

**Minutes of the Montpelier City Council Meeting
May 9, 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.

The meeting was called to order at 7:04 PM.

- 12-117. The Mayor opened item 1, general business. Councilor Weiss asked that the report from the Reapportionment Committee be moved ahead of the discussion of the Hebert Road antenna, to which the Mayor agreed.

Joseph Keene then rose to comment on the developing plans for the District Heat project. He commented that the project was a good concept, and offered suggestions to minimize risks, based on his experience with project management. He encouraged the Council to consider issuing a Request For Information prior to the Request For Proposals (RFP), and called for the Council to conduct site visits to view the work of potential contractors. He suggested allowing interviewees at site visits to sign confidentiality agreements to facilitate an open engagement from other customers of potential contractors, in order to alleviate those customers' concerns about jeopardizing their relationship with those contractors. Keene also suggested the City engage with Middlebury College to gauge their experience with their biomass heating system, and to engage with professors at UVM and the Vermont Monitoring Cooperative for more information on emissions. He also advised the city to scrutinize staffing issues carefully.

Mr. Keene entered documents into the record that were designed to be aids in managing the project.

- 12-118. At 7:14, the consent agenda was taken up by the Committee. After a brief exchange, Councilor Jarvis moved approval of the consent agenda without item h (regarding dues at the Senior Center), and including approval for liquor license renewals for Kismet and That's Life Soup (at the request of the City Clerk). Councilor Timpone seconded, and the motion was passed unanimously.

At 7:15, Councilor Golonka moved that Item h from the consent agenda be tabled. Councilor Jarvis seconded. The motion passed unanimously.

- 12-120. As per the earlier request, the Mayor moved to Item 5. Barney Bloom and Nick Marro detailed the reapportionment committee's approach to their recommendations on the redrawing of city district lines (which entail moving a small sliver of District 3 into District 1). Mention was made of the committee's recognition of neighborhoods and the desire to avoid splitting off backyards into other districts. Marro noted that the changes were made with an eye towards the ideal median population.

Councilor Weiss moved that the council accept and receive the report, and direct staff to prepare an ordinance to reflect the revised boundaries as per Title II of the City Charter, and set a special town meeting to approve the changes, to be held on November 6th of this year.

Mr. Bloom noted that the question could be added to the upcoming primary. City Manager Fraser recommended the General Election, because of the greater turnout.

Councilor Jarvis seconded the motion. The motion passed unanimously at 7:22.

Councilor Weiss commended the committee, as well as a previous subcommittee which included Councilor Hooper, for its work – and particularly noted the contributions of City staff.

12-119.

The Mayor opened Item 4, and brought Hebert Road residents Lara Merchant and Jim Hutton to the table to discuss their concerns about the Hebert Road antenna (part of the system designed to alert the city of breakdowns or problems in the wastewater system). Merchant and Hutton (as well as other members of the neighborhood represented in an a letter) are concerned about the safety of the radio frequency electromagnetic radiation emitted from the antenna. Merchant presented documentation of health problems she and her daughter have experienced, that she believes are attributable to the antenna.

Merchant noted the state recommendations and measurements that have been taken that indicated the levels of radiation were safe. She disputed these conclusions (as well as federal government standards) with other studies and opinions.

Merchant concluded her initial presentation by calling for the removal of the antenna, to be replaced by another option such as a cell phone, a fiber optic line, a cable or phone line.

Hutton noted that he approached the issue skeptically as an IT professional, but came to agree with Merchant. He noted that the author of the state report declaring the levels safe was a physicist rather than a medical professional. He also noted the recent legislation allowing citizens to opt out of wireless smart meters without penalty, which he characterized as a comparable issue. He suggested a more comprehensive alarm system could replace the transmission system

At Councilor Timpone's questioning, Mr. Hutton indicated that some antennas emitting radio frequencies have been removed from neighborhoods in other communities due to health concerns (cell phone towers in particular).

Councilor Guerlain asked Merchant about the potential implications of private technology in a neighbor's home raising the radiation levels in her

house. Merchant indicated she would not approach the Council over such an instance, were it to take place.

The Mayor indicated that he – like others – relies on the reports of experts such as Dr. Irwin at the state. Merchant noted that the results of studies on the effects of this radiation do not agree, and tend to skew in favor of the study's funder.

Councilor Golonka asked for (and received) guidance from Tom McCardle on the number, function and types of antennas in the city's system. There was an exchange between McCardle, Golonka and Councilor Timpone about mandated monitoring requirements, and the flexibility of the current system. There was also some discussion of other alternatives, such as raising the antenna to broadcast over the houses, rather than through.

Participants noted that the standards for safe radiation levels often change.

Councilor Hooper noted that radiation levels cannot be reduced to zero, and cited the distinction between ionizing and non-ionizing radiation.

Councilors Golonka, Jarvis and Timpone advocated for a Council subcommittee to study the issue more thoroughly and return to the full Council with a report and recommendation. Councilor Hooper and Mayor Hollar argued against such an approach. Mayor Hollar expressed concern about the ambiguous mandate of such a committee.

Councilor Weiss moved that the discussion be tabled until the 13th of June at which time we ask Mr Law, the Chief, Ms. Merchant to report back with one or more recommendations. Councilor Hooper seconded.

Mayor Hollar asked for, and received, unanimous approval to suspend the rules in order to discuss the motion to table. Councilor Timpone indicated she would work with the appointed group as well. Councilor Weiss indicated he had no objection to including her into his motion.

The Mayor called the vote on the motion to table at 8:20 PM. It failed by a 2-4 vote, with Councilors Weiss and Hooper voting aye, and Councilors Guerlain, Golonka, Timpone and Jarvis voting nay. The discussion was not tabled.

Councilor Golonka moved to create a 3 member committee of the Council to study the issue with city staff and the group of concerned citizens and report back by two meetings from. Councilor Timpone seconded. Mayor Hollar reiterated his concern that the committee would not be qualified to study the issue meaningfully. Councilor Golonka disagreed with the Mayor, indicating the committee would not be focused on technical issues.

The Council settled on a committee of 1 member from each district: Councilors Timpone, Golonka, and Guerlain.

At 8:22, the Council passed the motion 5-1, with Councilor Weiss voting in opposition.

The Council broke for a five minute recess at Councilor Timpone's request.

- 12-121. At 8:35, the Council and City Manager reconvened and began part two of its discussion on goals and priorities (part one took place at the March 28 meeting). The Council engaged in a lengthy, free-flowing back and forth on the general topics laid out in the agenda.

There was initial discussion on what could and could not be meaningfully discussed in terms of multiyear objectives. Councilor Weiss frequently reminded the committee not to blur the lines between goals and objectives.

The Council discussed how best to utilize the interest of Vibrant and Affordable Montpelier members to assist with budget analyses, while the City Manager indicated his desire to stay involved in such discussions to clarify budgetary matters that may not be casually apparent. There was discussion of city services, and ways to analyze their effectiveness.

At 10:04, the Mayor indicated his desire to break before beginning the discussion of communications goals, due to the late hour. At the Mayor's request, City Manager Fraser indicated he would distill the goals and procedures discussion thusfar into a report. The Mayor indicated that the Council should resume the discussion at the next meeting.

- 12-122. The Council moved on to individual reports. Councilor Golonka noted that regional meetings were to reconvene the next night. Councilor Timpone reported on her meeting at the Recreation Department, noting the upcoming "State Street Slam" basketball tournament. She also indicated she had visited the Sewer Treatment Plant.

Councilor Jarvis suggested people attend the Lost Nation Theater's production of "Lyddie."

Councilor Guerlain expressed his concerns about the District Heat debate and its potential divisiveness, based on a recent newspaper article.

- 12-125. City Manager Fraser noted that he was to take the Mayor and others on a tour of fire, police and public works facilities on the upcoming Monday. He indicated he would conduct more such tours in the coming weeks. Assistant City Manager Bev Hill reminded the Councilor and viewers that taxes were coming due the next Tuesday.

- 12-126. The City Clerk noted that the Board of Abatement would be meeting at 5:30 on June 5th in the City Council chambers.

At 10:08PM, Councilor Weiss moved to adjourn. Councilor Timpone seconded. The motion passed unanimously. weiss adjourn, timpone 2nd. unan