

**Minutes of the Montpelier City Council Meeting  
August 22, 2012  
City Council Chambers, Montpelier City Hall**

In attendance: Mayor John Hollar (presiding), City Manager Bill Fraser, City Councilors Andy Hooper, Thierry Guerlain, Alan Weiss, Angela Timpone, Sarah Jarvis, and Tom Golonka. City Clerk John Odum acted as Secretary of the Meeting.

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At 6:34 PM the Mayor called the meeting to order.

12-205. With no matters under General Business, the Mayor moved to the Consent Agenda. Items pulled for discussion were the Fire Union Ratification (by City Manager Fraser, who neglected to include the memo) and Item D regarding Green Mountain Power (pulled by Councilor Guerlain). Councilor Jarvis moved passage of the remaining items on the consent agenda, Councilor Timpone seconded. The motion passed without debate or opposition at 6:35 (Councilor Golonka was absent).

The Mayor opted to hold off on the discussion of the District 2 council seat until Councilor Golonka arrived.

12-207. Councilor Hooper moved for the reappointment of the 4 members of the Planning Commission whose terms were expiring (all of whom – Eileen Simpson, Kim Cheney, Alan Goldman and Jesse Moorman - had indicated their desire for reappointment. Councilor Guerlain seconded. The motion carried unanimously, and without debate at 6:36 (Councilor Golonka was absent).

12-208. The two candidates for appointment to the Kellogg-Hubbard Library Board of Trustees (to complete the term of Suzanne Eichenberry, who is stepping down) addressed the Council and answered questions. Rachel Donaldson-Hughes made note of her Masters Degree in Library Science and expressed her wish that libraries stay vibrant and relevant. John Bloch reviewed his history with libraries and Information Technology, as well as expressing his concerns that area towns were not adequately contributing financially to the library budget, and that traditional approaches to library science may be inadequate looking towards the future.

Councilor Weiss asked Mr. Bloch how he would approach the position, given that it is a Council appointment to an independent Board. Mr. Bloch indicated he would work closely with the Council, envisioning a monthly report. Ms. Donaldson-Hughes has nothing to add when invited to by Councilor Jarvis.

Councilor Jarvis moved that the Council enter executive session to discuss the appointment at 6:44. Councilor Weiss seconded. The motion carried unanimously.

At 6:50, Councilor Jarvis moved that the Council return to open session. Councilor Guerlain seconded. The motion carried unanimously.

At 6:51, Councilor Jarvis moved that Rachel Donaldson-Hughes be appointed to the remainder of the open three year term on the Kellogg-Hubbard Library Board of Trustees, with thanks to John Bloch for all he does for the city, and with hopes that she would take Mr. Bloch's comments as guidance. Councilor Timpone seconded. The motion passed unanimously.

12-206. The Mayor returned to item 4 – the appointed to the District 2 council seat being vacated by Councilor Jarvis at the conclusion of the current meeting (to be vacated at end of meeting).

Candidate Anne Watson addressed the Council, indicating her eagerness and preparation for the job and making note of her policy priorities, such as reincorporating the Dickey Block into housing stock, issues of water capacity with the town of Berlin, the development of the Carr Lot. She noted her committee work and identified as fiscally responsible, analytical and easy to work with.

Candidate Jake Brown addressed the Council, thanking Councilor Jarvis for her work. Mr. Brown reviewed his experience as a graduate of Middlebury College, and as a reporter in New Hampshire, as well as for The Bridge (where he became a co-owner). He made note of his Masters Degree in Environmental Law from the Vermont Law School, and his close involvement in state and municipal government. He described himself as a very accessible person who has the time and energy for the position, as well as the full support of his family.

Sylvia Fagan rose to address the Council in support of Anne Watson for the position, noting her age, her address (Barre Street, which does not have a resident on the Council), her perspective as a woman, and called her a "Quick study."

Eli Rosenberg told the Council that he knows and likes both candidates, but supports Watson for the position, noting her problem solving skills.

Diane Sherman rose in support of Watson, identifying her as a good listener who "connects to people." She noted that Watson would add diversity to the Council.

Rebecca Wigg rose to support Anne Watson based on worked with her on the Energy Committee. She characterized Watson as "passionate" and "dedicated."

Tino O'Brien described himself as "delighted" at the quality of both candidates, and recommended Mr. Brown as a person of integrity, intelligence and focus who would "do a fine job."

Councilor Timpone moved that the Council enter executive session at 7:05. Councilor Hooper seconded. The motion was unanimously approved.

At 7:24, Councilor Weiss moved the Council return to open session with Councilor Guerlain seconding. The motion passed unanimously.

The Mayor noted the decision was difficult, and that both candidates were "great." Councilor Guerlain moved that the Council appoint Anne Watson to the District 2 Council seat being vacated by Sarah Jarvis, effective at the close of the meeting. Councilor Hooper seconded. The motion passed unanimously at 7:24.

- 12-209. The Council considered the list of applicants for the Montpelier Community Fund Board. Councilor Guerlain indicated he would recuse himself from the agenda item, citing a conflict of interest (his wife was among the list of candidates).

Councilor Weiss noted the uneven representation from the different city districts, reminding the Council that cross-district representation had been a goal. City Manager Fraser noted that almost all the participants were from District 2, with none from District 1. There was also a brief discussion of how Board terms would be constructed, with the general sense of the Council being that such decisions could be left to the Board itself.

At 7:29, Councilor Timpone moved that all the applicants (Warren Vail, Eliza Dodd, Bernie Lambek, Beth Boutin, Julie Hendrickson) be appointed to the Board. Councilor Jarvis seconded. The motion carried 5-0, with Councilor Guerlain abstaining.

- 12-210. The Mayor opened the District Heat agenda item. City manager Fraser made a presentation reviewing the proposal as it stands, including current financials and projections.

Councilor Golonka noted that his relationship with Fred Bashara (a potential District Heat customer) could be considered a conflict of interest (although he did not feel he had a potential conflict, and had not been a supporter of the project on its merits), and that he would recuse himself if the Council had concerns (no concerns were expressed).

The Mayor acknowledged project key personnel Harold Garebedian, Gwen Hallsmith, Bill Nueberger, and Dan Jones. He also noted the presences of Dick Saudek, who has served as the city's attorney on the project.

Councilor Golonka expressed his concerns about supporting maintenance on the system. City Manager Fraser responded that such systems are historically very low maintenance, and that the Public Works Department was capable of handling issues that arise, with a minimal budgetary allotment.

Councilor Guerlain expressed concerns that city expenses relating to different aspects of the system could be accurately tracked. Fraser responded that it would be similar to the water utility in that way.

At Councilor Weiss request, the City Manager described the boiler details. He indicated to Councilor Guerlain that the system would be a municipal entity, rather than a public utility, comparing it to the Burlington Electric Department.

Councilor Golonka expressed concerns about finding further problems once the street was opened up. Councilor Jarvis echoed this, citing the potential for "project creep." The project designer felt confident that such issues could be managed.

At Councilor Weiss's questioning, Attorney Saudek indicated that the relationship with the state was locked it, describing it as a "contractual relationship" rather than a partnership.

Noting the recent broken water pipe, Councilor Guerlain expressed concerns that such a break would cause more problems with a district heat system in place, while the designer was confident such a break would not impact the system.

Councilor Guerlain and Mayor Hollar asked for clarifications on the project finances, particularly the projections. Councilor Golonka questioned the level of commitment from those businesses that were potential customers and had given the city letters of support.

Councilor Weiss expressed strong concerns regarding the 46% deviation from the original estimates to bring Union Mutual into the system. Garabedian responded that the initial costs were based on a previous design that included the high school initially, and that the Union Mutual component was unique, and not comparable to other potential customers.

Councilor Guerlain expressed concerns about committing to a project with so many variables.

Ken Jones from the Montpelier School Board reminded the body that Union Elementary was committed to connecting, and that without the project, the school would still have to commit significant money to a new heating system.

Barney Bloom addressed the Council in support of the project, noting that it used a local fuel source as compared to oil. He also characterized the decision as one that would be subject to the judgment of history.

Michael Sherman rose in support of the project, noting volatile oil prices and past city votes in support of the project

Justin Turcotte noted the benefits of biomass heat, but doubted that the project was appropriate for Montpelier, and expressed concerns about potential cost overruns. He suggested the decision be further delayed

Jessica Walsh noted the community's consistent votes to support the project.

Tino O'Brien noted his history with the earliest stages of the project, and felt the Council would be hard-pressed not to support it with all the work that had been done to this point

Steve Everett spoke as one of the private customers who was willing to sign onto the system. He characterized the project as forward-thinking and prudent.

Johanna Miller (of the Energy Advisory Committee. we support it), cited the support of Montpelier voters in praising the project, noting that the grants and external support were unique.

Paige Gurten spoke in support of the project, praising the city for looking ahead.

City Manager Fraser noted the large quantity of work that had been done, and the quality of the project as proposed. Councilor Weiss wondered if a commitment to district heat would impact or lessen commitment to energy efficiencies. Fraser did not believe that it would, and that further efficiencies would not necessarily be precluded from being pursued under the recent bond.

Councilor Jarvis moved to authorize the City Manager to proceed with the district heat project. Councilor Timpone seconded.

Mayor Hollar noted that he supported the project, despite some earlier misgivings, particularly as regarding the relationship with the state and the level of risk. He felt those concerns had been addressed.

At 9:14, Councilors Timpone and Jarvis voted ayes on the motion, while Councilors Weiss, Hooper, Golonka and Guerlain voted nay. The motion failed 4-2.

Regarding the coming vote on city district reapportionment, Councilor Weiss asked the City Clerk if he could send letters to those citizens who would be moved into different districts. The Clerk indicated this would not be a problem.

- 12-205. d) After clarifying questions from Councilor Guerlain, item d from the Consent Agenda passed unanimously at 9:18.
- 12-212. At 9:19 Councilor Golonka noted that he had only voted no on district heat because he felt the state had not dealt fairly and honorably with the city, and if the matter could be reopened in November that he would

support it at that time. Mayor Hollar replied that hardware purchases had to be made before that time, and that in his opinion it was not fair or realistic to defer the decision to proceed until November.

Councilor Guerlain echoed Councilor Golonka's concern. The two cited the problems and lessons learned with the water treatment plant as impacting their votes.

Mayor Hollar noted that the Council could adjourn, potentially call a special meeting in the next 9 days to revisit the matter and still meet the state's purchase deadline.

Councilor Timpone thanked outgoing Councilor Jarvis for her service to the city, praising her as a personal role model. The Mayor praised Jarvis as well.

Councilor Jarvis thanked her colleagues and constituents for the opportunity and support, but noted she was very disappointed in the vote to terminate the district heat project, adding that, in her opinion, district heat would have been attractive to potential businesses. She urged her colleagues to resurrect the plan based on pragmatic considerations and not "hurt feelings" stemming from the relationship with the state. She then offered special praise for the City Manager. Fraser acknowledged the praise.

Councilor Weiss moved to adjourn at 9:35. Councilor Timpone seconded. The motion passed unanimously.