

**Minutes of the Montpelier City Council Meeting
May 28, 2014
City Dump Road / Montpelier City Hall Council Chambers**

In attendance: Mayor John Hollar (presiding), City Councilors Tom Golonka, Jessica Edgerly Walsh, Justin Turcotte, Dona Bate, Anne Watson and City Manager Bill Fraser (who acted as Secretary of the meeting from 5:30-6:30). Councilor Turcotte arrived a few minutes after the meeting was called to order. Councilor Bate joined the meeting at 6:30 (at City Hall). Councilor Guerlain was absent. City Clerk John Odum joined the meeting as Secretary at 6:30.

5:30 P.M. Call to Order by the Mayor at City Dump Road

14-130. Assistant Public Works Director Tom McArdle explained the history of the road and the reasons for the proposed name change under consideration. The council members walked from Elm Street to the newly relocated gate. They were joined by Parks Director Geoff Beyer after the meeting was underway.

The Mayor called a recess at 6:00 to return to City Hall for the regular business.

The Mayor called the meeting back into session at 6:30 P.M at City Hall. Councilor Bate joined the meeting.

14-131. Thomas Weiss addressed the Council. He characterized the address numbering of the transit center lot (1 Taylor Street) as incorrect. He then objected to the location of the Rialto Street benches, indicating that they served as congregation areas that impeded his passage.

City Manager Fraser introduced the new Planning Director, Michael Miller. Mr. Miller introduced himself and invited questions.

14-132. At the City Manager's request, item d from the consent agenda was tabled. Councilor Watson moved approval of the remainder of the consent agenda, and was seconded by Councilor Bate. The motion carried unanimously at 6:36.

14-133. The Mayor opened the Public Hearing for a resolution to consider reclassifying a public highway known as City Dump Road (aka Stump Dump Road) from a Class 4 town highway to a Class 3 town highway at 6:37. The hearing was closed at 6:38.

Edgerly Walsh moved that the City Council approve the reclassification of the 0.3 mile segment of City Dump Road from a Class 4 to a Class 3 highway, and that the City Council further authorize the City Public Works Director to obtain a metes and bounds survey by a licensed land surveyor so the true bounds of the roadway can be properly located and legally recorded. Councilor Watson seconded. The motion carried unanimously at 6:37.

14-134. The Mayor opened the Second Reading/Public Hearing for proposed amendments to the Downtown Improvement District (DID) Ordinance at 6:38. City Manager Fraser reviewed

the changes made at the previous hearing. Turcotte moved the Council approve the revisions as proposed. Councilor Golonka seconded. The motion carried unanimously at 6:39, and the public hearing was closed.

- 14-136. The Mayor re-opened the Second Reading/Public Hearing for a city fireworks ordinance from the previous meeting. Fire Chief Robert Gowans approached the front table. City Manager Fraser reviewed the recommended changes from City Attorney Glenn Howland, as well as the changes requested by the council at the previous hearing. Councilor Golonka asked Chief Gowans if he felt the proposed language granted staff sufficient discretion.

Councilor Turcotte repeated his concern from the prior meeting that the fifteen day application requirement may be burdensome. Councilor Bate moved the Council approve the ordinance. Councilor Watson seconded. The motion carried 4-1, with Councilor Turcotte opposed, at 6:47.

- 14-135. Sarah Jarvis, Greg Gossens, and Claire Benedict approached the council to discuss Montpelier Alive's proposed budget for Downtown Improvement District Funds, FY 15. Ms. Jarvis introduced the proposal, and described the public meeting process and the input they had received.

Councilor Golonka had questions about Montpelier Alive's request for proposal(s) (RFP) process, expressing interest in being involved as a councilor in the first year. Mayor Hollar felt that such involvement by the Council at that level would not be appropriate.

Councilor Edgerly Walsh suggested that some aspects of the budget that were dependent on the branding process be tabled for later review, as details were too limited to provide for meaningful metrics of success.

Councilor Watson had questions about MA's vision of street furniture, while Councilor Golonka had concerns about the maintenance of street enhancements.

Councilor Turcotte had questions about the RFP process, as well as the signage the organization envisioned. Councilor Bate had follow up questions about signage.

Councilor Edgerly Walsh moved the Council approve the DID budget, with the expectation of an update from MA on marketing strategy implementation and website development after the branding process has concluded. Councilor Watson seconded. Councilor Edgerly Walsh repeated her concerns about the lack of specificity to the proposal, and Councilor Turcotte echoed the concerns. The motion carried unanimously at 7:17.

- 14-137. Rick DeAngelis, Montpelier's Town Service Officer, came before the Council with a presentation on homelessness in Montpelier and Central Vermont, including statistics in and around the city, a report on demands on state services, and details on the availability of other support systems.

Councilor Edgerly Walsh had questions about the impact of the improving economy.

Mr. DeAngelis encouraged the council to be as generous as possible to the Community Fund and offered praise for the Montpelier Police Department. Councilor Edgerly Walsh had questions about the adequacy of regional shelters. Councilor Turcotte shared a story about the struggles of an employee, and asked if city staff were informed about the available range of services. The City Manager noted the upcoming forum on mental health issues sponsored by the Community Justice Program (to be held at the Senior Center).

- 14-138. Kim Brittenham, Chair of the Montpelier Americans with Disabilities Act (ADA) Committee, presented an update on the Committee's recent efforts. She was joined by Tom McArdle of the Department of Public Works. Ms. Brittenham asked what the Council's preference for receiving regular updates moving forward would be. Mr. McArdle gave an account of the status of the city's sidewalks.

Councilor Watson had questions about longer term compliance planning. City Manager Fraser praised the committee (Mr. McArdle and Ms. Brittenham in particular).

- 14-139. Ann Gilbert, Director of Central Vermont New Directions Coalition, presented the Council with an update on their work in the community, and some of their upcoming project priorities (such as efforts focusing on underage drinking, implications of the changing marijuana laws, and tobacco/smoking). Ms. Gilbert was joined by tobacco educator Marcus Hass Ginny Burley of Community Connections. Mr. Hass went into detail about tobacco work, the approach, and the priorities.

Councilors had several questions about proceeding with the smoke-free downtown goal.

The Mayor called a brief recess at 8:19. The meeting was called back to order at 8:26

- 14-140. Chris Andresen, Chair of the City's Pedestrian Advisory Committee provided an update from the committee, and was joined by committee members Eve Jacobs-Carnahan and Jim McQuesten.

The presenters noted that many pedestrian-related issues had been coming before the Council in recent meetings (such as those just brought up by the ADA committee), and that they had not been reached out to, as a committee focused on such issues. She wanted to know how the Council envisioned using the committee moving forward. The Mayor felt that any sidewalk/crosswalk work should be presented to them in the future. It was further noted that the committee also discusses plowing and maintenance issues.

Councilor Watson suggested there be representation from the Pedestrian Committee and the Bike Committee on the Capital Improvement Committee to insure they were full participants in these decisions. Councilor Edgerly Walsh suggested they connect with the DPW before the road maintenance schedule begins.

The City Manager noted that the ADA committee went through similar challenges when they were new.

Councilor Turcotte thanked the committee members for their work and invited a representative from the committee to join the next Capital Improvement Committee meeting. The committee members then presented the draft application for “Walk Friendly Community” status. Councilor Turcotte had questions about the source of some of the figures in the application.

Councilor Watson moved the Council approve the application. Councilor Bate seconded. Police Chief Tony Facos rose to suggest the transportation-related committees to get together at some point in the near future. The motion carried unanimously at 8:46.

Councilor Edgerly Walsh suggested the committee look closely at the upcoming repaving of State Street and the pedestrian-enhancement opportunities presented.

- 14-141. Gary Schy spoke to the Council, following up on his recent letter asking the Council to authorize an “exploratory committee to study the need for a “Citizens Oversight Board.” He asked the Council consider creating such an entity not simply for Police Department oversight (as specified in the letter), but for any city employee or department, in order to create and maintain a record of complaints/concerns.

Mr. Schy criticized the city and the state for what he characterized as inadequate responses to open records requests.

Councilor Turcotte and Councilor Bate asked about current systems, particularly for tracking complaints against personnel. Councilor Bate was leery of adding another layer of bureaucracy between a citizen complainant and a city department. Mr. Schy expressed concerns about complainants’ sense of safety and anonymity. He indicated he has been approached with several complaints from citizens.

Councilor Edgerly Walsh expressed general support of the concept of citizen checks, but didn’t characterize it as a priority. The Mayor felt that this essentially described the job of the city councilors.

Councilor Watson felt that there was already a chain of accountability, and asked what complaints Mr. Schy was hearing. Mr. Schy indicated he had received reports of inappropriate police behavior. He also objected that surveillance tapes were overwritten without consequence. The mayor suggested that such generalized references weren’t helpful, and that specific complaints would be more constructive and appropriate for a Council hearing. Mr. Schy said he would return with such specifics.

Councilor Turcotte suggested an anonymous message box for complaints could be set up on the redesigned city website. Councilor Bate objected to any sort of anonymity. Councilor Edgerly Walsh agreed, and noted that pursuing any issue via email with any councilor does create a public record and would be an appropriate way to address accountability concerns with police and city employees.

- 14-142. Councilor Golonka moved the appointment of Tina Ruth as City Representative and Kim Cheney as an alternate to the Central Vermont Regional Planning Commission. Councilor Watson seconded. The motion carried unanimously at 9:13.

- 14-143. After a brief discussion, the Council opted to have its summer meetings on July 9 and August 13 only, with July 30th held as a possible date for another meeting.
- 14-144. Councilor Edgerly Walsh congratulated Watson and her Ultimate Frisbee team. Councilor Bate noted that a citizen had suggested some sort of signage be erected on entry into the city noting the team's success, adding that other school successes of note could be similarly recognized.
- Councilor Turcotte thanked Assistant City Manager Jessie Baker and DPW for their work on the River Street project.
- 14-145. Mayor Hollar reported on the Memorial Day Parade as a success, and commended the reporting on it in the Times Argus. He also complimented the Rialto Bridge parklet. He noted his attendance at a recent conference in Washington DC relating to the city's NetZero project.
- Councilor Bate reported on the Agency of Natural Resources hearing regarding Berlin Pond. Page Guertin added that the Governor was in favor of keeping the pond open, so advocates for closing the pond needed to work hard.
- 14-146. The City Clerk reported that primary election petitions and consent forms for candidates who wish to be on the ballot for a major party primary, as well as statements of nomination and consent forms from minor party candidates and independent candidates shall be filed not later than 5:00 p.m. on Thursday June 12.
- 14-147. The City Manager reported on the status on the Duane Wells parking proposal, looking for guidance. He noted that Mr. Wells was not interested in the bigger project suggested by Councilor Guerlain at a previous meeting, but desired to know if the Council wanted him to pursue the parking lot only option. The Mayor indicated he did not find the proposal appealing, while Councilor Golonka was leery of both the requested lease arrangement and the necessary changes to the current retaining wall. Councilor Bate agreed, adding that she did want to see more housing developed. Councilor Edgerly Walsh concurred.
- City Manager Fraser continued with a status report on the proposal for wireless connectivity downtown. He also encouraged councilors to consider how they will ultimately evaluate whether the parklet pilot project is a success.
- In regards to the 1 Taylor Street project, Mr. Fraser noted that the city had contracted with Art Woolf to prepare an economic assessment. He further suggested that the Council consider how they intended to move forward with decision-making on the project.
- A general discussion followed. Councilor Edgerly Walsh wanted details on potential returns on possible options, and wanted to be sure stakeholders would get their opinions honored and heard in a manageable way. Councilor Golonka asked Mr. Fraser to identify the specific decision points that will need to be brought before the Council.

Councilor Turcotte asked about how public input was currently being recorded and tracked.

Councilor Golonka expressed concerns about the impact on the Farmers' Market.

Mr. Fraser referred back to Mr. Schy's presentation, sharing his view that Mr. Schy had received significant staff deference and attention. He also assured councilors (and the public) that they could feel free to bring any issue to him.

The City Manager also praised the Ultimate Frisbee teams.

Councilor Golonka moved adjournment. Councilor Edgerly Walsh seconded. The motion carried unanimously at 9:38.