

Minutes of the Montpelier City Council Meeting
October 23, 2013
Montpelier City Hall Council Chambers

In attendance: Mayor John Hollar (presiding), City Councilors Thierry Guerlain, Jessica Edgerly Walsh, Alan Weiss, Andy Hooper, Tom Golonka and Anne Watson, and City Manager Bill Fraser. City Clerk John Odum acted as Secretary of the meeting.

The meeting was called to order at 6:30.

The Mayor read a statement addressing an article in the Times Argus regarding a conflict between him and Planning Director Gwen Hallsmith. He disputed much of the article, in particular reports that had attempted to limit her personal, political speech. He invited comments from those in attendance.

Morgan Brown rose to respond. He indicated he supported the right of city employees to advocate on their own time, and spoke positively of Ms. Hallsmith.

13-251. The Mayor moved to General Business. Page Watley Bailey rose to speak and echoed Mr. Brown's comments. Tina Ruth also rose to speak in support of Ms. Hallsmith's right to expression from her perspective on the Planning Commission. Eileen Simpson, also from the Planning Commission, noted that her issues with Ms. Hallsmith had nothing to do with free speech, but rather her estimation of Ms. Hallsmith's professionalism. Councilor Weiss interrupted on a point of order, indicating that the subject of Ms. Simpson's comments was more appropriately covered under an upcoming agenda item.

13-252. The Mayor made note of an additional consent agenda item (a closure of Langdon Street). Councilor Watson moved approval of the consent agenda. Councilor Guerlain seconded. Councilor Weiss asked to pull the Langdon Street item for further discussion, and the consent agenda as modified carried unanimously with that modification at 6:41.

An outside consumption permit (liquor) request from Positive Pie was added as a standalone agenda item. Councilor Weiss wondered if the permit would de facto grant them guaranteed access to parking spaces for a parklet.

Councilor Guerlain moved approval of the outside consumption permit request. Councilor Hooper seconded. The motion was approved by a vote of 5-1 at 6:45PM (Councilor Weiss opposed).

13-253. Five members of the Planning Commission (Tina Ruth, Jon Anderson, Chairperson Kim Cheney, Eileen Simpson, and Alan Goldman) addressed the council. Mr. Cheney spoke first, characterizing the early meetings of his tenure as chair as challenging and conflict-laden. He cited a memo he drafted on behalf of the committee.

Mr. Cheney detailed the approach taken by the Commission on the matters before it, particularly in regards to potentially controversial policy matters that the city council may want to weigh in on. He expressed personal frustration and disappointment that, in his view, Ms. Hallsmith had been persistently obstructionist in their process.

Councilor Golonka related his original concerns about the Master Plan, its impact on and relationship with the zoning process, and whether the document should be looked at again. Mr. Cheney expanded on his view that the Master Plan may be a somewhat dated document (pre-recession), and that the Commission had creative ideas to adapt and accommodate this reality.

Mr. Anderson responded to Councilor Golonka. He felt that the plan should not be re-opened, as doing so would cause more harm than good. He added his view that many on the Commission felt that Ms. Hallsmith was inappropriately restricting the deliberations of the Commission. He and Ms. Simpson, invited guidance from the council.

The Mayor attempted to streamline the discussion to focus it on needs that require council action or input.

Mr. Cheney and Mr. Goldman outlined their points of policy disagreement. Mr. Goldman added that it was the best planning commission he had ever seen in his long experience. He strongly felt that the Master Plan was a "living document," citing statute.

Councilor Edgerly Walsh expressed agreement that the Master Plan is amendable, adding that such amendments should not be done casually or frivolously. Councilor Golonka indicated he was open to making concurrent changes to the Master Plan and the zoning regulations. Councilor Guerlain attempted to summarize the concerns over process.

Mr. Goldman offered a policy question on density to the council, regarding lot size dependent on sewer and water infrastructure. Mr. Cheney spoke up, indicating that it was an issue he felt should be undertaken by the Commission. Councilor Guerlain and Mr. Cheney agreed that discussions of policy specifics were inappropriate at this time.

Ms. Simpson encouraged staffers who disagree with the feelings of the commission should feel free to express their opinions, but admonished them to respect the ultimate decisions of the body.

Councilor Hooper spoke in favor of increasing the population in the city. Mr. Cheney indicated that the goal was shared by everyone.

Mr. Anderson felt that the commission was not receiving enough staff support, and that he was spending an unsustainable amount of his own time in lieu of that support.

Ms. Ruth expressed appreciation for Councilor Hooper's comments. She also asked if the council was generally supportive of the so-called "two-door" approach explained in the documents presented to the council. Mr. Anderson and Mr. Cheney fleshed out the two-door idea. Councilor Edgerly Walsh asked for clarification.

Jed Guertin rose and echoed concerns over conflict between the commission and staff, focusing his concerns more on the commission, than the Planning Director, but making a point not to identify either "side" specifically as in the right. The Mayor asked him to

expedite his remarks. He spoke more broadly on his view of an appropriate approach to planning.

- 13-254. John Akielaszek and John Snell of the Tree Board briefed the council on the impact of anticipated emerald ash borer incursions in coming years. A proposed preparedness plan was reviewed. There was an assortment of questions from the council.

Councilor Weiss asked about budgetary impacts for proposed mitigation. Councilor Guerlain volunteered to be the council liaison to the Tree Board.

- 13-255. Lyn Munno, Sharon Asey, Elizabeth Grupp, Susan Ritz, and Diana Seagle of the Dog Waste Working Group addressed the council on the history of the issue and the specific concerns that lead to the formation of the committee.

Ms. Munno explained the group's proposal, including the presentation of mock-up of a pet waste station, several of which could be placed in city parks and on trails.

Councilors Hooper and Edgerly Walsh disputed the group's contention that the proposed bag material would biodegrade in a landfill. Munno responded that their proposal was considered the current best practice.

At Councilor Guerlain's question, the group reviewed the budgetary proposal, including where the needed revenue could come from.

Councilor Golonka moved approval of the 11 proposed waste station sites, with the direction that the initial \$5100 of funding comes from the park improvement budget. The motion was seconded by Councilor Edgerly Walsh. Councilor Guerlain asked for clarification that the money raised thus far would go towards maintenance until such time that a charter change could make a mandatory fee part of the dog license process. The motion carried unanimously at 7:27.

The group reviewed its recommended ordinance changes that would bring it more in line with other communities' wording.

The consensus of the group was that the wording of the ordinance could be settled on, and the first public hearing could be held at the next council meeting.

Councilor Weiss asked for details on signage.

The Mayor announced a five minute recess at 8:32. The meeting resumed at 8:39.

- 13-256. The Mayor tabled the discussion of parking fee changes until Chief Facos could be present.

- 13-257. Assistant City Manager Jessie Baker reviewed the Recreation Feasibility Study presented to the council on the feasibility of moving the Recreation Department into the city budget. The general conclusion was that it would be feasible, there would likely not be significant savings, and that there could be financial impact to the transition. As such, if the council desires the transition, it was recommended that it be implemented over time. The report included possible oversight infrastructure, over the long term.

Councilor Edgerly Walsh asked if there was any immediate savings to be had from greater collaboration. Ms. Baker indicated there was such collaboration already underway.

Councilor Edgerly Walsh asked about usage of rec department facilities by non-residents. Arne McMullen (Recreation Department Director) reviewed the difference between resident and non-resident fees.

Mayor Hollar expressed the council's prevailing approach on pricing city services for non-residents.

Councilor Guerlain felt that the department's budget was disproportionately large, as compared to other communities.

Councilor Weiss disagreed with Councilor Guerlain's assessment on the size of the recreation budget, given the significant maintenance needs. He suggested moving jobs traditionally done by public works or school staffers in other communities out of the budget, or at least accounting for the additional responsibilities uniquely borne by Montpelier's rec department.

The Mayor recommended a more comprehensive look at cost shifts between school and city budgets with any recreation department supervisory/budgetary change.

Councilor Watson asked if Community Connections had been part of any conversations regarding efficiency. Ms. Baker indicated they had not.

The Mayor advised that the council to move cautiously on shifting the recreation department, given the burdens already placed on city staff.

Councilor Weiss moved that the council receive and implement this report. Councilor Hooper seconded, accepting the friendly amendment from Councilor Edgerly Walsh that the council receive a February status report. The motion carried unanimously at 9:14.

The mayor introduced an additional agenda item on the creation of a Carr Lot Design Committee explained his thinking. Councilor Weiss commended the idea and suggested that there may be stakeholders who should be invited. Councilor Golonka felt it should be an internal council committee that could bring in other expertise. The mayor was in general agreement with Councilor Golonka.

Councilor Guerlain expressed concern about the process dragging on too long.

The City Manager recommended that GMTA and Greyhound be reached out to in the process.

Councilor Weiss moved to create a five member Carr Lot Design Committee and to include the Mayor and Councilor Edgerly Walsh. Councilor Edgerly Walsh seconded. The motion carried unanimously at 9:30.

On another additional agenda item, the council discussed the proposed method for the disposition of the Fire Department pull boxes. Councilor Edgerly Walsh reviewed the basic proposal. Fire Chief Gowans

came to the table to answer questions. Councilor Golonka offered details on the pedestal based boxes. Chief Gowans indicated he would like to preserve those five.

Councilor Golonka moved approval of the plan, with the understanding that Fire Chief Gowans would manage the application/request process and inform the council subcommittee members, as well as save the 5 pedestal boxes for the city. Councilor Watson seconded. The motion carried unanimously at 9:36.

- 13-258. Councilor Edgerly Walsh reported that her vehicle was locked into the Carr Lot when she took advantage of the weekend parking. She also reported the Car Share Vermont is considering expansion into Montpelier. They are currently conducting a survey.
- 13-259. The Mayor announced the bike path committee forum upcoming.
- 13-261. City Manager Fraser noted the Montpelier Alive plan for holiday decoration/spending that was not completed in time for the agenda. There was not uniform agreement on whether to proceed, so it could not be added by unanimous consent, and would therefore need to wait until the November meeting. Montpelier Alive Director Phayvanh Luekhamhan addressed the committee on the time sensitivity. The council offered its unanimous consent for the only portion that could not wait until the November meeting.

The City Manager gave a brief update on the final district heat work.

Councilor Edgerly Walsh moved that the council enter executive session to discuss a personnel matter, and to include the City Manager and Assistant City Manager. Councilor Hooper seconded. The motion carried unanimously at 9:43.

Councilor Edgerly Walsh moved that the council return to open session and adjourn. Councilor Hooper seconded. The motion carried unanimously at 10:05PM.