

Minutes of the Montpelier City Council Meeting
May 14, 2014
Montpelier City Hall Council Chambers

In attendance: Mayor John Hollar (presiding), City Councilors Thierry Guerlain, Jessica Edgerly Walsh, Justin Turcotte, Dona Bate, Anne Watson and City Manager Bill Fraser. Councilor Tom Golonka was not present. City Clerk John Odum acted as Secretary of the meeting.

The Mayor called the meeting to order at 6:31 PM.

- 14-116. Bill McQuiggan read a statement objecting to the impact of the road construction on River Street, as well as the communication from the city, as an affected business owner. City Manager thanked Mr. McQuiggan for bringing some of the specific issues (such as the placement of construction equipment) to his attention, and reviewed the outreach that was done before the most recent project commenced.

Councilor Watson asked about the procedures for informing business owners under these types of circumstances. Councilor Edgerly Walsh requested that projects of this magnitude be reviewed in council meetings. Councilor Turcotte elaborated on concerns about the impact of the closing of Barre Street on the River Street project.

Councilor Edgerly Walsh asked that an update on the paving schedule on Barre Street be included in a future meeting.

Mayor Hollar made note of the recent Times Argus article regarding the legality of council votes by email, reminding the councilors that votes on city business via email (as well as policy discussions) were not proper.

Vicki Lane noted to the council that they were very difficult to hear on the public access live stream.

- 14-117. Councilor Watson moved approval of the consent agenda without item b). Councilor Bate seconded. The motion carried unanimously.

Meg Schulz came forward at Councilor Watson's request to expand on item c) from the consent agenda (the "Park in the Street" event).

- 14-118. Energy Committee Chair Dan Jones introduced the discussion of filling the two open Energy Committee positions. Mr. Jones spoke in favor of candidates Barbara Conrey and Geoff Fitzgerald (both of whom were present), and suggested the council consider expanding the committee by one to include the third applicant, Scott Muller (not present).

Ms. Conrey addressed the council on her qualifications and interest in serving on the committee, and was followed by Mr. Fitzgerald discussing his own interest and qualifications.

Councilor Guerlain moved that Barbara Conrey, Geoff Fitzgerald and Scott Muller be appointed to the Energy Committee. Councilor Turcotte seconded. The motion carried unanimously at 6:56.

- 14-119. Polly Nichol of the Vermont Housing Conservation Board (VHCB) and the City's Housing Task Force gave a presentation to the council on the issue of affordable housing in Montpelier, contrasting trends in the city negatively against the goals of the two bodies. She discussed some of the policies that have been used elsewhere to encourage affordable housing.

Fire Chief Gowans responded to Councilor Watson's questions about the sprinkler ordinance in the context of accessory apartments. He expressed his view that the sprinkler ordinance was not an impediment to construction of housing.

Councilor Guerlain asked Ms. Nichol where older residents were moving when they left the city. Ms. Nichol did not have data on that question. Mr. Guerlain went on to ask about specific numbers of units in the city.

A discussion of general perceptions on the city's openness to development followed.

- 14-120. Jesse Jacobs of Montpelier Property Management, and PJ McHenry from ArtsRIOT briefed the council regarding a Food Truck Stop pilot event for Montpelier, modeled after the ones ArtsRIOT puts on in Burlington to great success. Councilors as well as the Mayor had questions about the choice of location. Councilor Edgerly Walsh also had questions about the impacts on local restaurants.

Councilor Turcotte asked Mr. McHenry to review the logistics of the event and offer his projections of possible participation and attendance. Councilor Bate expressed concerns about the impact on parking, and the subsequent impact on local businesses. Mr. Jacobs took a moment to discuss the event's financing.

Councilor Guerlain moved the Council approve the use of the Jacobs lot for the Food Truck Stop pilot event as proposed, to include review and approval from public safety authorities, as well as signage indicating the lots closure. Councilor Edgerly Walsh seconded. The motion carried unanimously at 7:53.

- 14-121. The Mayor initiated the first reading/public hearing for amendments to the Downtown Improvement District (DID) Ordinance at 7:54. The City Manager reviewed the proposal.

Councilor Edgerly Walsh suggested an adjustment requiring a publicly warned hearing/review for DID expenditures proposed by any privately contracted or designated agent. Mayor Hollar suggested adding a subsection to that effect, and expanding it to include a hearing requirement for any expenditure at Councilor Bate's suggestion.

The Mayor also noted a technical change to Section 16 (202) removing an outdated reference.

Councilor Edgerly Walsh moved that the ordinance pass the first public hearing and that the second public hearing be scheduled for the next council meeting. Councilor Bate seconded the motion. The motion carried unanimously at 7:58.

- 14-122. The second reading/public hearing for a City Fireworks Ordinance, specifically for the use by private citizens was opened at 7:59. Fire Chief Gowans came forward to assist in the discussion. The City Manager noted that requested changes from the previous hearing had been made, but that the document as amended had not been reviewed by the city's attorney.

Councilor Edgerly Walsh noted that the term "fireworks" appeared in the definition of "fireworks" within the proposal, and suggested language to specifically protect property.

Chief Gowans noted that the definition reflects state language. Similarly, the Mayor objected to the use of the term "recklessly" in reference to defiance of the ordinance.

Councilor Turcotte asked about the penalties, and possibility of changing the lead-time requirement for obtaining permission under the ordinance. Chief Gowans stood by the timeframe as proposed.

Page Guertin had questions about what sort of fireworks were covered.

Monique Signorat had concerns that the city attorney who had reviewed and modified the ordinance was the person responsible for fireworks that had repeatedly landed on her property. She asked that the language be reviewed by another.

Councilor Guerlain had questions about enforcement of the ordinance.

The Mayor closed the second public hearing at 8:09. No action was taken on the ordinance, so that it could undergo further legal review.

- 14-123. Councilor Guerlain had questions about the genesis of the agenda item calling for consideration of installation of public Wi-Fi in the downtown area. The Mayor and City Manager indicated it had come from them in response to discussions which had occurred with a corporate interest who had broached the topic with city agents.

Councilor Bate moved that the proposal be pursued and investigated, and that other cities' comparable services be examined. Councilor Watson seconded. The motion passed 4-0 (Councilor Edgerly Walsh was not present at the time of the vote).

The Council took a recess at 8:15. The Council reconvened at 8:20. Councilor Edgerly Walsh returned to the meeting.

- 14-124. At the outset of the discussion of the 2014-15 City Council Goals and action steps, Councilor Edgerly Walsh asked for clarification regarding language referencing energy goals. Mayor Hollar had questions about a sentence referencing public safety

ordinances, quality of life and restorative justice. The City Manager suggested removing the phrase referencing quality of life to make the goal clearer.

Councilor Bate asked whether the investigation of parking structures had been adopted as a formal goal. The Mayor and Councilor Edgerly Walsh recalled that it had been. Councilor Bate expressed a preference to include references to other parking alternatives, and felt that a standalone parking structure reference was too specific. Councilor Turcotte expressed strong support for the emphasis on downtown parking. Councilor Guerlain spoke supportively of parking structures specifically.

Councilor Edgerly Walsh suggesting including examining satellite parking options into the language of the goal, alongside the structure reference. Councilor Turcotte concurred. It was noted that references to satellite parking were included in another sentence.

Councilor Watson encouraged a well-rounded approach to parking, given the net zero goals.

Councilor Turcotte suggested adding language to create metrics towards achieving the street improvement “steady state” paradigm.

Councilor Watson moved approval of the draft goals. Councilor Guerlain seconded. The motion carried unanimously at 8:34.

- 14-125. Richard Sheir came forward to discuss the City’s website with the Council. Before beginning his discussion, he made note of some of the work of the Parking Committee (on which he sits) in the context of the discussion immediately prior. He also noted that discussions with Jesse Jacobs about replacing parking displaced during the ArtsRIOT events were underway.

Regarding the website, Mr. Sheir promoted the use of the “Stat counter” widget to measure web traffic. He then noted that the business tab on the city website did not include his wife’s business (The Quirky Pet), but that it did include Black Sheep Books which had been closed for the last year.

M. Sheir offered perspectives on examining the efficacy of the website going forward, and suggested that Montpelier Alive’s DID website be hosted as an independent facet of the city’s website, rather than budget for a completely distinct site.

The Mayor suggested the Council get an update on the progress on a new city website in an upcoming meeting.

- 14-116. Page Guertin raised the topic of Berlin Pond, noting that the state was moving forward with the town of Berlin on preparing for a boat ramp, despite the petitions currently under review by the Agency of Natural Resources. She urged anyone listening to do everything they could to protect the city’s drinking water supply.

- 14-125(a) Councilor Watson reported on the progress of the Request for Proposals (RFP) for the city photovoltaic project, explaining why the committee decided to reissue the RFP. Councilor Bate commended the committee on their work.
- Councilor Watson referenced Duane Wells' parking proposal from the previous meeting. She hoped that the discussion could accelerate.
- Finally, Ms. Watson noted the maintenance on the bike path before asking if the Council would be considering changes to the summer meeting schedule (the consensus was to discuss the schedule at the next meeting).
- Councilor Bate passed around copies of a survey she is passing out to downtown businesses regarding communication and partnership with the city and elaborated on her concerns in that regard.
- Councilor Bate noted a noise complaint relating to a business in her district. Councilor Watson suggested that the Community Justice Center could provide moderation services. City Manager Fraser noted that the noise ordinance might attach.
- Councilor Guerlain asked about progress on replacing the microphone set up for public testimony. Mr. Guerlain also noted he was looking forward to the new Planning Director's arrival, and hoped he could further the discussion of further developing the Blanchard Lot (as per his proposal from the last meeting). He noted he had received many constituent contacts on the issue.
- Mr. Guerlain relayed a constituent contact regarding the condition of Spring Hollow Road.
- Councilor Turcotte noted the upcoming rummage sale at the Senior Center. He also repeated his concerns about Barre Street's closure.
- 14-126. Mayor Hollar noted that the city charter changes and the public safety authority charter were approved by the legislature, noting that it would allow for the upcoming Rialto Bridge parklet. He noted that he had received interest on more parklets from downtown merchants.
- Mr. Hollar also encouraged Councilors to join him in the Memorial Day parade.
- Finally, the Mayor indicated he had been asked to participate in a panel to discuss community renewable energy and affordable housing.
- 14-127. The City Clerk noted that taxes were due the next day, and that he was now able to receive Primary petitions for major party candidates, General Election petitions for Independent candidates and statements of nomination for minor party candidates (until June 2).

14-128. City Manager Fraser noted that Mark Miller would be starting as Panning Department Director soon. He also noted that next Wednesday was the next 1 Taylor Street public event, and that the Corporate Cup was scheduled for tomorrow (the 15th).

Mr. Fraser referenced the recent the shooting of a police officer in Brentwood NH to express his appreciation for the work of the city police department.

14-129. Councilor Watson moved that the Council go into Executive Session to receive a review of a tentative agreement with the Department of Public Works Union. Councilor Edgerly Walsh seconded. Motion carried unanimously at 9:05.

At 9:15 Councilor Guerlain motioned (seconded by Councilor Watson) to **return to open session**. The motion carried unanimously. Councilor Guerlain then moved the council adjourn, and was again seconded by Councilor Watson. The motion carried unanimously.