

On Wednesday evening, July 1, 2009, the City Council Members met in the Council Chamber.

Present: Mayor Hooper; Council Members Hooper, Sheridan, Weiss, Sherman and Golonka; also Assistant City Manager Beverly Hill.

Call to Order by the Mayor:

Mayor Hooper called the Special Meeting of the Montpelier City Council to order at 5:35 P.M. She thanked all City Council Members for being present on short notice as well as the members of the audience.

09-166. Mayor Mary S. Hooper has called a Special Meeting of the Montpelier City Council to be held on Wednesday, July 1, 2009, at 5:30 P.M. in the City Council Chambers of Montpelier City Hall for the purpose of discussing the Route 2/302 Paving and Roundabout Projects.

This is a very important meeting and she appreciates city staff, county staff and members of the public for making the effort to be present. She also invited members of the Washington County delegation to attend and appreciates Representative Kitzmiller, and Senators Cummings and Doyle for joining them. She said she regrets they need to be here to have this conversation and they couldn't have figured out how to make this work better for everybody. She is particularly dismayed about how difficult this has been for members of the public and businesses that are very valuable to this community. She extended her apologies to all who have suffered through with what they have been dealing that.

Mayor Hooper provided some general background of how they have come up to this point. They have asked their city staff, representatives of the state and contractors to be present to answer any specific questions. Much of the purpose of the evening's meeting is to provide members of the public and business owners an opportunity to tell City Council how they feel we can improve the situation. The Council does not have a specific action plan in front of them. One of the questions she believes they will be getting a sense from the City Council is whether or not they would be willing to entertain a request for night work. Those requests need to come from the contractors who are responsible for the work that is being done, but it would be helpful for them to know what sort of issues there may be. There is a regular scheduled Council meeting next Wednesday, July 8th, when this could be taken up.

One of the points of confusion has been who is responsible for what. That is partly because the work that has been happening for the past three years has been the responsibility of different people over time. The City of Montpelier and State of Vermont began planning for the roundabout project at least ten years ago and the city is managing and administering that project as a way to make it move more rapidly. About four years ago the city heard that the state was planning on paving Route 2/302 from the Interstate to the city line this year. Knowing that the city said they would be smart to do all of the municipal work that needs to be done before the paving project happened. Water and sewer projects were done during the past two or three years. The city was in charge of

those projects and responsible for making them happen. They were not without problems and all of the businesses and residents who lived there know. As typical in working in an old city with old water mains lines blew up and were difficult to work with at times. They were fortunate to have members of the business community out on River Street talk to them about how to make it work better last year. Coming into this season and thinking about the contract that the state was going to issue for the paving the City of Montpelier played a role in that and were very fortunate back in March to have a group of people come and talk about how to make the paving project work better. Because members of the audience asked us to consider night time paving, the city put that in as a contract provision and said ten days sounded about right. The other significant contract provision was to say that the contractor on the paving job had to coordinate with the roundabout job. The city knew they were both going to be happening and believed if they were properly coordinated and worked together the project should work so it wouldn't be too much of a burden on the community.

At the beginning of June there was a pre-conference meeting between a number of parties and the city participated in talking with the paving folks reminding them that what they were interested in was coordination. Last week it became very apparent that things were not working well. City staff were talking with the project people and talking with the police about how to reroute traffic, etc. On Monday morning we called for a meeting with these folks. The city told them the work zone was too long. It was taking way too long to get the traffic through this huge area which resulted in the backup. They didn't believe the traffic control was sufficient. The poor people who are trying to control the traffic from the center of the project have no idea what was happening a half mile back where it is backed up. Tuesday came and they didn't see much of a change. After talking with folks in City Hall she decided to call for a Special City Council meeting to give members of the community an opportunity to see that the city was trying to resolve this and get their input.

In addition to the city staff working with the project staff she called the Secretary of Transportation and described her issues and the city's concerns. She asked for four things. She asked there be a shorter work zone and shorter traffic ques, that there be coordination between the projects and a request to do night work. The night work is something City Council will have to deal with. We know during the ten days they had night work that while it may have disturbed some people it got the job done a lot quicker. She thinks this could be beneficial. The city can't say to do this. The project operator has to make the request to the City Council. She has asked the Secretary of Transportation to see if it is appropriate to make that request of us and the City Council needs to consider it. It's not a simple thing doing this. In addition to the impacts on our community, both with daytime and night time work she has heard it can cost up to 30% more to do the work at night. That certainly is an issue that the state is going to be thinking about.

She went on to say they are also trying to figure out the state's policy on business loss. There is a state program that may reimburse businesses for loss of business during construction. City staff thought they understood what it was, but find they need to gather more information.

That is the background of what brought us to this meeting today. This is an opportunity to let folks talk to the Council about how we can make this better and learn about issues out there.

Wade Walker from Walker Motors said he is at "Ground Zero." He said he was going to take the Council through a day at his dealership. His employees as they come to work can't cross the intersection most of the time because the flagger doesn't get there until at a later time in the morning. They are coming from Barre and they tie up traffic trying to turn in and that is lost time for him. The City of Montpelier has been great and have put a flagger in there, but they are not there when his employees show up. People just kind of inch up and block you off for no reason at all because they think you might turn into their spot. What happens first is the phone starts ringing and customers say they are in this line, turning around and not coming in for service today. They will come back when this is cleaned up. That is after they have waited in line. He had that happen four times yesterday. He has had to lay off a technician and lay off other people also just because of this. He spoke about his shuttle drive. If his shuttle driver has a trip to Montpelier it's an hour. To go pick somebody up and bring them back. He has heard that the queue is only 12 minutes; sorry, it isn't. Whoever is saying that must be timing one of the ques and not all four of the ques that are going down through the city. That is the second issue.

His used car business is awful, and it is because people drive by. That is normally how they buy used cars. New cars they will come. He is so far off selling used cars that he is in the hole. Because of this roundabout he is losing \$30,000 a month plus he has lost roughly three good employees.

Yesterday was the max. You threw it into overdrive! He has tried to be patient. Tom McArdle has worked with him tremendously. He isn't going to condemn the city for not working with them, but it doesn't work. When you have a one-way that starts at the roundabout and ends at Main Street, come on, who thought that one out? Why can't the guys who are putting in the guardrails work at night? He spoke of the people that had lost their jobs and said the city is worried about paying 30% more.

Mayor Hooper asked what time his employees come to work.

Mr. Walker said they come to work between 6:30 and 7:00 A.M.

Jim Ackerman, the owner of Riverside Tractor on Route 2 on the Berlin/East Montpelier/Montpelier line, said he has to say on a positive note the fillings in his teeth will thank the city for fixing the road when it is done. We will all appreciate a nice smooth ride. He said the Mayor told him the City Council are the ones who decided how the project would operate and the schedule. You stated the City Council made the decision not to do the work at night. Given all of the traffic studies, and given the fact that is one the busiest thoroughfares in Central Vermont, if not the busiest, did anybody really think this whole coordination of traffic control is really going to work? There have been some minor experiences with the work that has been done over the last few years. To take the amount of traffic on those three roads combined and think they can actually make it work productively and flow smoothly throughout the course of the morning rush hour, mid-day business and night time rush hour, he finds it hard to believe they actually thought that was going to work. The State of Vermont will pave sections of Interstate that don't see any traffic after 10 o'clock at night. They have been replacing guardrails between 8:00 to 12:00 on the northbound side from Sunday night to Thursday night. That section of road sees no traffic basically from 10:00 P.M. until the following morning when you have a northbound rush hour going to Burlington. He just can't believe they thought this would

work. It is taking on the average of 45 minutes per trip west of their shop to the Interstate and eastbound from the Interstate to their shop. Customers have called and said they aren't coming down to do business with them. They are going to Burlington because it is quicker. They have missed deliveries from vendors that were critical to their business to meet deadlines. They have customers that are upset because they are missing appointments to meet them for deliveries or pickups. It has been a burden to everybody. His employees are late to work every day, and he is not going to penalize them for it. He pays them as if they were on time. He can't expect them to leave an hour early to come to work every day. This could have been avoided. This work could have been at night. The productivity of this work being done at night would have been far greater than we have gone through the day never mind the safety risk at hand

Peter Hood from Noyle Johnson Insurance at 199 River Street said he would emphasize what everyone else has been saying. It is horrible for their employees. It is horrible for their customers. He has wracked his brain as he has driven back and forth and sat in line and tried to figure out what they could do to make it better. His observation this week was it was like the perfect storm. There is too much going on. There is the guardrail crew with a huge long stretch blocked off. There is this random scatter group of guys going around raising up the manholes who seem to be in all kinds of different random places at once. At the same time, you have the paving guys with their big scarifier backed up on Wheelock Street with its snoot hanging over River Street which at one time yesterday no cars moved for an hour. It was blocked. That, to him, is fundamentally crazy. Somehow there has to be some way to let the guardrail crew do their work for two or three days and get the guardrail in and then have the guys come back to raise the manholes, and then have the paving done. They shouldn't try to do it all in one day so you have traffic backed up all the way to College Street across the Granite Street Bridge and half way to Barre and most of the way up to the Interstate the other way. It's just a nightmare. To him the answer is to stage the work so there isn't so much going on at one time and certainly with the night work they could get a tremendous amount of work done in a short period of time.

Darren Allen said he lives and works on Wheelock Street said he wanted to reiterate what other people have said. A point that really hit home with him was twice yesterday he sat in a 45-minute wait and a 39-minute wait. He was coming downtown to buy some lunch as his colleagues often do. When he came back he told everybody not to bother. He thinks downtown businesses are suffering because of this. While he has many concerns with what this has done to his street as a residential street and the traffic is busier than it ever has been and they expected that on their street, there is no traffic control on their street. People treat it as a 40 or 50 mph thoroughfare. He wonders if in all of this planning the city had ever thought of reasonable detours in the city, through the city. He knows there are only a limited number of ways to get across the river, but it seems like there was no thought on actually figuring out detour routes. The irony of having spent a week in southern California and not sitting in one traffic jam and coming home and sitting in traffic jams was quite eye opening. He wants to echo what the Mayor said about the need for coordination between the two projects. He thinks getting flaggers who actually communicate with one another is a smart idea. He had one flagger complain to him because he was doing nothing and just standing there waiting for orders to do something else. He actually sees the businesses that are close to his street and feels for them. He doesn't know how they are going to make it through this third and worst year of the project.

Pam Milosevich, a chiropractor on Berlin and River Street, said she called yesterday because what was confusing to her patients is that they figured out the detours but the detours aren't working for the last two days. The flag people were not allowing Berlin Street and Granite Street Bridge to move well enough. People are trying to work with them, but something went wrong the last two days. The night work didn't seem to be that bad for her sleeping.

Tom Williams with AAA on the Barre-Montpelier Road thanked Mayor Hooper for the explanation of what they are trying to do. He thinks part of the problem is the lack of coordination between the different things going on. Yesterday was the nightmare of all days out that way. There are two things that concern him. He doesn't understand the concept of allowing cars to back up the way they are allowing them to back up until there are 50 or 60 cars and then letting a whole mass through. It just seems to be adding to the problem. The other thing that concerns him in watching this because he comes in from the Berlin side and he has seen the traffic backed all the way up to Hospital Hill in the morning is that there is a lack of police presence. A lot of people are getting frustrated and attempting to do u-turns in the middle of all of this. He is concerned there is going to be a very serious accident. He hopes they will take that into consideration. He certainly supports the idea of doing the night paving if possible.

He, like Wade Walker, is in the travel business and have suffered greatly from the economic downturn. On top of having their customers not being able to get to them is a very big concern.

Reuben Sherman, a resident on 193 River Street, said when the presentation was made to the Council to authorize the overnight work, at that time the staging area for the paving project was unknown. The conversation was that it was only going to be in front of certain peoples' houses one night and then it will move on. The staging area is right across from his house. They went six consecutive nights with generators, lights, backup noises, and after about three days of no sleep you lose the ability to write and have trouble forming a coherent sentence, and one time he actually fell asleep standing up at work. He called the city inquiring about motels and it seems as though that was discussed as an option nobody has thought it through and nobody has any means or mechanism for putting people up anywhere. If they are considering doing more overnight work this needs to be flushed out for the people who are not just exposed for a single night but exposed through the entire project. He isn't even in the paving project site because that ends at Pioneer Street. He is on the roundabout site of the project. The staging for the Route 2 project is right at his house. Even though they only had ten nights at the staging area they start at about 4:00 A.M. That is when they are woken up and hear the things beeping and people yelling to each other over their engines. Sometimes things are going on over there at 2:00 or 2:30 in the morning. They are moving signs around and they are not aware that people live 50 feet away from them. That needs to be addressed, too.

Bert Spooner from Harvest Equipment said everybody has pretty much covered the basics. It is a terrible thought out plan. Their customers will call them from the street saying they are turning around and not coming in because they can't get to them. There is lost revenue. They may have their piece of equipment in for service and they have to wait longer to recoup the money until they can come in on a Saturday. His employees are late for work. They do run a shuttle service. They have a parts shuttle that is tied up every day that runs through all four locations and sits in traffic for numerous minutes at a time. They

have two pickup and delivery trucks on the road and they are quite regularly tied up. Their days are scrambled. One of their owners was at the store for a meeting yesterday and it took him 40 minutes to go from Country Club Road to Exit 8. In that amount of time he could have taken Route 2 and gone to New Hampshire and gotten home quicker. Friday he had a customer to meet. The traffic was backed up from the stop sign, and there were probably ten cars on Country Club Road stopped. They would not let anybody down the road. Pike was grinding asphalt at the bottom. He drove down to the flag guy and told him he had an appointment to meet a customer to close a substantial deal, so he radios to his crew and the crew guy came back over the radio and told him that poor planning on his part doesn't constitute an emergency on their part. Apparently, he is supposed to know that Pike is grinding their road and it is closed and they aren't supposed to drive down it. He didn't get the e-mail that morning this was going to happen so he didn't schedule his day accordingly. As Wade said, the road is blocked. People sit there for 40 minutes at a time, whether it is tractor trailers or passenger vehicles. Country Club Road is blocked and you can't get in and you can't get out. He lives on Towne Hill Road and has a two-mile drive to work. He has sat on Gallison Hill Road in front of Fastenal for 15 to 20 minutes waiting to get out onto Route 2. It seems like poor planning. The worst part is with the economic times we are in their sales are down and parts and equipment sales are down. People don't want to come during the week and will call to meet after hours.

George Malek from the Central Vermont Chamber of Commerce said he couldn't add anything they haven't already heard. He distributed some e-mails they received at the office and would like to read short excerpts from a couple. One said,

"Would you please express our gratitude for the meeting about this issue? We own a small business on Route 2 and have lost 40 percent of ourr business. They get at least six cancellations per week because people can't find or are too fried to make their appointments. My friend owns a business in the same complex is suffering the same."

"George, it's way too late for us, but we would like you tell the Chamber that from the minute those signs went up on the highway our business dropped 80%. We have since heard from many people that are very sorry we closed, that they would not go down Route 2 for any reason at any time of the day until the road work is finished. Hopefully, something can be done before you lose an entire business district." Ariel's Riverside Café.

He was here for the discussion previously when they talked about more night work and heard the neighbors who said that was a problem for them and he certainly appreciates that and empathizes with the situation the Council is in. He doesn't mean to equate a business with a person, but by the same token you can't equate a business with a person. The business that suffers enough dies and it doesn't come back. He hopes that whatever resolutions the Council may find, whatever hope there is to mitigate as much as possible that the prospects of businesses not only losing an employee or two, as if that's not bad enough, or thousands of dollars but disappearing not to return be taken into account.

Mayor Hooper said earlier she mentioned there were members of both the state and the contractors present. Representing the state we have Bob Zucker who is the resident engineer on the paving project, Dave Hoyne who is the state construction engineer and

John Zicconi who is the Director of Planning and Outreach for Community Affairs. With Pike

Construction there is Bill LaPorte who is the construction manager and Nigel Friend who is the project manager for the paving project. Joey Wilson is present from J. A. McDonald. Sheriff Sam Hill from the Washington County Sheriff's Department. Tom McArdle, Assistant Public Works Director, Todd Law, Director of Public Works, Police Chief Facos and Corporal Wade Cochran is also present.

Jim Kurrle from Kurrle Fuels said his gas station is on Route 2. He thanked everyone for taking the time to listen to their concerns. It's been a tough summer, and it's been a tough couple of years. Some of the projects prior to this should have been examples of what was to come, and with the amount of stuff we are throwing in right now he thinks it all should be done at night. He understands it is a bigger cost, but right now their gallons are down 50% per day. He signs contracts with their suppliers, and they provide pretty conservative numbers, for what they expect to sell in that year. They aren't going to do that. That is going to cost them money. He hears people telling him day after day how they are avoiding it because of the construction. When the work was done at night it was amazing. He comes from Terrace Street and go through town and see they got a whole lot done last night. If you go out there today he couldn't tell you what they got done. Yesterday was the end. That was what kind of broke all of them. He has heard people say 20 minute delays are acceptable. It is not acceptable. These cars need to be moved. He thinks 20 minutes is an average. A delay of 7 minutes he can deal with, 10 minutes feels like an eternity. Yesterday he was downtown at 12:30 P.M. and it took him 50 minutes to get back to Kurrle Fuels. He appreciates that the work needs to be done. It's vital for their business. But he thinks it needs to be done at night and there is no other explanation for it. A couple of people said to him yesterday, imagine if there were a fire or somebody needed an ambulance. You guys have a liability on your hands here. Somebody could have died yesterday, and it's scary. It needs to be seen as that important of an issue and is 30% a big deal when it could come to a life or death situation. When you have traffic backed up to the Interstate, that's not acceptable.

Ed Flanagan with the Point Radio Station on 169 River Street said he is really in the middle of this. He believes they have heard enough about the delays. He gets to look at it all day long and his staff can't get in and out either. Yesterday was the tipping point. He thinks for most of the businesses and residents who happen to be in that area, and trying to just conduct their normal business, is knowing if there is a timeline for this. He isn't feeling a sense of coordination, that there is one person who has their hands around everything and be the chief in charge. Right now there are three or four different groups working on that stretch of road, and he believes each one is doing a good job in their stretch. The problem is it is stretched out over a mile and a half and there is no coordination between any of them. He would love to see some kind of timeline of what this is going to look like, whether we are on schedule, if the weather has taken it off schedule. He would also like to have some kind of coordination and there needs to be one person who is going to be 100% responsible for that to coordinate that, and is on site. It shouldn't be somebody sitting in an office, but someone who is on site and walking up and down that area making sure the traffic is coordinated and that everybody is working on the same side of the road.

He also spoke of the reimbursement process for loss of business.

Mayor Hooper said she would distribute an e-mail that describes what the criteria are for this program. They thought there was going to be an analyst who was going to do this work. The state is saying the city has to pay for that. That's fine if it is their job, then we'll have to consider it. The other significant thing is the city has been told that compensation must be related to taking of property. For example, loss of net revenue due to loss of space in which to conduct business or display merchandise or for customer parking, or for the cost for owner acts, both temporary and permanent, made necessary by the construction such as removing or resetting of merchandise. That is what is reimbursable. In another place it says inconvenience of access, dust and other nuisance to an adjoining business during the construction is not compensable. She thinks what the city had initially broadly understood as business loss is much more narrow. It has got to be really frustrating to all of the business owners. This is only talking about the roundabout construction project. The city had been told in the past that the paving construction project was not compensable, that the business loss program did not cover that.

John Zicconi with the Agency of Transportation said he appreciates and sympathizes with everyone's concerns. Construction is disruptive. There are losses that individual people, whether it be to sleep, peace of mind, or monetarily from a business that does happen. What most people would consider business loss, people not coming into your store and keeping track what your normal business flow would be in a given month to month, year to year, that kind of loss is not compensable. The majority of the money they spend on projects is federal money. In the case of the paving it is all federal money. This is a stimulus project. In the case of the roundabout he isn't sure of the split, but there is going to be a large chunk of federal money and the federal government will not allow that. There are projects that go on all throughout the country, but it is just not an expense that the government picks up. They acknowledge there is a loss, but it is not an expense that can be reimbursed.

Mayor Hooper said given this is one of the largest things on folks' mind she asked if there was somebody within the Agency of Transportation they can contact for clarification.

Mr. Zicconi said he would be happy to give out his phone number and they are happy to answer more detailed questions. He said he wanted to address the issue of coordination because construction is disruptive and there are things that are required to be done and can take stretches of time to do. He doesn't want people to confuse coordination with what it takes to get a job done. What folks might think is lack of coordination between different entities more often than not is going to be just the fact that what they are doing is disruptive. When you have a certain number of cars that try to get through it can just cause more of a delay than all of the coordination in the world can prevent. They do coordinate and are talking with each other. When you are paving a stretch of road it isn't like you can pave 100 yards and go away and do something else. Asphalt is hot and you can't let people on it when it is laid down. They will make a request to the city for the ability to do more night work. He hopes some people will take some solace in the fact that the project will shut down for the holiday at noon on Thursday and will not restart again until Monday. The work they have planned for the first few days of next week would only require the smaller work zones so any delays that might happen then should be shorter. s.

Mr. Zicconi said in terms of how much night work has to be done that is something their staffs can figure out. They have had preliminary talks with the Federal Highway Administration and they are open to these discussions, too. They haven't received an

answer from them in terms of their participation. It wasn't something outlined at the beginning.

Council Member Weiss asked who is responsible for the flaggers. That is half of the problem they are facing. Who contracts with those people? Who supervises them? Who gives them direction as to when traffic moves?

Mr. Zicconi replied that is collectively through the state and the city with their contractors who are dealing with the flaggers. Having the best flagging team in the world is still not going to get you through there any faster. They are responsible for that through the contractors, and these issues are discussed all the time.

Council Member Weiss asked who hires the flaggers and supervises and evaluates them.

Mr. Zicconi said David Hoyne who is the state construction engineer heads up all of the projects.

Mr. Hoyne said the hiring, firing and supervision of the flaggers is done by the contractor. The Agency of Transportation and the City of Montpelier are providing the oversight of that operation. The contractor hires the flaggers but the agency and city are the ones responsible for the general oversight of the project.

Mayor Hooper said the city is responsible for the roundabout but not responsible for the paving project. The State of Vermont is contracting for the paving project and the city has explicitly asked for the coordination between the two.

Mr. Hoyne said he would ask them to zoom out a little and not focus on the flaggers because the flaggers are taking direction. They are doing what they are told to do. There is a traffic control supervisor overseeing the flaggers, and ultimately that traffic control supervisor works for the contractor, whether it is the city's or state's contractor. The contractor and the representative of the owners have worked together on that. Somebody else is directing those operations. Somebody else is planning and coordinating the work. The flaggers may be the first point of contact for the public, but to hold them accountable or responsible for what is going on out there may not be worth focusing on.

Council Member Weiss said the traffic control supervisor is the one that authorizes two miles of cars backed up for 50 minutes, right or wrong?

Mr. Zicconi said he wanted to stress there is paving in both projects, and it is the same company that is doing the paving. One is a subcontractor and one is the state's contractor, so by default there is coordination. It's the same organization doing the paving, whether it is the paving the city is doing or the paving the state is doing. His telephone number for people's information is 828-1647. He may not have all of the answers, but he can coordinate the questions and get people answers if he doesn't know the answer himself.

Wade Walker said it's kind of like the IRS saying they are ready to help you. It's kind of what he got from the State of Vermont. They have to understand what his business is. He displays vehicles all day long. Do you know how dirty his vehicles are? The dust underneath the engines was causing him to get bad marks. To say dust isn't included is ridiculous. The Council has heard them complain. He isn't a guy who wants to sit and

listen to more complaints. He wants to solve this issue. There is too much going on at the same time. Yesterday there was a paver going in a couple of different areas, digging up drains and somebody digging up guardrail, and they were working in the roundabout. You take a couple of those projects away and the project will run smoother. That is what everybody is asking for. They want it to run smoother

Tim Beavin from Beavin & Sons said he is a little upset tonight looking at the audience because a lot of the businesses and people involved coordinating with the Council in the first two meetings are not happy. They don't want to be here. There are a lot of businesses that felt they wanted to call and complain they are done with the system and don't think the Council is going to do right by them. It would be nice to have their voices heard, too, even if they don't want to be here tonight.

Mayor Hooper said they have been sharing e-mails with the City Council. The City Manager's Office has certainly been the front line of receiving information which is why they are all here this evening. They have been hearing this loud and clear.

Tom McArdle, Assistant Director of Public Works, said he wanted to react to some of the questions posed tonight. Through his office they are responsible for the roundabout portion of the project. For that project they are on the tail end of the major traffic impacts and have been for awhile, except for the paving that went on yesterday and additional paving that will be done. Most of the street lights were installed today. There is landscaping, curbing and a sidewalk to construct. There is going to be a sidewalk at the Pioneer Street intersection, so there will be sidewalks from Pioneer Street to the roundabout. Most of the work that affects traffic flow is completed with the exception of paving. The paving work they began discussions about a week ago as to how they could accomplish that and minimize traffic delay. One of the drawbacks of a roundabout is construction activities. Roundabouts are designed to be restrictive, and as such are restrictive to construct. They are restrictive to maintain and to pave. There are two more layers of asphalt to go on within the roundabout. What they have asked the contractor to consider is for them to make a request to the city for night work. In that area there are very few residences and it does make sense. Even though it is a very small work zone, the nature of a roundabout will result in significant delays. It does make sense if the contractors and his subcontractors are willing and able to do the night work. They don't know what that additional cost is. Their initial discussion was none to minimal. He isn't sure where the 30% increase came from because although there may be a 30% increase in cost to the contractor there may be as much as 30% or more increase in production. The city is hoping to at least obtain permission from City Council for a waiver of the noise ordinance to at least pave within the roundabout itself and the approaches. If that is granted back to Pioneer Street – and he certainly hears what Reuben Sherman is saying on the matter of where the night work and staging is taking place across from his house – for the paving project, the roundabout staging area is in a nonresidential area. It is at the old Grossman's so they could accomplish night work there and restrict it within that zone. The City Council does need to consider the residences around the staging area for the paving project. There are a lot of areas that could be used for staging in a lot of communities, but Montpelier is a pretty built out community and there aren't very many empty lots that can be used for construction activity. Pike is probably grateful to have that one so close to their project.

Assistant Public Works Director McArdle spoke about the traffic control and said holding entire lines of traffic and flushing the entire line of traffic is one way to do it. They tried this for the city's project on the roundabout. They tried a 3 or 4 minute timed release and the flushing method. With cars arriving at a rate of every 10 to 15 seconds over several minutes it doesn't take long to pile up. The key to traffic management is short work zones. If traffic is accumulating at that rate it is simple math to realize how quickly you need to move them through before you begin to queue. Somebody asked a question about detour routes. There were in fact detour routes in the residential areas. They are talking about Route 2 probably in the 5 to 7 percent truck range so they can't detour that traffic. The locals seek the alternate routes and know where they are going. Unfortunately, with the paving project when they tried to detour around they caught them when they came through at Gallison Hill and at Berlin Street. When they talked about detours they also heard from businesses that say don't tell them to seek alternate routes because they rely on that traffic. They understand about traffic flow, but they also don't want to send the traffic away that they rely on for their business. They are hoping to provide a formal request for some night paving in and around the roundabout. The next big traffic impact is finishing the paving. What they saw out there today is the shim coarse or leveling coarse. All of the adjustments are made through the base coarse and the catch basins are raised to grade. They are rehabilitated if they need work. There is a lot of guardrails and signage work that needs to be done. The city is receiving a lot of benefit from this. The next big impact on traffic will be the paving. If that is done at night they will have an idea soon on how many nights they will need to do that and in what areas.

Council Member Sherman asked Assistant Public Works Director McArdle if he knew what was scheduled for Monday, July 6th.

Assistant Public Works Director McArdle said what they plan for the roundabout project is to finish up the street lights and the curbing and possibly the gravel for the sidewalk once the curbing is in. They call it the roundabout project but actually the work zones extend all the way back to Pioneer Street and include the Pioneer Street intersection, which is rehabilitating the signalized intersection. They are adding a crosswalk there and new signal controller as part of the project.

Council Member Sherman said before they get to the request of night time work to the Council if they could be sure they wouldn't have another pile-up that would be helpful.

Assistant Public Works Director McArdle said there is shimming left to be done out on Route 2 and 302. There will be additional paving. As they pointed out, the paving does require long work zones, and that can't be avoided. The pavement on a warm day doesn't cool very quickly, and that is a long process.

Assistant Public Works Director McArdle introduced Nigel Friend and Bill LaPorte from Pike Industries.

Mr. Friend said they will begin guardrail work on Route 302 between the modular home buildings and the roundabout. They will be completing that on Monday. They will be beginning work on sidewalks either on Monday or sometime early next week.

Mayor Hooper said the guardrail is on one side and the ditching is on the other side.

Mr. LaPorte said they couldn't work on both sides of the road at the same time.

Mayor Hooper said they are hearing complaints about how the traffic is getting bottlenecked.

Mr. LaPorte said they have a completion date in late August and they have an aggressive schedule to get the work done. They need to get the work done or they are under some serious liquidated damages. That doesn't mean they can't work with people to adjust what needs to be done. The critical path is obviously paving and signs, guardrails, curbs and sidewalks have to be done before they can pave. From looking at Nigel's schedule it looks like two to three more weeks. All the incidentals should be done by July 27th and the top paving should be completed which would put them on track to finish in mid August. They have attempted to coordinate their paving and operations with their work for J MacDonald.

Mayor Hooper said she is sure everyone heard the frustration with the very long work zones and the backup that is being created. She doesn't think it is appropriate for the Council to try to design their schedule but their request is for shorter work zones and shorter ques.

Mr. Friend said they are willing and receptive to ideas. A lot of time a lot of the ideas can't be achieved and there are a lot of ideas from people who don't understand the operations and what they need to do, but they are willing to listen. The flaggers are not responsible for what is going on.

Council Member Golonka said they have heard a lot about night work. How many days would they anticipate they would need? The Council was told there was only certain work they could do at night.

Mr. LaPorte said somebody made the comment that the quality of the pavement done at night isn't as good as during the day, and that is wrong. Ten days were given, and they did it in nine. The contract came out and he bid the job for ten nights. At the time he believes that more night work should have been granted.

Mayor Hooper said in a few minutes she is going to ask City Council if they want to entertain the notion of night work, they will put it on the agenda. They will need something specific to respond to. The city's staff will bring it to the Council, but they will ask them. They have heard that the Agency of Transportation is going to request the night work.

John Zicconi from the Agency of Transportation said assuming they know the city will entertain the request for night work, let the state work that out.

Jim Ackerman said he travels the northeast. He sees all types of projects being done at night. As he stated in an earlier conversation, he traveled to Burlington Airport from Jericho. He sees a lot of work being done on somewhat idle sections of the Interstate at night on a regular basis. They are doing paving, guardrail replacement, ditching, etc. That is a state highway. Obviously, the Vermont AOT has had a big part of this project down here. What is the criteria that determines whether it is going to be night work or day work?

Mr. Zicconi said it's not a simple question. Community support is one. The amount of traffic and the expected delays that would happen during the daytime is another. You have to understand that what they consider rush hours, which is when traffic peaks, you can't just say do it in between because that doesn't leave a lot of time. The setup of the work zones, doing the work, the breaking down of the work zones, you'd have very little time to actually do any work and it would take forever. On the Interstate they tend to do very long projects of 11 to 12 miles, in our short construction season you wouldn't get it done if you just tried to work in between 10:00 A.M. and 3:00 P.M. with all of the setup and break down time that was needed. In a congested area that tends to have traffic issues, and he qualifies Montpelier with the state of Vermont as one of those places, that whenever you do work in the future, especially with paving in long work zones, there should always be consideration of night work. That is a trade off for the community. You are going to be disruptive to whomever is living in the area and less disruptive to the businesses and other people during the day. They did a project in downtown Middlebury last year and it was all night paving work. It was done that way from the beginning. When it was all done they received a lot of thank you and congratulations for the way it was done. They bit the bullet as a community and said this was their decision and they wanted it to be done at night because everybody knows the confluence of traffic going through Middlebury and trying to do that during the middle of the day would have its issues. As a community when you do a major project you really need to think about that.

Mayor Hooper said in trusting that you say you look to the community to make the suggestion for the paving project they have taken the position that it is up to the owner of the project to propose how to do the project, not for the city to tell them how to do it. They felt the project owners and contractors knew the proper thing to be proposing to the city rather than the city telling them what to do.

Bob Cody said he and his family own 350 River Street, 364 River Street and 370 River Street, a pretty good stretch of land. He isn't here to complain about the project because it hasn't really affected his business. Most of his business comes from Barre, but he is here because he wants to support the businesses that are suffering because they could be in that situation if they didn't have Sherwood Drive right near their dealership. He is sure it has affected their business because people may think twice when they see the signs saying road work ahead. He said he wanted to echo what Wade Walker said. He did road crew work years ago for his brother-in-law and they did stretches in Massachusetts very similar to Route 302.. There were nine nights of road work done. Was it shared by everybody? Did everyone get the same nine nights? Residents are going to suffer. We hear that businesses are suffering, but is there shared suffering in this? He doesn't think there has been. Hearing people being laid off concerns him, especially in this economic climate we are in.

Mayor Hooper told the group they are not going to have answers to many of the questions people raised this evening. Certainly, the Council's goal is to get as many answers as soon as possible. She is trying to figure out how best to communicate with people. They could put the information up on the web site. We should have e-mail addresses from everybody so we can be managing an e-mail list.

Mr. Zicconi said the communication is okay. Tom is sending out an e-mail at the beginning of every single week. If anything changes during the week he tells them what the changes are. The communication has been excellent. There isn't a communication problem here. There is a work problem.

Mayor Hooper said the question to the Council is whether they are willing to consider night time work. There is an obligation because of the ordinance to put it on the agenda and notice it. They will work with the relevant staffs to figure out what the right thing to be asking for in the variance. Before anybody does that work they need to know that we are willing to at least consider. The Council isn't making a decision this evening but hopefully could make a decision next Wednesday in their regularly scheduled meeting.

Council Member Sherman said if they ask for more night work we have to accept that there will be associated costs.

Mayor Hooper said they heard some testimony that there may not be because of the increase in productivity.

Council Member Golonka said the ten days was selected just because it was told that was what they needed. He would entertain whatever they think is necessary to get the job done in the best possible way.

Mayor Hooper said what they need from all of the professionals on the job is to tell us how to make this work the best possible way recognizing the impact on the businesses in the community.

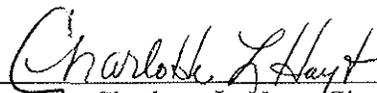
John Sevigny from D.J.'s Convenience Store said he is glad the Council came together under these circumstances. He noted the radio station and the Times Argus are here and he would hope that they would announce that tomorrow at Noon, they are going to shut down the construction for the weekend. Put something in the Times Argus or on the radio and invite the public to come down and see what they have been doing for the last three or four months it. Let them use Route 2 and Route 302 again. Maybe they will stop by and buy a sandwich, sell some paint, sell some tools or go to the tanning salon. They could use three good days. He said he wasn't going to go into how bad his business is because they have heard it from everybody else.

Mayor Hooper thanked everyone for attending this evening.

Adjournment:

After motion duly made and seconded by Council Members Sheridan and Golonka, the Special City Council meeting adjourned at 7:20 P.M.

Transcribed by Joan Clack

Attest: 
Charlotte L. Hoyt, City Clerk