

**Minutes of the Montpelier City Council Meeting
July 6, 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 (via speakerphone) and Tom Golonka. City Clerk John Odum acted as Secretary of the Meeting.

At 9:07 AM the Mayor called the meeting to order. He took a brief moment to explain the agenda items that required the unusual 9:00 AM special meeting.

Councilor Weiss moved that Ann Watson be appointed to the Energy Advisory Committee, noting that she had done a lot of work for that committee. Councilor Hooper seconded the motion. Mayor Hollar noted her success as an Ultimate Frisbee coach at the Montpelier High School, where she is a science teacher. The motion passed unanimously at 9:09 AM.

12-170. The Council took up the Consent Agenda. Councilor Weiss moved passage of the Consent Agenda, seconded by Councilor Timpone. It was passed unanimously at 9:13.

12-171. The Council moved on to Item 3 – the annual tax rate. City Manager Fraser discussed the calculations used and indicated that the tax bills would hopefully be sent the next Monday. Councilor Timpone moved approval, with Councilor Guerlain seconding. The motion passed unanimously at 9:14 AM.

12-173. On Item 5 (regarding the Carr Lot project), the Mayor indicated that the appraisals of the lot had been approved, enabling the City to move forward on negotiations with Alan Carr. He noted the need to move carefully, and suggested that the Council name negotiators. He further indicated there would be more updates as the situation develops. The City Manager added that the appraisals were not yet available for three other involved properties, but that they were coming (Councilor Jarvis urged caution).

Councilor Golonka noted that, in the past, he had recused himself from Carr Lot discussions because of his family's interest in the property. He suggested he could continue to recuse himself if the Council saw fit, but could also participate since his father in law had no further interest in the property. Councilor Weiss and Mayor Hollar indicated they saw no conflict of interest issue.

Councilor Hooper indicated his desire for more information, and Mayor Hollar responded that it would be forthcoming, as discussions were only beginning. Hooper and Golonka asked further about whether the appraisal was firm, what deadlines were involved, and whether Senator Leahy's office was engaged.

John Russell rose to ask about the relationship of the recent work done and the appraisal in more detail. He probed in particular for details on the remediation work done on the site in an exchange with the City Manager, who indicated the results should ultimately become available to the public.

At 9:28 AM, Councilor Golonka moved that the Council authorize the Mayor and City Manager to begin negotiations with the owner of the Carr Lot and report back to the Council soon. Councilor Weiss seconded. Motion passed unanimously.

12-172. At 9:30 AM, the Mayor called a recess to print out a letter relating to agenda item 4. Keith Vance from the Times Argus asked if the letter was a public document that he could see, to which the City Manager indicated he was not yet certain.

At 9:42 AM, the Council returned from its recess. Mayor Hollar indicated that— after discussion with a representative from the state – he concluded that the letter was not a public document at this point, and the topics raised were appropriate for a Council Executive Session under statute. The letter represents a state negotiating position, and the Executive Session would be held to consider the City's Response.

Hollar added further that the state had been urging the city to move forward on the District Heat project, but that he felt there were still some issues that needed to be discussed. Councilor Guerlain moved that the Council enter into Executive Session and Councilor Hooper seconded. The motion passed unanimously at 9:45 AM.

At 10:25 AM, Councilor Weiss moved the Council leave Executive Session. Motion was seconded by Councilor Hooper, and passed unanimously. Councilor Timpone left the meeting due to conflict with another commitment.

Hollar offered that the City and State were not far apart, and that there were contractual interpretations at issue in respect to the purchase agreement.

Councilor Golonka suggested the City should warn a special meeting for Monday, because of July 9th deadline to commit to moving forward on the District Heat project put forward by the state. It was generally expected that the State would not hold the City to that deadline given the lingering questions and negotiations, but it was seen as a prudent move regardless.

Councilor Golonka moved that the Council direct the City Manager and Mayor to request the clarifications needed from the state, and call a tentative council meeting for Monday with respect to the outcome of those discussions, to draft a response, and to put the matter on the agenda for the 18th. Councilor Guerlain seconded. At 10:33 AM, the motion passed without objection.

John Russell rose to make a statement in support of the District Heat project, given the volatility of the oil industry.

- 12-174. Mayor Hollar called for the Council to go into Executive Session to discuss the potential purchase of water from the City by the town of Berlin. Golonka moved the Council go into Executive Session and include the Public Works Director. Councilor Hooper seconded. The motion passed unanimously at 10:35 AM.

At 10:51, Councilor Weiss moved that the Council close the Executive Session. Councilor Guerlain seconded. The motion passed unanimously.

At 10:52, Councilor Weiss moved for adjournment. Councilor Guerlain seconded. The motion passed unanimously.