

**CITY MEETING WARNING
FOR
MARCH 6, 2012**

The legal voters of the City of Montpelier, in City Meeting in Montpelier, in the County of Washington and the State of Vermont, are hereby warned to meet in the City Hall Auditorium, in said Montpelier, on the first Tuesday in March, March 6, 2012, at seven o'clock in the forenoon, and there and then to cast their ballot for the election of officers, matters that by law must be determined by ballot, and other matters as directed by the Council. The polls will be opened at 7:00 A.M. and shall be closed and the voting machine sealed at 7:00 P.M.

ARTICLE 1. To elect a mayor for a term of two years; a city clerk for a term of three years; one commissioner for the Green Mount Cemetery for a term of five years; one park commissioner for a term of five years; two school commissioners, each for a term of three years; one council member from each district, for a term of two years.

ARTICLE 2. Shall the voters appropriate the sum of \$6,904,043 for the payment of debts and current expenses of the City for carrying out any of the purposes of the Charter, plus payment of all state and county taxes and obligations imposed upon the City by law to finance the fiscal year July 1, 2012 to June 30, 2013? (Requested by the City Council)

ARTICLE 3. Shall the voters appropriate the sum of \$16,153,790 necessary for the support of the public school system for the fiscal year July 1, 2012 to June 30, 2013? (Local budget of \$15,724,940 plus grant budget of \$428,850, for a total school budget of \$16,153,790.) (Requested by the School Board)

ARTICLE 4. Shall the voters appropriate the sum of \$575,230 for the support of the Recreation Department for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the School Board)

ARTICLE 5. Shall the voters appropriate the sum of \$3,000 as compensation to the Mayor for services for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the City Council)

ARTICLE 6. Shall the voters appropriate the sum of \$7,200 (\$1,200 each) as compensation to the Council Members for their services for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the City Council)

ARTICLE 7. Shall the voters appropriate the sum of \$7,300 (Chair \$1,300; others \$1,000 each) as compensation to the School Commissioners for their services for the fiscal year July 1, 2012 to June 30, 2013? (Requested by the School Board)

ARTICLE 8. Shall the voters authorize the Board of School Commissioners to hold any audited fund balances as of June 30, 2012 in a reserve (restricted) fund to be expended under the control and direction of the Board of School Commissioners for the purpose of operating the school? (Requested by the School Board)

ARTICLE 9. Shall the voters authorize the City Council to borrow a sum not to exceed \$870,000 for street improvements including retaining walls, storm drains, culverts and street rehabilitation (\$377,800), fire truck purchase (\$207,500), facilities repairs and American Disabilities Act improvements (\$284,700)? If approved bonds for these capital items would be issued for a term of 20 years. With a 20 year bond, approximately \$23,500 would be required for the first year interest payment and approximately \$74,300 for the second year principal and interest payment and future payments declining each year as the principal is repaid. (Requested by the City Council)

ARTICLE 10. Shall the city amend Title XII – Section 2 of the city charter to allow for the assessment of a 1% local sales tax as per amendment language filed with the City Clerk on January 4, 2012? 20% of revenues received will be dedicated for business development and/or business promotion. 80% of all revenues received will be dedicated to offset property tax revenue. (Requested by the City Council)

ARTICLE 11. Shall the city amend Title XII – Section 2 of the city charter to allow for the assessment of 1% local rooms, meals and alcohol taxes as per amendment language filed with the City Clerk on January 4, 2012? 100% of revenues received will be dedicated for infrastructure improvements and maintenance. (Requested by the City Council)

ARTICLE 12. Shall the city amend Title V – Sections 1 and 3 and adding a new section 14 of the city charter (and renumber remaining sections accordingly) to change the signature requirement for legally binding petitions from 5% of registered voters to 10% of registered voters as per amendment language filed with the City Clerk on January 4, 2012? (Requested by the City Council)

ARTICLE 13. Shall the city continue to pursue the formation of a regional public safety (police, fire, EMS, dispatch) authority with the City of Barre, and the Towns of Barre and Berlin? (advisory only)

ARTICLE 14. Shall the voters appropriate the sum of \$41,000 to be placed in a special revenue account under the name of the Montpelier Housing Trust Fund? Such account, including interest and earnings thereon, shall be used exclusively by the City to award grants and loans to appropriate non-profit organizations to preserve, construct and rehabilitate dwelling units affordable to households with incomes less than or equal to 80% of median income (with a priority for homeownership units) and which are subject to covenants or restrictions that preserve their affordability for a minimum of 15 years. (Requested by the City Council)

ARTICLE 15. Shall the voters appropriate the sum of \$293,975 to be used by the Kellogg-Hubbard Library for the fiscal year July 1, 2012 to June 30, 2013? (This amount is in addition to the \$43,937 for the library bond payment included in the City General Fund Budget, Article 2.)

ARTICLE 16. Shall the voters appropriate the sum of \$3,075 to be used by the CIRCLE (formerly Battered Women's Services and Shelter) for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 17. Shall the voters appropriate the sum of \$2,000 to be used by the Central Vermont Community Action Council for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 18. Shall the voters appropriate the sum of \$6,000 to be used by the Central Vermont Adult Basic Education Inc. for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 19. Shall the voters appropriate the sum of \$5,000 to be used by the Central Vermont Community Land Trust for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 20. Shall the voters appropriate the sum of \$5,000 to be used by the Central Vermont Council on Aging for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 21. Shall the voters appropriate the sum of \$18,000 to be used by the Central Vermont Home Health and Hospice for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 22. Shall the voters appropriated the sum of \$6,000 to be used by Community Connections for programs at Union Elementary, Main Street Middle School and Montpelier High School for the fiscal year July 1, 2012 to June 30, 2013.

ARTICLE 23. Shall the voters appropriate the sum of \$3,500 to be used by the Family Center of Washington County for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 24. Shall the voters appropriate the sum of \$2,500 to be used by the North Branch Nature Center for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 25. Shall the voters appropriate the sum of \$500 to be used by the Friends of the Winooski River for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 26. Shall the voters appropriate the sum of \$400 to be used by the Good Beginnings of Central Vermont for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 27. Shall the voters appropriate the sum of \$1,500 to be used by the Green Mountain Youth Symphony for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 28. Shall the voters appropriate the sum of \$5,000 to be used by the Montpelier Home Delivery Program (Meals on Wheels) for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 29. Shall the voters appropriate the sum of \$1,500 to be used by the Montpelier Veterans Council for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 30. Shall the voters appropriate the sum of \$1,250 to be used by the People's Health & Wellness Clinic for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 31. Shall the voters appropriate the sum of \$2,000 to be used by the Project Independence-Adult Day Health Services for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 32. Shall the voters appropriate the sum of \$3,000 to be used by the Retired Senior Volunteer Program for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 33. Shall the voters appropriate the sum of \$2,000 to be used by the Sexual Assault Crisis Team for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 34. Shall the voters appropriate the sum of \$500 to be used by the Vermont Association for the Blind & Visually Impaired for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 35. Shall the voters appropriate the sum of \$5,000 to be used by the Vermont Center for Independent Living for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 36. Shall the voters appropriate the sum of \$5,000 to be used by the Washington County Youth Service Bureau for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 37. Shall the voters appropriate the sum of \$15,000 to be used by the Washington County Basement Teen Center for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 38. Shall the voters appropriate the sum of \$1,950 to be used by the Washington County Diversion Program for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 39. Shall the voters appropriate the sum of \$3,500 to be used by the Lost Nation Theater's Youth Educational program for the fiscal year July 1, 2012 to June 30, 2013?

ARTICLE 40. In light of the United States Supreme Court's *Citizens United* decision that equates money with speech and gives corporations rights constitutionally intended for natural persons, shall the city of Montpelier vote on March 6, 2012, to urge the Vermont Congressional Delegation and the U.S. Congress to propose a U.S. Constitutional amendment for the States' consideration which provides that money is not speech, and that corporations are not persons under the U.S. Constitution, that the General Assembly of the State of Vermont pass a similar resolution, and that the town send its resolution to Vermont State and Federal representatives within thirty days of the passage of this measure? (By Petition)

ARTICLE 41. We, the Montpelier community, are concerned about our ability to grow, buy, sell, and eat local foods – our local food sovereignty. As growing uncertainty develops around industrial agriculture's ability to provide food that is safe, healthy, natural, humane, and compatible with the planet's changing environment, we as a community are choosing a different path of sourcing food:

We choose foods that are healthy and natural instead of those reliant on pesticides, fossil fuels, or genetic modification.

We choose a local food system that benefits our neighbors and communities, not the industrial food system that exploits local resources to benefit multinational corporations.

We choose food produced locally and diversely, instead of fossil fuel dependent, global, mono-cultured foods.

And whereas the Farm-to-Plate report highlights the local food shortfalls and a strategic plan to overcome these shortcomings, we as an individual community within Vermont need to exceed the current statewide local food consumption rate of only five percent.

Therefore, we the citizens of Montpelier declare our right to grow and process local foods. Furthermore, we assert our right to directly sell and purchase these foods both between and from our friends and neighbors. In recognition of Vermont's commitment to freedom and unity, we assert this vital right as the foundation of our local food sovereignty. (By Petition)

ARTICLE 42. Shall the City of Montpelier appropriate the sum of \$40,000 towards the Montpelier Circulator year-round bus route within the City of Montpelier? This \$40,000 will match approximately \$120,000 from GMTA to fully fund the service for a second year of operation. (This amount is in addition to the \$29,371 for other GMTA services which is included in the City General Fund Budget). (By Petition)

Detail Information
Proposed
Amendments to the City Charter
March 6, 2012

ARTICLE 10. Shall the city amend Title XII – Section 2 of the city charter to allow for the assessment of a 1% local sales tax as per amendment language filed with the City Clerk on January 4, 2012? 20% of revenues received will be dedicated for business development and/or business promotion. 80% of all revenues received will be dedicated to offset property tax revenue. (Requested by the City Council)

Detail of proposed charter change:

Section 1211 shall be added to the City Charter (new material underlined) to read as follows:

Section 1211. Local Option Sales Tax.

- (a) Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:
- (b) The City Council will assess a sales tax of one percent upon each sale or transaction occurring within the City which is subject to Vermont sales tax. Of revenues received from the sales tax imposed and collected under this section, twenty percent (20%) thereof will be dedicated for business development and/or business promotion.
- (c) Any tax imposed under the authority of this section shall be collected and administered by the Vermont department of taxes, in accordance with state law governing such state tax or taxes; provided however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont sales tax using a destination basis for taxation.
- (d) Of the sales taxes reported under this section, seventy percent (70%) shall be paid to the City of Montpelier. Such revenues may be expended by the City of Montpelier only for municipal services, and not for educational purposes. The remaining amount of the taxes reported shall be remitted monthly to the state treasurer for deposit in the PILOT special fund established in Sec. 89 of No. 60 of the Acts of 1997. Taxes due to the City of Montpelier under this section shall be paid by the State on a quarterly basis.

ARTICLE 11. Shall the city amend Title XII – Section 2 of the city charter to allow for the assessment of 1% local rooms, meals and alcohol taxes as per amendment language filed with the City Clerk on January 4, 2012? 100% of revenues received will be dedicated for infrastructure improvements and maintenance. (Requested by the City Council)

Detail of proposed charter change:

Section 1212 shall be added to the City Charter (new material underlined) to read as follows:

Section 1212. Local Room, Meals and Alcohol Taxes.

- (a) Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:
- (b) The City Council will assess rooms, meals and alcohol taxes of one percent, upon each transaction occurring within the City which is subject to Vermont room, meals and alcohol taxes. Of revenues received from the rooms, meals and alcohol taxes imposed and collected under this section, one hundred percent (100%) will be dedicated for infrastructure improvements and maintenance.
- (c) Any tax imposed under the authority of this section shall be collected and administered by the Vermont department of taxes, in accordance with state law governing such state tax or taxes.
- (d) Of the taxes reported under this section, seventy percent (70%) shall be paid to the City of Montpelier. Such revenues may be expended by the City of Montpelier only for municipal services only and not for educational purposes. The remaining amount of the taxes reported shall be remitted monthly to the state treasurer for deposit in the PILOT special fund established in Sec. 89 of No. 60 of the Acts of 1997. Taxes due to the City of Montpelier under this section shall be paid by the State on a quarterly basis.

ARTICLE 12. Shall the city amend Title V – Sections 1 and 3 and adding a new section 14 of the city charter (and renumber remaining sections accordingly) to change the signature requirement for legally binding petitions from 5% of registered voters to 10% of registered voters as per amendment language filed with the City Clerk on January 4, 2012? (Requested by the City Council)

Detail of proposed charter change:

Section 501 of the City Charter shall be amended as follows (new material underlined):

Section 501. City Meetings.

- (a) On the first Tuesday of March in each year, a meeting of legal voters of said city shall be held as designated on the warning for such meeting, at a place or places to be appointed by the city council of said city, and a warning shall be posted in at least three public places within the limits of said city, and at least twelve days previous thereto, which warning shall be signed by the city clerk, or, in case of the city clerk's failure, by the mayor, provided that, if the annual meeting shall fail to be held for want of warning before mentioned, or for any other cause, the city shall not be thereby prejudiced, and the several officers hereinafter mentioned may, at any time thereafter, be elected at a special meeting, called for that purpose, as hereinafter provided; and provided, further, that any business required by this charter or the general law to be transacted at the annual city meeting may be transacted at such special meeting.
- (b) The warning for annual and special city meetings shall, by separate articles, specifically indicate the business to be transacted, to include the offices and the questions to be voted upon. The warning also shall contain any legally binding article or articles requested by ten percent (10%) of the registered voters of the city or any non legally binding article or articles requested by five percent (5%) of the registered voters of the city and filed with the city clerk not less than 40 days before the day of the meeting.
- (c) A vote taken at an annual or special meeting shall remain in effect unless rescinded or amended.

Section 503 of the City Charter shall be amended as follows (deleted material in [brackets]; new material underlined):

Section 503. Special city meeting.

The city clerk when directed by the city council, or [when requested in writing] upon written application by [five] ten percent (10%) of the legal voters of said city to do so, shall call a special meeting of the voters of the city in the same manner as is provided for the calling of the annual meeting; in case of the failure of the city clerk to call such special meeting as aforesaid, that duty shall be performed by the mayor, except that special meetings to authorize public improvements and the incurring of debt to pay for the same shall be warned as hereinafter provided in Subchapter 11. The city council shall call such special meeting within 60 days of the application is received by the city clerk. The city council may rescind the call of a special meeting initiated by it, but not a special meeting called on application of ten percent of the registered voters.

Section 514 shall be added to the City Charter (new material underlined) to read as follows:

Section 514. Reconsideration and Rescission.

- (a) Action taken on a warned article at an annual or special meeting may be submitted to the voters at a subsequent annual or special meeting on motion of the city council or pursuant to a petition requesting reconsideration or rescission signed by not less than ten percent (10%) of the registered voters and filed with the city clerk within **30** days following the date of the annual or special meeting at which such action was taken.
- (b) A majority vote in favor of reconsideration or rescission shall not be effective unless the number of votes in favor of reconsideration or rescission exceeds two-thirds of the number of votes cast for the prevailing side at the original meeting.