential between wood and oil is real, that the wood price is lower and stable and oil prices are escalating faster. Wood will always be cheaper.

Discussion followed. Mayor Hooper said a friendly amendment had been suggested that the bond vote is contingent upon the state contributing \$7 million. The makers of the motion accepted the friendly amendment.

Mayor Hooper called for a vote on the motion. The vote was 4-2, with Council Members Golonka and Weiss voting against the motion.

11-114. Consideration of the City's Ordinance regarding fees for Vendors.

A year ago, Chapter 9, LICENSES, ARTICLE XIV. VENDORS of the City's Code of Ordinances were substantially revised. Increasing the fees at that time was discussed but Council felt it would be a bit too much on top of so many amendments already made. An excerpt from the Minutes of the April 28, 2010 meeting is attached.

Staff is including this agenda item to see if the City Council would like to revisit an increase in the Vendor's Fees at this time.

Recommendation: Discussion; direction to staff.

City Manager Fraser said the Council doesn't have to take any action at all. They changed the ordinance last year and had decided to look at the fees at a later date.

Consensus of the council was to leave the fees as they were for the present time.

11-115. Approval of City Council's Goals and Priority Initiatives for 2011-2012.

On April 6<sup>th</sup>, City Councilors held a workshop, facilitated by Cindy Cook, to review, amend and prioritize their goals and priorities for 2011-2012.

Staff has compiled the list that Council Members came up with for their review this evening.

Recommendation: Review and adopt City Council Goals and Priority Initiatives for 2011-2012, with or without further amendments.

Council Member Weiss said there are 18 priorities. He would like to see them in priority order. Under specific next steps make decision on taser use. There are specific dates. Every one of the priorities should have a drop dead date attached to them.

Upon a motion duly made by Council Members Hooper and Sherman the Goals and Priorities were adopted on a vote of 6 to

## 11-116. Reports by City Council

Council Member Golonka said tomorrow night there is a Regional Services Planning Committee meeting and they are at a point where he needs to know where the Council stands. There really aren't going to be any savings until it is implemented. He needs to know what the Council's position is on regionalization concerning dispatch, fire and police.

Council Member Hooper said he heard him say maybe we can't work with the other towns and maybe our structure is one that couldn't merge with the other neighboring towns.

Council Member Sherman said it could work if all of the parties are willing to participate equally.

Mayor Hooper added the citizens of Montpelier want a full-time fire and police but we are moving in the direction of not being able to afford it.

Council Member Golonka said he didn't think they anticipate much savings. Governance is going to be a difficult issue and allocating costs is going to be a very difficult issue.

Council Member Weiss said he, Jim Sheridan and Tom Golonka served on a sprinkler ordinance committee. The Fire Chief submitted an excellent memo. He would like to have that as an agenda item.

## 11-117. Mayor's Report

Mayor Hooper reported the next Special Council meeting is on May 2<sup>nd</sup> at 5:30 P.M. at the Police Department.

Green Up Day is on May 7<sup>th</sup>. She would like to have on the agenda for the next meeting the Farmer's Market.

## 11-118. Report by City Clerk-Treasurer.

City Clerk Hoyt reminded members of the viewing public that ballots were available for the special city meeting scheduled for Tuesday, May 17, 2011.

## 11-119. Status Reports by the City Manager.

City Manager Fraser thanked Council Members for the discussion on district heat. It helps the city move forward. Last week was a big week for the Fire

Department with the memorial service for Retired Chief Flanders, the retirement of Fire Chief Schneider and the appointment of Robert Gowans as the new Fire Chief. He also noted that the Lost Nation Theatre production of To Kill A Mockingbird begins and his son is one of the actors in the play.

11-120. Agenda Reports by the City Manager.

Request for an Executive Session in accordance with Title I, VSA §313, Executive Sessions, (a) (1) *“Contracts, labor relations agreements with employees, arbitration, mediation, grievances, civil actions, or prosecutions by the state, where premature general public knowledge would clearly place the state, municipality or other public body, or person involved at a substantial disadvantage.”*

(Staff has been in negotiations with the Public Works Union and will be presenting the Union’s proposals to the Council.)

Motion was made by Council Member Jarvis, seconded by Council Member Hooper to go into executive session at 11:25 P.M., in accordance with Title I, VSA, Sec. 313, Executive Sessions, (a) (1) Contracts, labor relations agreement with employees, arbitration, mediation, grievances, civil actions, or prosecutions by the state, where premature general public knowledge would clearly place the state, municipality or other public body, or person involved at a substantial disadvantage. The vote was 6-0, motion carried unanimously.

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

After motion was made by Council Member Weiss, seconded by Council Member Hooper the council came out of executive session at 11:39 P.M., in accordance with Title I, VSA, Sec.313, Executive Sessions at 11:39 P.M. The vote was 6-0, motion carried unanimously.

Adjournment.

After motion was duly made and seconded by Council Members Weiss and Hooper, the council meeting adjourned at 11:40 P.M.

Transcribed by Joan Clack

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