

On Wednesday evening, July 22, 2009, the City Council met in the Council Chamber.

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

Call to Order by the Mayor:

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

09-186. General Business and Appearances

None.

09-187. Consideration of the Consent Agenda: V.A.

Consideration of the minutes from the July 1<sup>st</sup>, 2009 Special City Council Meeting and the July 8<sup>th</sup>, 2009 Regular City Council Meeting.

Mayor Hooper told Council Members that on their desks there was an amendment to the July 8<sup>th</sup> Council meeting. On page 19 Item 09-168A consideration of accepting the bid from Gateway Motors.

Consideration of accepting the bid submitted by Milton Caterpillar of Richmond, Vermont, for an all-wheel drive grader for the Public Works Department, and authorizing the City Manager to make this purchase in the amount of \$178,507.

Approval of the Agreement with the Biomass Energy Resource Center in order for them to carry out work, on a contractual basis, as detailed under **Scope of Work** in the Agreement; Council Members have received a copy to review.

Consideration of becoming the Liquor Control Commission for the purpose of reviewing the following:

***No applications as of "press time".***

Approval of Payroll and Bills:

General Fund Warrant dated July 15, 2009 in the amount of \$1,383,197.21 and Community Development Agency Funds in the amount of \$2,380.00.

Payroll Warrant dated July 23, 2009, in the amount of \$139,468.48.

Additional Items for the Consent Agenda

Consideration of awarding a construction contract for a Capital Improvement Program (CIP) project entitled "Reconstruction of Sidewalks, FY 2010".

Competitive bids were solicited by newspaper, the city web site, and construction publications for various sidewalk works as provided for in the Capital Improvement Program and the Public Works Department operating budget.

Work scheduled to be performed this year includes walks on the following streets: Northfield Street; Barre Street (phase 3); Main Street, including brick replacements; East State Street; and miscellaneous repair locations.

Two bids were received and the low bid amount is reasonably within the amount of available funds. The Director of Public Works provided a memorandum dated July 10<sup>th</sup> recommending the award of the contract to J. Hutchins, Inc., who submitted the lowest bid in the amount of \$98,267.00.

Recommendation: Award the contract to J. Hutchins, Inc., of Richmond in the amount of \$98,267.00 and direct staff to make reasonable adjustments to the amount of work to be performed in accordance with the funding available. Designate the City Manager to act as the duly authorized agent for all contract-related matters.

Consideration of a request from the Montpelier Community Justice Center for Council approval to share a \$20 fee for Insights Into Conflict Class participants who are not in an MCJC Restorative Justice Program.

Approval of a Resolution for a VCDP Grant Application.

(The City of Montpelier is applying for a Grant under the Vermont Community Development Program (Senior Center); it is necessary that an application be made and agreements be entered into with the State of Vermont.)

Motion was made by Council Member Sheridan, seconded by Council Member Golonka to approve the consent agenda with the removal of the following items.

Council Member Golonka said he wanted to pull the purchase of the grader from the consent agenda.

Council Member Weiss said he wanted to pull the Community Justice Center request as well as the Biomass Energy Resource Agreement.

Mayor Hooper called for a vote on the motion. The vote was 5-0, motion carried unanimously.

09-187(A). Consideration of accepting the bid submitted by Milton Caterpillar of Richmond, Vermont, for an all-wheel drive grader for the Public Works Department, and authorizing the City Manager to make this purchase in the amount of \$178,507.

Council Member Golonka said he thought they were going to have a discussion about renting. He would like to know the status of how many years they are spending this amount over. Didn't they push this out for five years? This was the discussion he raised during the budget discussions.

City Manager Fraser said the final outcome of the budget session was that the city would go ahead and purchase the grader.

Council Member Golonka asked if they had explored renting a grader over the winter months. That had been the discussion for potentially saving some money.

City Manager Fraser said they did look at that. As he recalls the rates were rather high.

Council Member Golonka said he is reviewing all of the new larger items because he thinks they are on an unsustainable budget. People are getting their tax bills and are shocked at how much money it takes to run the city. Every expenditure of this size needs to be reviewed, and he intends to do so.

Mayor Hooper said the Council may want to talk about a process for doing this. She is a little stumped as to what that is because the citizens of the city voted for the budget.

Council Member Golonka said they should make sure every purchase the city makes, even though they were approved in the budget six months ago, that it is still valid and needed. He is concerned that every week they meet they are spending a couple hundred thousand dollars in new equipment. Council Member Sherman said the grader was a problem last winter and the one the city had broke down so we borrowed one from East Montpelier in the middle of the night.

Council Member Golonka said he was under the impression they were going to investigate doing that on a permanent basis.

City Manager Fraser replied the use of sharing isn't going to work because they all need them during the same storms. They were able to help us out for that one night for a very short period of time. The grader the city owns was purchased around 1979 and it is starting to cost a lot for repairs. The Council has discussed a grader over the last five years and pushed it off for at least five years. They do use it extensively in the winter. He said they did look into rental and sharing.

Upon motion by Council Members Sheridan and Sherman the purchase of the grader was approved on a vote of 4 to 1, with Council Member Golonka voting no.

09-187(B). Consideration of a request from the Montpelier Community Justice Center for Council approval to charge a \$20 fee for Insights Into Conflict Class participants who are not in an MCJC Restorative Justice Program.

Council Member Weiss said he doesn't think it is fair they receive this agenda item 10 minutes before the meeting. It wasn't clear to him how the fee applies and who pays the fee, whether it is the individual or referral agency. He has looked at some of the original charges to the Justice Center to see if they consider themselves to be a Montpelier center or a regional center. He isn't looking for answers tonight and would hope the Council would put it back on the agenda for another meeting.

Council Member Jarvis said the Community Justice Center Advisory Board decided they wanted to implement this fee and she suggested to Yvonne Byrd that it should come before the City Council for approval. The Justice Center is a Montpelier based Justice Center. It does occasionally serve people outside of Montpelier. It primarily serves offenders from Montpelier, victims from Montpelier or crimes that happened in Montpelier. Between all three of the different situations there are individuals from other communities that are involved. The Insights Into Conflict Class is a class that the Montpelier Community Justice Center is offering for people who are going through the program and they would like to offer it to other people and make some money to supplement classes that are already happening and be able to charge individuals who are not involved in the Reparative Board or Restorative Justice Programs.

Council Member Golonka asked Council Member Jarvis if the charge fully pay for the fee of the class on a per capita basis, such as what they do with the Senior Center.

Council Member Jarvis said these are classes that are happening anyway so it's not like anything would change by bringing in outsiders. Yvonne Byrd said it really enriches the class to have more people involved.

Council Member Golonka said they went through the whole issue with the Senior Center with regards to pricing their classes and made it a point that anyone who was taking the classes should pay the full rate. He just wants to make sure that the \$20 was the full rate.

Motion was made and seconded by Council Members Sheridan and Weiss to table this agenda item. The vote on the motion was 3-2 with Council Members Jarvis and Sherman voting against the motion. The motion failed for lack of four affirmative votes.

Motion was made by Council Member Weiss, seconded by Council Member Sheridan that the Council reject the Justice Center's request to charge \$20 for Insight Into Conflict Class participants.

Mayor Hooper inquired when the class was going to be offered.

Council Member Jarvis replied it was offered periodically.

Mayor Hooper asked if the Council doesn't deal with this right now, does it mean that they won't be able to charge.

Council Member Jarvis replied conceivably because she isn't sure when the class is.

Council Member Sheridan asked why it was brought to the Council like this. That's his objection.

City Manager Fraser said the Board just met. The Board asked that it be brought to the council for their consideration and approval.

Council Member Golonka said his concern is he doesn't feel he has the information he needs to vote on this request. He doesn't know why they couldn't table it for discussion. Maybe they could talk about the prices and it might be \$30 or \$40. That's his only question for Yvonne. If it comes to a vote tonight he is going to vote no.

Council Member Jarvis asked why not let them charge during the interim and then place it on the agenda to reconsider as soon as possible so in the interim they can make some money on this.

Council Member Golonka said his fear is the same fear he has with the Senior Center. They set up these programs that lower the prices for outside members and then it becomes a regional center and subsidizes outside members. It is much harder to kick people out.

City Manager Fraser said he wanted to remind everyone in the course of that conversation that 75% of the Justice Center's funding comes from the State of Vermont, so it is funded by folks from all around the state. It is by its nature more than Montpelier and why the state funds it so well. What was explained to him is they have a class for people who are in the program and they would like to add some extra people and feel they can charge a fee. They are going to incur the cost no matter what and they are going to run the class no matter what, and the people who are in it may or may not be living in Montpelier because they may be from the surrounding areas as part of the program.

Council Member Sheridan said he would like to hear more about it because he might be interested in saying that residents of Montpelier don't have to pay for it because of the city's contribution to the Justice Center. Because the city increased their contribution to the Justice Center last year he would like to see Montpelier residents getting the class for nothing. He isn't going to vote for this tonight.

Mayor Hooper said her response to seeing this on the table was why is something of this level being brought to the Council. It doesn't seem to rise to the sort of policy development she would assume the City Council would be dealing with. This seems a rather small matter and she would suggest that what the Council should be doing is learning about the programs they are sponsoring and provide direction on how it should be happening. Let's establish policy that we ask the city staff to carry out and expect that to happen.

Council Member Golonka said he is concerned about the timeliness. It's placed on the agenda ten minutes before the meeting and the Council doesn't have a chance to read any of the background information. All he sees is that it costs \$100 or \$150 to participate in the program and we are only charging outside people \$20. To him that means somebody is subsidizing something. If it isn't to rise to this level then it shouldn't be on the Council agenda in the first place.

Council Member Jarvis replied the people who are paying \$100 or \$200 are the people who are paying for the Restorative Justice Alternative Program which is a larger program. Insights Into Conflict Class is a small piece of that program.

City Manager Fraser said just because a motion to table has been defeated once before it may have just been that people wanted more information.

Council Members Weiss and Sheridan withdrew the motion on the floor to reject the request.

Motion was made by Council Member Sheridan, seconded by Council Member Weiss to table this agenda item. The vote was 4-1, with Council Member Jarvis voting against the motion.

09-187C.

Approval of the Agreement with the Biomass Energy Resource Center in order for them to carry out work, on a contractual basis, as detailed under **Scope of Work** in the Agreement; Council Members have received a copy to review.

Council Member Weiss said he doesn't understand the correlation between this agreement, the Biomass District partnership and what the Council approved at the previous meeting. How does this agreement work in relationship to what the Council authorized?

Planning & Development Director Hallsmith said there are two parts to the work they are doing right now. One is funded by the Clean Energy Development Fund. The city has a \$75,000 grant from them to complete the feasibility study and do some of the work the city had authorized in the action the Council took at the last meeting to partner with Veolia Energy. Some of the work they reserved for Burke because in the case of developing the Biomass Energy Center we are essentially asking Burke to serve in the same capacity that we have DuBois & King serving in the Multi-modal Transit Center Project. There are a lot of very technical issues associated with the ongoing development of this project. She is working to keep up to speed with all of them and the people at Burke are the experts so she relies on them when they receive recommendations on technical specifications, siting issues, emission issues to review them for us to make sure we are in compliance and it is keeping with the goals of the city. In the grant proposal they put forward to the Clean Energy Development Fund they had identified Burke as the city's contractor to take on that work. It is confusing, and there is some overlap in what they said Burke would be doing in that grant and what they are now hiring Veolia to do. She is working out the arrangements with both contractors. Right now the way it is structured the city has the authorization to use both contractors through the processes they have set up and she is giving them individual assignments with specific scopes of work and deliverables within the context of the larger contract. Right now they are considering an application to the Department of Energy, which is due September 3<sup>rd</sup>, for a major grant to help fund the Biomass District Energy facility. There could be as much as \$5 to \$10 million made available to cities and other entities around the country that are pursuing these facilities, and she is going to need help preparing that application because there is a lot of information in the application that she doesn't know. She has a meeting with Burke tomorrow and has been in ongoing conversations with Veolia trying to figure out the best way to get that work done. Veolia will take part of it and there will be specific deliverables on that grant application they will prepare. Burke will likely take more of a project manager role and make sure that all of the pieces come together. They will all be working in partnership. She relies on Burke for technical expertise. She is trying to keep costs under control which is why she is issuing these independent scopes within the context of the larger contracts.

Council Member Weiss said the Council approved a feasibility study. How can this agreement secure commitment letters if the feasibility study is just beginning? How can this agreement assist a partner with wood fuel supply agreements if it is still in the feasibility aspect?

Planning & Development Director Hallsmith said it wouldn't be doing that right now. The grant they submitted to the Clean Energy Development Fund using Burke as the technical advisor throughout all of the stages of the project that is why she included those items in the scope of work because that is what the grant was meant to cover. That doesn't mean we are giving them a carte blanche to go ahead with that work right now. It is just something they will be asking them to help us to do when and if that time comes. If we determine in the feasibility study that the whole project is a pipe dream and we aren't going to pursue it, then we wouldn't be engaging them to develop those wood energy contracts or secured commitments.

Council Member Weiss said the last part relating to payment for services it says Burke will invoice monthly at rates.

Planning & Development Director Hallsmith said she is issuing individual scopes of work. This is a little more like a master contract. They have the master contract that allows the city to engage for these types of activities. She put specific language into the contract specifying she would issue specific scopes of work and they would need written authorization from her before pursuing particular activities with very specific deliverables. Right now what they are working on immediately with Veolia is the scoping of the feasibility study and preparation of this DOE grant. What she is working on with Burke is figuring out the preparation of the DOE grant. Those are the two very specific scopes she will be giving them to perform immediately with those rates as a basis. She will be asking them for specific estimates of what it is going to cost prior to issuing the go ahead and they will be held accountable to those deliverables and estimates.

Motion was made and seconded by Council Members Weiss and Sherman to move approval of the agreement with the Biomass Energy Resource Center. The vote was 5-0, motion carried unanimously.

09-188. Consideration of appointments to Montpelier's Development Review Board. V.A.

Two regular positions will expire on July 24<sup>th</sup>; one Alternate position expires on August 8<sup>th</sup>.

Staff advertised and as of the deadline, noon on Friday, July 17<sup>th</sup>, had received letters of interest from the following:

Kenneth Matzner  
260 Cityside Drive - #58  
(Currently an alternate, seeking  
reappointment)

Roger Cranse  
One Summer Street  
(Currently holds regular seat, seeking  
reappointment)

Phil Zalinger  
12 Merrill Terrace  
(Currently Chair of this Board,  
seeking reappointment)

Recommendation: Meet any new candidates; possible Executive Session in accordance with Title I, Section 313, Subsection (a) for the purpose of discussing; appointments to fill the two, 3-year terms and one, 1-year Alternate position.

Motion was made by Council Member Sheridan, seconded by Council Member Golonka to reappoint Phil Zalinger, Roger Cranse and Kenneth Matzner to the Montpelier Development Review Board. The vote was 5-0, motion carried unanimously.

09-189. Consideration of appointments to the City's Design Review Committee. V.A.

Guy Tapper has resigned from the committee; his term would have expired in April, 2012. There is also a vacant 3-year Alternate position that has not been filled.

Staff advertised and as of the deadline, noon on Friday, July 17<sup>th</sup>, had received letters of interest from the following:

Jay White	(Currently an Alternate, seeking the seat
336 Westwood Drive	vacated by Mr. Tapper)

Recommendation: Meet any new candidates; possible Executive Session in accordance with Title I, Section 313, Subsection (a) for the purpose of discussing; appointments to fill the unexpired term of Guy Tapper, as well as the 3-year Alternate position. If Mr. White is selected to fill the "full-time" slot, there would be two, 3-year Alternate positions available.

Motion was made and seconded by Council Members Sheridan and Jarvis to appoint Jay White to fill the unexpired term on the City's Design Review Committee. The vote was 5-0, motion carried unanimously. Staff will advertise for the two alternate positions.

09-190. Consideration of Jason Czarneski's term on the Montpelier Planning Commission. V.A.

Jason was appointed to his two-year term on March 25<sup>th</sup> of this year. He has recently been notified that he has been selected to teach at a law school in China; he is seeking guidance re: the seat he will be vacating from September, 2009, to June, 2010.

Recommendation: Discussion; direction to Jason and staff.

City Manager Fraser said he talked with Jason about this. Jason is very interested in serving on the Planning Commission. He got an opportunity through a Fulbright Scholarship to be in China for a year, and obviously no one is going to turn that down. He realizes being away for a year creates problems so he doesn't want to be a problem for the Planning Commission. He would like to take a leave of absence and have his seat be temporarily filled. City Manager Fraser said he couldn't find whether there is really a provision for that. He realizes that the only way to make this work is for him to resign.

Council Member Sheridan said we are in a year where the Planning Commission is putting together a Master Plan. His feeling is he needs to resign for this length of time and the Council needs to appoint someone else. It's a high turnover board so he should be able to serve on it fairly quickly when he returns. We need seven members working on the Master Plan.

Motion was made by Council Member Sheridan that Jason Czarneski resign from the Planning Commission and that staff advertise to fill the position. The motion was seconded by Council Member Sherman. The vote was 5-0, motion carried unanimously.

09-191. Further consideration of a location for a bus stop to accommodate public transportation coaches (Greyhound) in the downtown area. V.A.

When this item was last discussed, at the City Council's July 8<sup>th</sup> meeting, the Council opted to go ahead with the TD Bank location, pending notice to the bank and assuming the bank had no major issues.

Chris Turley of TD Bank has raised questions which do deserve discussion and consideration; he has been notified that this discussion will take place this evening.

Recommendation: Further discussion regarding this option; possible direction to staff.

Mayor Hooper said at their last Council meeting they had a conversation and thought they had struck upon a reasonable location and asked the staff to inform the property owners in the immediate vicinity. There are some issues they would like the city to pay attention to. Council Members have an e-mail forwarded from Chris Turley who is with TD Banknorth. There was also an e-mail that was from Chris with some information about a tenant who is very much opposed to the notion of the bus stop being there.

Chris Turley said he was concerned about the lack of notice and understood entirely once the scenario was laid out what happened. There have been some privacy issues voiced from their customers. They would like to know what it would mean on the sidewalk from a mobility standpoint and from a traffic standpoint. He sees what goes on at that intersection every day and just putting in a bus stop is just going to add a lot of safety issues. He also had a conversation with Paul Giuliani today, who is a tenant on the second floor and is totally opposed to it.

Council Member Golonka said at the last Council meeting there was some discussion about the tourist buses that stop there right now and that process seems to go relatively smoothly. He asked if he would provide insight as to how that works.

Mr. Turley said they come maybe two months out of the year. When they stop there they unload fairly quickly. When they wait to be picked up his office area becomes a sitting station with people hanging on the building. It does create a bit of a disruption in the downtown, but it isn't year round.

Mayor Hooper said buses will be unloading in that location six times a day.

Council Member Jarvis said they assured the Council that it will be quick; they stop for 5 minutes.

Council Member Golonka said it is a temporary solution, and not a perfect solution. The ideal location is on Taylor Street.

Mayor Hooper said some of the concerns that were discussed when they talked about using the area in front of City Hall for the bus stop, in addition to the loss of parking was a concern about the affect of folks unloading and loading near a public building. She personally didn't think that was an issue or that it was the purpose of a public building. She is more sympathetic to that sort of issue with a financial institution and customers going in and out. There is a lot more congestion and confusion than putting people 5 or 6 feet into plaza out front of City Hall. They could see how this works. That is one of the options available to City Council, or they could reconsider their position at the last meeting and go back to the other location in front of City Hall.

Council Member Sherman said she thinks they are back to City Hall because the decision at the last meeting was contingent upon informing and hearing a response from TD Banknorth. They have heard his response, which is a strong and impressive one, and she believes his case carries. She would propose that they put the bus stop back in front of City Hall taking the three parking spaces and considering it a temporary solution and moving forth expeditiously on getting back to the Taylor Street location with an appropriate transit center for the building where they would sell

tickets. In the meantime they should put it back where it fits better for safety reasons, business reasons and intersection reasons. Council Member Sherman said she would make that a motion.

Mayor Hooper said the motion died for lack of a second.

Council Member Sherman said she thinks the prior decision fails, too, because it was contingent on communication and input from the bank where they put it without any notification.

Council Member Golonka said the issue they did bring up was whether this required a public notice, and at that point Bill informed them they didn't need notice.

City Manager Fraser said because there was no ordinance change required, but it made sense to notify the building occupants to see if there were concerns. There was no mechanism that generated a public notice like a public hearing because there was no change required. If they chose, they could warn a public hearing on this location and receive more input on it. Or, they could rewarn the second reading on the wording change for the City Hall location.

Council Member Sheridan said he is in sympathy with the safety part as far as the disruption of traffic. It's disrupted all up and down the street. Trucks stop in out here all of the time.

Council Member Golonka said to him it sounds like Chris knew because he had heard it from someone and the city didn't give proper notice. He moved the Council have a public meeting at their next Council meeting where they would receive public input. Council Member Sheridan seconded the motion.

Council Member Jarvis said she feels they really should try this out and see what happens. There really may be just a few people that are waiting for the bus or getting on and off each time it stops. She would hope in the meantime they allow it to start happening.

Council Member Sherman asked if there was a possibility that Greyhound could use a stopping place in front of City Hall on a very temporary basis. What's the difference between doing it in front of the bank or in front of City Hall in the interim?

Mayor Hooper asked what they accomplished by doing that.

City Manager Fraser said Mr. Stone said there would be a transition period so they may not be using that location for two weeks anyway.

Council Member Golonka asked why couldn't people walk from Rhapsody to Taylor Street.

Mayor Hooper asked what their options were. There is a motion on the table. The choices are to allow it to continue as is. Let's see how it is going to work for three months to understand what is going on. They could revisit the decision about the bus stop in front of TD Banknorth and allow additional public comment. They could abandon that decision and go back to the bus stop in front of City Hall. Those are the choices that are available. She would like to engage the public and give people opportunities to comment. However, she believes they are going to hear more of what they have already heard. This is potentially a disruption to the businesses that are there. If we were worried about this being in front of City Hall, then we need to be equally worried about it being in front of TD Banknorth. City Hall has much fewer of those objections than it does in front of the bank.

Council Member Sheridan suggested they go back to Taylor Street and make them walk. It's all flat and not that far.

Council Member Jarvis said people will use the railroad bridge.

Council Member Sheridan said it isn't our problem. Why are we policing this, we can't even police the Farmer's Market. Why should we worry about policing a railroad bridge? People walk that all of the time any way.

Mayor Hooper said she is convinced that if it goes back to Taylor Street that eventually, if not immediately, the bus will leave town. It will go to Berlin, and if it goes to Berlin we will never see it again. That's the history of public transit. What do they think they are going to learn at another public hearing?

Council Member Golonka told the Mayor it is irrelevant. It should go through the process of City Hall with two public hearings. There was no public hearing with this location.

Mayor Hooper said the motion is to have a public hearing, duly noticed and warned. The vote was 4-1, with Council Member Sherman voting against the motion.

Council Member Weiss said he believes two meetings ago he requested they receive specific information regarding the potential of a bus stop in front of City Hall. He would like to know about the economics of this. What will be lost to the city economically, and what will be the contributions, if any, from the bus company? Who is going to be responsible for people who want to leave packages here, there and elsewhere? What services will this building have to provide when the buses stop here regarding packages, restrooms, schedules and other information? There was also talk at that time about the GMTA bus stop in front of Shaw's and moving that up here and he would like to know what the implications are there. He would also like to know if this becomes fairly stable what are the handicap implications we will be facing.

City Manager Fraser said they provided a pretty detailed written answer to all of that a couple of weeks ago.

- 09-192. Consideration of participating in a Regional Public Service Committee that is dedicated to pursuing regionalization of public safety services ... dispatch, ambulance, firefighting and law enforcement. V.A.

Staff at the Central Vermont Chamber of Commerce provided a copy of the Meeting Summary from the Board's June 11<sup>th</sup> Meeting, as well as some draft wording for Council's consideration.

Recommendation: Discussion; direction to staff as to whether or not Council wishes to participate.

- 09-193. Consideration of two appointees to the Regional Public Service Committee. V.A.

Based on Council's decision on Agenda Item #09-192, they might need to consider appointing two members to this board.

The Draft Motion provided by the Chamber of Commerce reads: "... Council/Selectboard agrees that its appointees will consist of one appointee who serves on the municipal board/council and one interested citizen who is not a member of the governing board and is not an employee of the municipality."

It was hoped that appointments would be made on or before July 8<sup>th</sup>, and the inaugural meeting held on July 16<sup>th</sup>, but obviously, the timeframe is no longer valid and will be adjusted accordingly once everyone is on board.

Recommendation: Discussion; appointments; or direction to staff.

Item 09-192 and 09-193 were taken up at the same time.

Mayor Hooper said the Council has discussed this and agreed to participate in this. She thinks they are properly endorsing it now.

Council Member Sheridan said the Council did discuss it but decided to have two Council Members and not a Council representative and a citizen at large. The members would be Tom Golonka and Alan Weiss, with Jim Sheridan as alternate.

Council Member Sheridan moved that the City of Montpelier participate in the regionalization and appoint Alan Weiss and Tom Golonka as the city's representatives with himself serving as the alternate. Council Member Sherman seconded the motion.

Mayor Hooper said she is a little frustrated that very recently the leaders of the three Central Vermont communities of Barre, Berlin and Montpelier, revisited this and said to their City Managers to work on this. Think about the conversations around regionalization or sharing of services that happen around the state many times. Generally, they are around town/village mergers but about how to share services and how to adequately support the needs of the people who live in the communities. They almost inevitably fail because of the parochial and very understandable interest of each of the individual communities. Do we need to start solving this problem differently?

Council Member Golonka said when they were talking about water they were looking at the Champlain Water District as a model.

Mayor Hooper called for a vote on the motion. The vote was 5-0, motion carried unanimously.

09-194. Workshop Session: Consideration of elements of a draft Energy Plan.

Recommendation: Offer feedback on draft plan in preparation for incorporating plan in a grant application for the Energy Efficiency and Conservation Grant; also offer feedback on elements of the application.

Mayor Hooper told Council Members there was a memo in their packets from her trying to bring together some thoughts and conversations they have been having around the development of an energy plan for the community. She hoped they could have a general discussion of the elements of the plan to provide direction to folks who have been working on this with a couple of specific goals. There are going to be grant opportunities coming up. A particular one is to use the money to develop an energy plan. The thinking of most people is we don't need to be spending money planning. There is a desire of hers to explore the city's interest in participating in opportunities provided by the State Legislature's energy legislation, specifically the special assessment district, and also taking advantage of the potential for creating a revenue stream from energy generation with renewables. Carl Ernier is one of the members that helps put together ideas around what we should be doing, and Gwen is here and is deeply immersed in energy related issues. The outline document, the first three lines are a vision statement that has been fairly well vetted by energy people and the six items are the core areas that we should be driving towards.

Council Member Jarvis asked if the grant money would be used to actually do the projects or just promote them.

Mayor Hooper said it depends on what the opportunities are that are out there. The 80% reduction by 2030 is tied with the national goal and is something generally discussed by a lot of folks in Vermont. The City Council adopted this goal sometime ago.

Planning & Development Director Hallsmith said they actually adopted the goal as part of the challenge to the City of Olympia, Washington.

Mayor Hooper said the notion of 50% of Montpelier homes having undergone a deep energy retrofit is building on a lot of work that has already been done in the community. This is supported by some of the Mazer grants where community members have gone out and done work with residential property owners. This is just trying to push that even further. John Snell particularly wanted to challenge us to do that and you have all seen what he has done with his property. There are some real opportunities there. It is rather impressive as to what a bunch of volunteers can do.

One of the things that a group of citizens have discovered is that a lot of support is necessary to bring people to the next level. All of the people who are going to do this sort of work have already done it on their own homes. Most of the people in the city are like her who thought about it and had an audit but doesn't have the money to do it. We need to figure out how to move people who are interested to that level and how to support them.

It would be good if a Montpelier building in the designated downtown would have undergone this process. In talking with commercial property owners, which have much more complex buildings than our residential homes, there are not a lot of professionals who understand how to address commercial property energy needs. If we are serious about tackling the problem of how to reduce our energy consumption we need to specifically think about commercial properties and how to support them in making that transition. In thinking about the economic vitality of our community it strikes her that we are going to position our downtown commercial properties so they are always at a competitive disadvantage to the newly constructed buildings that have all of the energy saving devices built into a new property. A 100-year old building leaks like a sieve so the energy costs in a 100-year old building are really different than the ones in a new building. If they are going to help our downtown be economically competitive with new properties, this is something they could actively do. The others are public properties and her personal desire is to see us do something with solar. There are great opportunities in the area of solar energy.

If you look at the energy budget of the world, 40 to 60% is in buildings and 40% is in transportation.

Planning & Development Director Hallsmith said this Montpelier's profile.

Mayor Hooper said number four deals with doing things locally, and they are already working a long way toward that with their district energy system.

Number 5 is maybe not part of a specific energy plan but its part of an economic development component saying we have some of the smartest people in the world dealing with energy issues in Montpelier, and that should be an economic engine. That is a niche they could develop. Mark Johnson on WDEV talks about how people in China talk about some of the programs we have here and more likely than not some of the energy people in China are more familiar with the energy programs in Montpelier than people from Montpelier.

Number 6 is to build on locally produced food and fiber. They have already done cool things with the garden at the State House.

Council Member Sheridan said he would like to hear more about the Special Assessment District.

Carl Etnier said the Clean Energy Assessment Districts are a component of the Vermont Energy Act of 2009 passed by the Legislature. They allow communities to create assessment districts which are sort of similar to fire districts or water districts. The idea is that the communities could go into debt to get a pool of money that they could then lend to homeowners and business owners in the community. They would use that money to put in energy efficiency measures or renewable energy measures. There is a list of acceptable measures that is

in the process of being developed, and it would be updated each year. Right now if you want to go out and borrow money to put in a potable tank, for example, that might have a 20-year payback time. You can go to the bank and might be able to get a loan for an 8-year or 10-year payback time. You are paying a large up front cost or you are paying it out of your pocket whereas with the longer term loans at low interest rates that the municipalities can qualify for through their bonding would enable you to achieve monthly savings that are greater than what you are paying for these measures on a monthly basis. The payback would be handled through the property taxes and the loan would travel with the property and not the original owner of the property. If you are thinking about moving in two or three years you don't have to worry about what is going to happen to the housing market or worry about whether you will be able to recoup the added value to your home or business because that loan is going to travel with the property. Those are some of the salient characteristics.

Mr. Etnier said another point is that the legislation is written so that towns can work together and they don't even have to be contiguous in order to do so. In fact, one of the things that has been discussed has been having one entity for the state that might administer these because it is going to take a little bit of administration to set up these clean energy assessment districts. As it was discussed at the last meeting, we have the law on the books but we are new at this. Berkley, California has done this, but we need to gather some experience. Maybe this year there will be a handful of towns doing it for a small number of properties, maybe 10 or 15 properties per town, just to get their feet wet. Once they understand how it works, they will be in a position to wrap it up and make it an effective program to help a lot of people.

Council Member Sheridan inquired if there was a ballpark figure for average residents they would need to start this process.

Mr. Etnier said that would depend on the residents. You wouldn't be able to qualify for this with your residents unless the calculation showed that you would receive a pay back on it.

Council Member Sheridan said they would have to have an assessment first.

Mr. Etnier replied yes. There is a ceiling of \$30,000 or 15 percent of the assessed value of the property, whichever is less.

Ken Jones said last year the City of Montpelier helped 43 homes with the audit process. This was done through a grant from the Mazer Foundation to the Energy Team. Of those 43 homes it runs pretty standard; it is usually between \$7,000 and \$13,000. That provides a 30% reduction in heating fuel use. It gives a pay back in less than 10 years, and that was pretty consistent over the 43 homes in Montpelier.

Mayor Hooper said statewide she has heard the average for weatherization is about \$10,000. That's for conservation measures, but it doesn't necessarily address the installation of solar panels or other energy generation sources. Mr. Etnier alluded to the property tax. It would come on the city tax bill, but it would be an assessment that is specific. If she chose to participate in this and use this mechanism the system would be managed by the city and when she paid her property tax she would also pay that additional amount of money. We all pay the sewer benefit charge and it is on the tax bill as a separate item.

Council Member Sheridan said if you were in an area declared as special assessment district your participation would be voluntary.

Mayor Hooper said the whole city would have to vote to do this.

Mr. Etnier said one of the key points they wanted to make sure people understood is that only those people who choose to participate within the district will be assessed for it. He understands they are investigating

whether this would go ahead of the bank's lien if there is a mortgage or whether it is treated the same as a city tax. It will be the full faith and credit of the city that is behind the indebtedness.

Mayor Hooper said there are a lot of questions about how this will work. What she is looking for is the sense of the Council in terms of their interest in understanding what the opportunities are in pursuing this.

Planning & Development Director Hallsmith told Council Members they might have read in the paper this week about how they are trying to corral the money that was supposed to be in the energy efficiency and conservation block grants from going to counties and transferring it to regional planning commissions because we don't really have active counties in Vermont and the regional planning commissions are the closest thing to county government. At the last Planning Commission meeting David Borgendale, the city's representative to the Regional Planning Commission, came to the Planning Commission and asked what they would recommend that the RPC use their allocation of EECBG grants on. That happened to be the same day she and the Mayor sat in on the conversation with all of the folks from around the state who were interested in special assessment districts. One of the things she left the meeting with was a feeling that it would be nice if the districts could be organized on more of a regional level so there would be a larger critical mass of people interested in the energy improvements. There was a big discussion about this at the Planning Commission meeting and the Planning Commission members recommended to David Borgendale that they make that recommendation as at least one of the ways that the Regional Planning Commission would use their EECBG money were they to get it given the fact they are still trying to get it as a county. The Planning Commission has now asked the RPC to use their money to work on all of these issues because it is a fairly complex set of questions they have to answer.

Mayor Hooper said they anticipate that the City of Montpelier would be applying for an EECBG grant, also. Hopefully, the city will also receive some local money to implement some of these measures.

Council Member Jarvis asked if the city would be using some of their bonding capacity.

Mayor Hooper said interesting questions arose when that was being discussed. She had been assuming and hearing discussions about this as a revenue bond, but then they talked about the full faith and credit which is a different sort of bond. Those are some of the things that they are trying to be understood. This legislation has been effective since June 1<sup>st</sup>. There are several cities across the country that are already doing it.

Mr. Etnier said Burlington is moving full speed ahead.

Mayor Hooper said Burlington is putting all of the pieces in place to do this. They have contracted with Burlington Electric Department which also is one of the energy utilities that has some other responsibilities. They have contracted with Nancy Wasserman to help them through the steps.

Mr. Etnier said Burlington Electric has said all of the documents they produce in connection with this will be made available to any other municipality. He is going to be meeting with the East Montpelier Select Board next month along with members of the East Montpelier Energy Committee. He was pretty enthusiastic when he heard about it in the legislation. Looking at the bill as written he has some questions and he isn't sure he wants to recommend it to either Montpelier or East Montpelier. The upfront costs of both efficiency improvements and renewable energy have been a pretty big barrier.

Mr. Jones said following through on the city's 40 plus examples, about half have followed through on the recommendations. The challenge is a money challenge in the current financing available – and there is financing available for homeowners – is for a 5-year loan and you can't pay it back. It's a negative cash flow calculation so people would actually end up having to spend more in those five years, and that's hard for a lot of folks. That is why this proposal is up to 20 years. When you get to 20 years then you can deal with issues where the cash flow is actually a positive cash flow and that helps people. He understands there is the bonding

capacity issue. What you are really doing is using the value of the home as the real basis for these investments and you are improving the home so that the homeowner is actually spending less money. It puts less fear that you really are utilizing a capacity that is a one-time shot.

Council Member Weiss said later on the Council will be discussing their goals and objectives for the year. Interestingly enough, there already is one that says pursue and support a district energy initiative.

Council Member Sherman asked if they would likely make the whole city the clean energy assessment district.

Mayor Hooper replied yes, and people could opt in. Anyone within the city could participate.

Council Member Weiss said because of the number of condominium units which the city has he wonders what legislation would look like or how a collective by the condominium will be addressed as compared to an individual residence.

Ken Jones said the standard offer is for a set of classes of generation, including solar, wind, biomass, farm methane, landfill methane and hydro. For those classes there is established a preliminary rate per kilowatt hour, although the Public Service Board may adjust it a little bit. That rate is to serve as an incentive for folks to develop those resources. If you want to put up solar panels and agree to interconnect with the utilities the utilities will pay right now 30 cents per kilowatt hour for your generation of electricity. Again, there are rates for wind at 20 cents. These are there to provide incentives to increase the development of new renewable energy production.

Mayor Hooper said the thing that intrigues her about this is for the city to become a producer of solar as part of our district energy system could be, for example putting up an array of solar panels on not just the waste water treatment plant but on every city property. Just recently she saw a very clear picture of a large array of panels over a parking lot put up by the National Guard in New Jersey. There are places the city could be installing solar that could potentially be generating money.

Mt. Jones said he believes the challenge is they will have to get in line. Because a municipality doesn't pay taxes there are a lot of incentives for entities that do pay taxes to get some very significant payment. In the state of Vermont essentially 60% of the price of a solar installation is covered through tax credits, but the city can't take advantage of that. Because the offer is out there at 30 cents per kilowatt hour businesses can use their money and get 60% back right at the outset and then with accelerated appreciation those folks will make money out of this. It may be harder for the municipality to make money at it than it will for a business.

Mayor Hooper said if they had a private partner that is helping us with our district energy system they could take advantage of the tax relief.

Mr. Jones said actually combined heat and power itself is available for standard offer.

Mr. Etnier said the legislators did direct the Public Service Board to look at those numbers and adjust them if necessary, the idea being that people who invested in these renewable energies would get a reasonable return on their money. He doesn't know if they are instructed to look at the tax credits or not in doing that. If it is ambiguous, then the city might want to make a presentation to the Board and say we are interested in this and want to make sure that the final number for the standard offer allows them to make money. He did hear there is a ceiling of 50 megawatts of total power to be generated by these, and the idea is that it would take a few years to get up to that.

Mayor Hooper said it has generated a tremendous amount of interest. There are lots of grant opportunities out there and a particular one from the Clean Energy Fund. She asked Planning Director Hallsmith to review the array of grants available.

Planning Director Hallsmith said the grant they are considering now is a major DOE grant. They have issued an RFP. There is a total of \$22 million available and the minimum you may apply for is \$5 million with at least a \$5 million match. When you are building a district energy plant that is actually a drop in the bucket. The district energy plant as their feasibility study assessed last year would cost more than that. Even though it seems like a lot of money and achieving that match shouldn't be such a big obstacle, the grant is actually suitable for the city. You don't have to be as shovel ready as you did for the grant that just passed a couple of weeks ago that Randolph applied for which required you to identify all of the dimensions of every bit of technology being installed and making sure that every piece of pipe was made in the United States, etc. They decided not to pursue that grant. Once they have more information on what they are applying for and who they will be applying for it with. The grant would be much more competitive if the city and the state applied together with their private partner. The grant is clearly trying to encourage public/private partnerships, but it would be half baked if we weren't also including the state with us. With the state she thinks it would be a very competitive application; without the state it wouldn't. This is a very competitive program. With a minimum of \$5 million and only \$22 million available that means the maximum is 4 grants for the entire country, and they could give it all to one.

The EECBG grant is another. She just received more information last night about the priorities the state has been working on for that. The state has not yet issued an RFP for those funds yet so we don't yet know what they are going to make as eligible activities and when the deadlines are, etc. Based on her conversation with the Council several weeks ago about some of the priorities they were going to be addressing they have submitted a Letter of Intent to the State Public Service Board letting them know that the city is interested in applying to help us work on the district and also to apply for funding that would enable the city to offer incentives to the business owners and others who are considering hooking up to the district energy project by helping them fund the commercial level audits they would need and some of the efficiency measures they would need to install. When we are starting to develop our own thermal and electric generating facility we want to make sure that all of our customers are using the energy we are generating as efficiently as possible. It might also provide people with an incentive to agree to sign on and make a commitment to being our customer if they know by doing that they will have access to some of this funding and assistance to make their buildings more energy efficient.

There is another round of CEDF, which is the Clean Energy Development Fund money that has been issued due again in early September, but since we are still working on a feasibility study grant for them they wouldn't apply for that.

They also recently put in for the Climate Showcase Communities Grant with the EPA that would address some of the transportation energy issues we were talking about in the energy plan, so that is another energy related grant. It is really more oriented around emissions and reducing our greenhouse gas emissions. That is an energy related grant that is going to be coming up within the next couple of months.

The stimulus package has hit. She is actually setting up a support group for federal grant writers. This is a once in a lifetime opportunity with the federal stimulus money coming in so if she sees things she is trying to get the city in line to get the money. When they were first considering the stimulus bill and she did an analysis of how much would come to Montpelier out of the total they allocated in Washington, if all of the money was being given out as a local revenue sharing match, which they used to do back in the 70's and 80's and write local governments checks, and if they wanted to build infrastructure that seemed a good way to her for them to get the infrastructure built because the cities actually are the ones that do the vast majority of it. They figured out it was about \$22 million that Montpelier should be getting on a per capita basis if they divided up the entire stimulus package on a per capita basis and gave it to cities and towns. We aren't going to get \$22 million, but every little crumb that ends up coming down the pike she is trying to find and apply for.

The other grants that are coming up that are related to energy are the enhancements grant which will be coming up in August. If we are going to be applying for that grant to do some of the bicycle and pedestrian improvements that is something we should be thinking about.

The other one is the municipal planning grant we are going to need to apply for relating to the tax increment financing once we get through the growth center designation process. We should be completing that by the end of September if they stick to their 90 day rule.

Mr. Etnier said he is asking questions of the Office of Economic Stimulus. The Department of Public Service will be putting out their RFP in late August.

Planning & Development Director Hallsmith said there will be five grants they will be writing at that time. The stimulus funds have hit and they are working hard to get all of the grants written, but as a result the Council will be seeing them coming to them on a very short notice to try and sign the right forms. Literally once a week she has been filling out grant applications. There is one going in next week for the planning grant for the Senior Center they signed the resolution for tonight. That is also federal money. It's only a \$30,000 grant, but it is an important one for the future of the Senior Center.

Mayor Hooper said we know there are questions that need to be answered with all of these grants, particularly on the special assessment district. This notion of helping both residential and commercial properties doing both conservation and installation of energy generation methodologies makes sense. Transportation related stuff makes sense. Food and fiber grants make sense.

Planning & Development Director Hallsmith said coming up in September, a date yet to be established, they are planning a prioritization exercise with all of the stakeholders on all of the strategies that have been developed as part of enVision Montpelier. We anticipate taking the Energy Team's recommendations on energy strategies and working them into the plan. If they feel the energy program that Mayor Hooper has laid out tonight is in keeping with what you would like to see the city do they will be putting that into the enVision Plan. At this meeting in September they will be asking all of the people participating to prioritize the strategies because there is a fairly thick book of them and she will be circulating it to the Council Members as soon as Department Heads are finished with their review. They are going to be trying to get a sense from the community that they can't work on all of these things at once so let's figure out what we want to do in the next 5 years, 5 years after that, and then on out. That would be another good opportunity to flush out a lot of these strategies, targets and goals in the energy plan they have started to draft and to get a sense from the community as to which have the highest priority for them.

Mr. Etnier said he certainly wants what he has written so far for projects they would fund through the EECBG funds to go through a process of vetting and tweaking as well. Mr. Etnier said he is planning to reconvene the Montpelier Energy Team this fall.

09-195. Bike Path Update.

V.A.

This item was tabled from the July 8<sup>th</sup> meeting.

Recommendation: "Remove from the table"; receive update; discussion; and possible direction to staff.

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

Council Member Weiss said at a previous meeting they distributed something called Montpelier Bike Path Projection Issues – Updated June 29<sup>th</sup>. He said he would like Gwen to know right off

that this committee meets at 7:30 A.M. on a Monday. What they have in front of them is something the Project Manager put together in September 2008 and then updated it for the June 29, 2009 meeting. We don't have the opportunity to compare but the current status in June has almost been virtually silent from September to date. There is a committee of about 8 people who do assemble and represent us from the city, DuBois & King, the state, the Project Manager, and Berlin representatives. On page 4 if you look at the projected timeline, this has fluctuated and construction is theoretically scheduled for August of 2010 with completion 15 months later. That is if all of the other things which appear on page 3 occur. They do not have permits for wetlands, Act 250, general construction, operational stonework and categorical exclusions. There is no way in his opinion they are going to get all of those, go out to bid and do what that timeline calls for. The problem right now is that there is nobody in charge. He thinks the time has come for the Berlin and Montpelier City Managers to get together and get this project organized so there is direction. Somebody knows who is in charge; somebody is responsible for the evaluation of this manager, which nobody does. The problem here is that this has been a project in the works for 10 years. Unless somebody takes charge he has dismal thoughts about this.

Beverlee Hill, Assistant City Manager, said the length of this project has baffled her, too. Tom McArdle told her the day she went to her first meeting and they had a projection of two years he told her it takes 10 years to build a bike path. Two years ago they were almost to the right-of-way process and because of the Pioneer Bridge project it became an issue of reversionary rights for the railroad and it has taken two years to work through that. The current project manager was not on board at that time so she doesn't believe they could hold him responsible for that situation. When they got to the right-of-way review last fall the state informed them they only had one part-time person working on right-of-ways plans. He had retired and they hired him back contractually on a part-time basis. Again, they hold the project manager responsible for that situation. Mr. Morse has come back this spring and has made this project a number one priority. They had right-of-way plans at the last meeting. One of the things they are holding up is waiting for our attorney to provide some documents needed by the state for this project. City Manager Fraser has talked with our attorney and he assures us he will be getting this and reviewing the information Tom McArdle and she have been sending him.

City Manager Fraser said he would be happy to meet with the project manager, along with Berlin and say we would like this to move faster.

Assistant City Manager Hill said one of the things they are going to tell us is they want the documents from us.

Council Member Weiss told the City Manager he would be very pleased if he would do that.

Mayor Hooper said it is outrageous about the issue of the reversionary rights and right-of-way business still hanging out there because it should have been resolved years ago. How much more do you think this project cost because they haven't figured this whole thing out?

Council Member Sheridan said they keep going back for permitting and realignment and reappraisal.

Mayor Hooper said a lot of the costs associated with having to do rework and asked if the state was paying for that portion.

Assistant City Manager Hill said the costs on the reversionary rights were picked up by the state. She would suggest having this meeting and she will see if she can get Steve Stitzel there and get the documents moving.

Council Member Sherman asked if this group also cover the bike path that would extend from the Carr Lot to Stone Cutters Way.

Assistant City Manager Hill replied no, this is strictly the regional bike path. Many years ago the Council appointed three members from Montpelier and Berlin has three representatives. They worked on alignment from the Carr Lot up through, but they never did come to a resolution about where it would cross Main Street and where it would go up Stone Cutters Way. There are issues of personal land acquisition before they can even begin talking about putting a bike path on Taylor Street out to Main and out to Stone Cutters Way.

Mayor Hooper said Gwen Hallsmith has been pondering that and it will come up as we develop the Carr Lot. It has been part of recent conversations.

09-196. Review status of City Council's Goals and Priorities.

V.A.

Council adopted their 2009-10 Goals and Priority Initiatives on May 27<sup>th</sup>, 2009; Council and staff felt that this would be a good time to review and check the status of those which should have been worked on by now.

Recommendation: Review and discussion; possible direction to staff.

City Manager Fraser said they have certainly spent a lot of time on the Senior Center. He had held back on some of the Recreation Department stuff because the school needs to get their act together. It looks to him like most of the things on the list were moving forward. We are in the process of applying for the planning grant about the city buildings. They talked about shared services tonight. enVision Montpelier is moving forward towards September. We haven't done much on performance measures.

City Manager Fraser said one of the things they haven't done anything on was to review the entire committee structure in city government so he put that on the list for an upcoming meeting. The district energy plant has been a huge thing. They have been working with the Trust for Public Lands. He has received some communication on what the floodplain regulations are. He has talked to Senator Leahy's Office this week about the Carr Lot. We have talked about energy conservation. This has been guiding our work.

Council Member Jarvis said it would be nice to send a message to the School Department that the city is not at all pleased last year when they said they had not paid any attention to the Recreation Department budget and we expect that this year they will.

Council Member Golonka said we need to have due diligence to decide whether or not we want them to have control. We owe it to the charter basically that says we are delegating authority to the school. It is up to the Council to make that judgment call. He wants to have that process completed before we get into the budget season because if they decide through that process we aren't pleased with it then it could be a more seamless transition for us through the budget process to review it. If we are going to review the Recreation Department the Council owes it to them to do that before the budget process. He doesn't want to get to December and say we didn't have enough time to do it.

Mayor Hooper asked Council Members if they had concerns with projects the Council isn't staying on task with.

Council Member Sherman said she didn't see the Carr Lot and the multimodal transportation center.

City Manager Fraser said the Council didn't include it on the lists of goals and priorities.

Mayor Hooper said they are clearly working on it. She went on to say that one of the projects she is interested in is ECFiber. There have been developments that she doesn't understand.

Council Member Golonka said he understands that Montpelier was bumped to the top of the list for deployment because it changed their criteria to the densest localities versus the number of people who have signed up.

- 09-197. Designation of one City Council Member as the City's voting delegate for the VLCT's Annual Business Meeting on Thursday, October 1<sup>st</sup>, 2009. V.A.

Motion was made by Council Member Weiss, seconded by Council Member Sherman to designate Council Member Hooper as the Council's voting delegate at the Vermont League of Cities and Towns' Annual meeting on October 1, 2009. The vote was 5-0, motion carried unanimously.

- 09-198. Review and selection of policy questions to be included in "*The National Citizen Survey*", scheduled to begin in August. V.A.

City Manager Fraser explained we are going to ask our citizen's questions and they should be at least on topics that the Council is interested in hearing answers to and getting information that is important. It is the standard survey that goes out. On the rating quality of things you can take things out. At the end there is a list of demographic information that is asked. One of the key questions is that we are allowed up to seven demographic sorts. At the very last page you can see there are fifteen questions that are asked on the demographics – age, income, etc. These questions are all going to get asked no matter what, but we can sort responses for up to seven of them. For example, we can find out if women answered differently than men and find out if people of certain age groups answered differently than other age groups on all of the responses to the prior questions. For example, if we are rating the Police Department did homeowners rate it differently than renters? We can pick seven of these and get those details. We'll still get the total number of how many applied but we can pick seven and sort. We don't have a huge amount of racial diversity and he doesn't know if there is enough to sort our data by that. He listed the seven he thought hit the range and they are on the front page of his memo, but he wanted to know what was meaningful to the Council. Unless there are any objections you get four policy questions, and three of them can be scaled one to five. Then, there is one optional open ended question where people just fill in their answer. What he is interested in leaving tonight with is the Council's sense of what topics you generally want to include and what you want to have covered.

Council Member Weiss said he would like to see a question as to whether they think the property taxes in Montpelier are too high, too low, or just right.

City Manager Fraser said the other thing they could do which is not recommended. The open ended questions are the expensive ones to figure out because you don't just have set answers. This is their standard form and that is how they use to compare it to other communities. If we came up with one page with a few more of these questions, printed it and mailed it to you and we wouldn't have to do anything right off with them. The longer you make it the less return you are going to get.

City Manager Fraser said they would assume for now they are talking about four policy questions, one of which can be open ended. What areas do you want to ask?

City Council Members debated what type of questions they wanted to include in the survey.

City Manager Fraser said whatever demographics they choose they will sort all of the questions that way. The others won't be sorted but they will still get to know who responded. What they decided were questions about alternative revenues, regionalization and local control, housing, and an open ended question about budget and services. The final report will be on October 26<sup>th</sup>.

09-199. Report by City Council:

Council Member Sheridan said he found it amusing that with all of the big projects the city is talking about the one that drew the most TV coverage was the supposedly beer garden. The Times Argus had a poll asking if people agreed with the Council's decision on the approval of Charlie-O's Beer Garden. The number that voted were 1,363 and 66.6% said yes; 28.4 % said no; 5% said they didn't know. Roughly 2 out of 3 people agreed with the Council. On Sunday he watched the new roundabout in operation for about 35 minutes. It is amazing that it is poetry in motion because there were a lot of cars coming in and he watched some big trucks go through. There were no problems. Enough came through so it backed up and no one had to wait too long. You wouldn't have to wait as long as you would if it were a light system. The only thing that screwed it up was people who don't understand how roundabouts work. It worked beautifully, and it isn't even fully constructed.

Council Member Jarvis spoke about the Roundabout/Route 2 construction and she would like to see the City Council sponsor an open house ribbon cutting ceremony when the project is done to really encourage people to patronize those businesses.

Council Member Sherman said she goes through there a lot and it seems to be working well and the Council approved some night construction so that should take care of the repaving. Why is the MDCA changing its name? Why don't they like their name?

Council Member Jarvis replied that it is part of their effort to make people familiar with their organization and what it does. It is part of an effort to brand itself. It's confusing to people.

09-200. Mayor's Report:

Mayor Hooper said for the Grand Opening ceremony for River Street it would be nice to think about banners or flags to dress up the area. The city has always asked the MDCA to use non-public monies to do that in the downtown. That would be a nice thing for the city to attempt to do. When the Council Members attend the ceremony she would suggest they wear their new vestments that show us as representatives of the City of Montpelier.

Council Member Weiss said going back to the Mayor's opening remark there are some merchants on River Street who are already thinking about something they would like to do. If the Council and city is going do something we should invite some of those folks to participate.

Mayor Hooper said while the traffic has obviously been improved there certainly have been moments when it is clearly set back. She finds it troubling that there is this lackadaisical attitude towards this. People are trying to do business and carry on with their lives and it is too easy to slip back and not pay attention to the issues that have been raised.

09-201. Report by the City Clerk-Treasurer:

Council Member Sherman had asked the results of the vote at the July 14, 2009 Special City Meeting. The vote was Yes 200 and No 30.

09-202. Status Reports by the City Manager:

City Manager Fraser thanked Council Members for their input on the survey. He is excited the city is doing it. This past week he had the privilege of presenting 30-year pins to both the Fire Chief and the Deputy Fire Chief at the same time, Ges Schneider and Bob Gowans. Both started working for the city in June of 1979.

He is happy to note that Garth Genge, formerly with the Vermont Community Land Trust, is going to be taking over the Community Development Specialist position starting this week. He knows the development business, grants, city and housing. He has been a pleasure to work with as partner with the city over the years. He has been a volunteer on an enVision Montpelier committee. They are looking forward to having him on staff.

Mayor Hooper said there was a community meeting on a Community Center tomorrow evening at 6:30 P.M.

City Manager Fraser reported that the Reappraisal Committee met. The data conversion went fine and they are very confident they are not using any of the building data from before. The new software has been installed and the training is going well. They have sent out 623 letters with another 300 to go basically saying they are coming to your neighborhood in the next couple of weeks. Of the 623 they have already done 580 inspections with about 45 percent of those being internal inspections. Interestingly enough, it was noted that is about the same amount of property inspections that were done in the last reappraisal. They have said people have been quite cooperative. They are confident they are on schedule. The real difference they emphasize is they are going to do an informal pre-grievance process. They are going to send out the card and booklet to everybody. That won't be the official value so people will come in and argue and make their case and adjustment could be made and then the final values will be sent out. Then, there will be an opportunity for a formal grievance.

Council Member Sherman said she thought it was interesting to note they said from now until December they are going to be gathering data on approximately 2,700 residential and commercial housing units in the city. Then, in January they will start building tables about land values and cost values. They are going to do the data collection on the whole city first to be done by April 1, 2010 so everyone gets assessed fairly.

Mayor Hooper said the other two things she would add. It was mentioned a couple of times how impressed they were with Jane Aldrighetti's work. He has never seen such complete data in a system as he was working with and Jane is extremely detail oriented. He is very impressed with her work and how much it facilitated what they are creating now. The other thing the committee members are clearly very interested in is how to communicate what is happening with the community. They are going to talk about a communication plan to begin informing people now about what is happening and what they can expect.

City Manager Fraser said he was impressed with the importance of transparency.

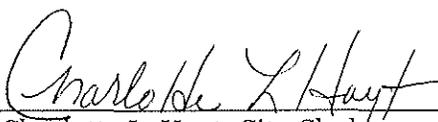
Agenda Reports by the City Manager:

09-201. No further items as of "press time".

Adjournment:

After motion duly made by seconded by Council Members Weiss and Sheridan, the council meeting adjourned at 10:20 P.M.

Transcribed by: Joan Clack

Attest:   
Charlotte L. Hoyt, City Clerk