

On Wednesday evening, May 13, 2009, the City Council Members met in the Council Chamber.

Present: Mayor Hooper; Council Members Sheridan, Weiss, Golonka, Jarvis, and Sherman; also City Manager Fraser. Council Member Hooper arrived shortly after the meeting began.

Call to Order by the Mayor:

Mayor Hooper called the meeting to order at 7:00 P.M.

09-114. General Business and Appearances

Suzanne Hechmer from the Montpelier Downtown Community Association appeared before City Council to tell them the plans for kicking off "Sculpcycle 2009" in June. The sculptures will be installed throughout the entire month of June. She has talked to property owners and gone through the design review process. She had also spoken to the Fire Department, Police Department, Public Works and the Capitol Complex Commission. The last place she needs to come to is City Council to make sure everything is okay to put the sculptures out. There are only two this year they want to put on city property. There is one they want to put in City Hall Plaza that is called "Spincycle" by Paul Hilliard, who was one of the sculpcycle artists last year. He did a car out in front of the Court House called "Incarceration." This year he is doing a piece called Spincycle, and it is modeled on playground equipment. It is supposed to rotate, but if they find it is unsafe they have plans to lock it down so it won't spin. They are making sure that the seats on it are so small that only 3 to 6-year-old could ride it and not a larger adult. The second piece they plan on putting out is a series of dogs that Rob Hitzig is creating, and they want to put those on the sidewalk by Rhapsody and the Drawing Board. The plan is to put them on the edge of the sidewalk near the poles and bench. They plan is to attached them against the other things already on the sidewalks so it doesn't create any sort of pedestrian impediment.

Mayor Hooper inquired if this was something that would require the Council's approval.

Ms. Hechmer said this is a question that none of them really knew.

City Manager Fraser said when they did it last year Suzanne came to the Council and made a presentation and everyone said it was okay.

Council Member Weiss asked if the bus company is given approval to bring its bus down Main Street it will be stopping where they want to put the exhibit. Is that going to create a conflict?

Ms. Hechmer said it shouldn't create a conflict because where they want to put it in front of Rhapsody and the Drawing Board and the bus stop is just beyond that in front of the parking area.

Discussion followed and it was decided to add this to the consent agenda for the next meeting. In doing that it would be formally noticed.

Ms. Hechmer said the MDCA had a great Green-Up Day. Her estimate is they gave out about 300 recycling and trash bags so she is hoping the city looks a lot cleaner.

Mayor Hooper said they have been commenting on how nice the plaza looks.

09-115. Consideration of the Consent Agenda: V.A.

Approval of the minutes from the April 29<sup>th</sup>, 2008 Regular City Council Meeting.

Consideration of becoming the Liquor Control Commission for the purpose of reviewing the following:

Ratification for the issuance of a Catering Permit to Yebba, Inc, d/b/a The Abbey Pub & Restaurant, for a Cocktail Reception being held on Wednesday, May 13<sup>th</sup>, from 4:00 to 7:00 P.M. in the Cedar Creek Room of the State House. Staff polled Council Members on May 8<sup>th</sup> and received 4 votes of approval.)

Approval of payroll and bills:

General Fund Warrant dates May 6, 2009, in the amount of \$159,341.67 and Community Development Agency Funds in the amount of \$1,100.00, \$11,000.00, \$262.00 and \$2,862.05.

Payroll Warrant dated May 14, 2009, in the amount of \$130,657.71.

Motion was made by Council Member Sheridan, seconded by Council Member Sherman to approve the consent agenda. The vote was 6-0, motion carried unanimously.

09-116. Second public hearing to consider proposed amendments to the City's Code of Ordinances, Chapter 10, MOTOR VEHICLES AND TRAFFIC, Article VII, PARKING AND PARKING METER ZONES, Sec. 10-717. LIMITED PARKING, Subsection (z) as it relates to increasing the allowed time for parking on Barre Street. V.A.

The City's Traffic Committee recommended the following amendments to be considered at the Council's first public hearing on April 8<sup>th</sup>, 2009:

Sec. 10-717. LIMITED PARKING.

(a) Barre Street. ~~Fifteen~~ Thirty-minute limited parking is provided on the north side of Barre Street from the northwest corner of #206 Barre Street (~~Federated Auto~~) southeasterly for a distance of fifty-one foot from 6:00 A.M. to 6:00 P.M.; and on ...

(z) Parking is restricted to a ~~one~~ two-hour maximum time limit from 8:00A.M. to 4:00 P.M. weekdays on the northerly side of Barre Street from its intersection with Monsignor Crosby Avenue to its intersection with Hubbard Street with the exception of a 15-minute loading and unloading zone as described under Sec. 10-717(y).

As a result of the first public hearing, Subsection (a) will be entirely stricken; Subsection (z) remains as proposed.

Recommendation: Conduct the second public hearing; approve the amendments, with or without further changes.

Mayor Hooper opened the public hearing at 7:08 P.M.

Council Member Weiss said at the April meeting the Council tabled Section 10-717, and he isn't sure whether that is the same item they are discussing now. Subsection (a) may need to be taken off the table.

Motion was made and seconded by Council Members Weiss and Jarvis to remove Section 10-717 (a) from the table. The vote was 6-0, motion carried unanimously.

Chris Smart with the law firm of Cheney, Brock & Saudek, said they have been asked to help out the owners of the Barre Street Market to convey their feelings. He gave members of the Council a proposal made on behalf of the owners of the Barre Street Market. This is the Section 10-717(a). The original proposal was to make it 30 minutes. It turns out we are talking about 125 feet of 15-minute parking which might be five spaces of parking. The Barre Street Market owners are proposing they limit the 15-minute zone to 50 feet, which would be two spaces. He had talked to the Chief of Police and City Manager Fraser and tried to get an understanding of what might be behind this. They think they are helping to address some issues. If they eliminate these three spaces they would still address the concerns of the salon owner. There was some feeling they needed to ease up some restrictions so their customers could stay long enough without getting a ticket, which is a reasonable concern. At the same time this proposal, while easing those restrictions on three spaces, but would allow the Barre Street Market two spaces left for them and would also help people who are doing take-out at the restaurant next door and people who might be dropping people off at the salon.

Mayor Hooper said since this isn't substantively different would the Council need to do another hearing.

City Manager Fraser said traffic ordinances don't have the same standard as zoning. They could just make the amendment tonight and pass it. Zoning is the only one that if you make a substantive change you have to rewarn the hearing and start over.

Attorney Smart said having been on a site visit east would be going toward Barre, and where they placed the pole it suggests that the curb cut for a driveway is a parking spot. He would suggest that the west side of the curb cut is where to start the zone otherwise they would be parking in front of an alley.

Krystal Madera, owner of Kismet, said they are definitely in favor of removing the restrictions of the parking. The signs presently there are very confusing. This is the third year they have been there and at least three times a day their customers are asking what the signs mean and where the restrictions are for. She even has customers who, even if they are parking there in between the signs, have received comments or harassment from the owners of the Barre Street Market who, because of the signs, feel privileged to tell people that they can or can't park there based on which business they are going to. They have ignored it because it isn't worth it for them to get involved in that kind of stuff and trust their customers can read the parking signs, even though they are confusing, and trusted their customers would contact the City Manager or Police Department to figure out how to make the signs more clear. She is glad they are finally here having this conversation because she would like to stop having it over and over again every day. She has been contacted by the Police Department probably 30 times asking them to come here and put it on the agenda, and she has asked them to put it on the agenda. She really doesn't think it is her responsibility to be putting parking signs or taking them down from the street, but she would like to see this clarified. If that means removing the restriction, that's awesome. If that is impossible, then making them more clear definitely needs to happen. She is concerned the owners of the market will still feel privileged to come out and tell people who can park there and who can't, even if they are just running in for a coffee.

Mayor Hooper said the proposal in the agenda before the Council is that there be two-hour restrictions. It has been suggested that essentially two spaces be 30 minutes and keep the rest at 15 minutes, with the remainder being opened up to two hours.

Ms. Madera said she wasn't in favor of that personally.

Mayor Hooper said her customers having a space available for running in and out she doesn't feel the need to have a specific designated area.

Ms. Madera said there is lots of parking on Barre Street. Those signs were in place there that have helped the Barre Street Market. If those spaces are kept open convenience shoppers can run in and run out. She has customers who want to do the same thing, and even when they park there in those spaces the owners are coming out yelling at them that they can't park there. If the spaces said clearly parking only for Barre Street Market it would be clear. She doesn't see the need to have two spaces specifically just for 15-minute parking because there are lots of spaces on the street. They also rent additional spaces in the lot down the street through the Land Trust so parking is always available for their customers. There is constant confusion. Their phones are ringing telling them there is a car out there with a license plate number and they are about to get a ticket because the owners of the market are calling the police over and over again. It would be nice to have it cleared up.

Police Chief Facos said he wanted to make a quick point about clarification. The two-hour parking is another specific zone around 58 Barre Street.

Council Member Golonka asked Chief Facos how much activity he has seen with his officers going to that spot.

Chief Facos said for a one-year period it was 168 calls for service. That is one of the reasons at the Traffic Committee meeting that was an issue they wanted to bring up because there are so many changes since 1998 when that particular 15-minute restriction was adopted by the Council.

Council Member Sheridan asked Chief Facos if he had witnessed or had people tell him about the confrontations by the owners of the Barre Street Market with people trying to park in those spots.

Chief Facos said he has had some secondary comments from some of the officers. He has not personally taken a complaint based on harassment.

Sarah Halpine, a resident across the street from the Barre Street Market, said she is here to support the 15-minute parking for a number of reasons. The Barre Street Market supports their neighborhood. There are a lot of her neighbors and she sees them shopping there and she personally goes over there herself to pick up things. Most of the people on Barre Street cannot afford to eat at Kismet. For them to have the Barre Street Market and have the owners have a hardship for conducting business, the city isn't just impacting the business itself but also impacting the neighborhood. For her it is like the old general store in terms of the atmosphere. When she goes in there, they are friendly, courteous, know people in the neighborhood and address them by first name. They are always willing and helpful. When her husband died a year ago she came over and delivered food. It is a very neighborly place. They enjoy the fact they are across the street and are their neighbors. To have them lose a 15-minute parking spot and possibly their business the city is not just impacting all of the people who stop by, but impacting the closeness of the neighborhood because they do take care of people and they like to take care of them. A nice compromise would be to keep the 15 minutes in front of their store and remove the 15 minutes across the street where there is an apartment building. They all have designated parking so you could get rid of that. Another suggestion would be that Kismet could put a sign in the window that says please don't park

in front of the Barre Street Market. That would alleviate some of the confusion as to where they can and can't park and help both businesses in terms of being able to clarify this so they don't have to call the cops and have the giant uproar around the businesses. It would be fabulous if they could have both businesses running. There has been a restaurant in the Kismet area forever. People have told her about the pizza place. There was Susan's Kitchen after that. It isn't like these types of businesses haven't co-existed peacefully for a number of years. There should be some civil way to fix the solution without having to destroy one business or the other. Ms. Halpine said she personally would like to keep the 15-minute parking across the street. When people come to visit her she tells them that is 15-minute parking and don't park there. There is plenty of parking on the street.

Mayor Hooper said she was the one who suggested they go to the unlimited parking there, and it was without reference to any business. It was more because we don't tend to provide this sort of limited parking anywhere within parts of the downtown. It just seemed a little odd that we had this sort of specific designation here. This is the reason we have public hearings so people have an opportunity to raise issues. This is designed to figure out how best to use a public asset.

Ms. Halpine asked if it wasn't designated downtown on Barre Street.

Mayor Hooper said it is, but much of the rest of the street has unlimited parking. It is in the core downtown where they have the meters and it is very clear that you are only supposed to park for two hours. They are just trying to figure out an orderly way to use the parking in that area.

Chris Smart said on behalf of the Barre Street Market they definitely value both the salon and the restaurant. They all want to succeed, and he thinks there is a way to do it. It might be a good idea for the Justice Center to deal with what happens afterwards. The proposal he submitted tonight is about compromise. There are 5, maybe 6, 15-minute spaces now. Take it back to 2. They are not earmarked for anybody in particular. Everybody theoretically can use those. All three businesses have a reason that somebody could be there to drop off in less than 15 minutes. As for the calls to the police, after talking to the owners of the Barre Street Market, if we can empathize their business has been here for 17 years. People have been stopping in front of there for 17 years and pop in for 3, 4 or 5 minutes. In the last couple of years on days of the week when the restaurant is opened it has been getting crowded. That is not all the fault of the restaurant owner. It is quite true that the restaurant owner leased four spaces on the other side of where the townhouses are and they have a place in back. He has a feeling that the customers of the restaurant are probably not aware of those spaces. Remember, the people who are parking there for more than 15 minutes are doing so illegally, so the poor Barre Street Market owners look out and say their business cannot survive without these customers. The frustration sets in and so they call to try to figure a way out. If they can come away with a compromise tonight on the number of spaces like this he assures the Council that the Barre Street Market owners would be happy to go to the Justice Center or any other mediation forum to talk it over. What could be a good strategy for these businesses to work together like this and co-exist and come up with some better rules of engagement? He thinks his clients are saying there are probably some things they probably did and said that they wished in hindsight they didn't. If they could work with the Justice Center they could come up with some good solutions. In talking to the Chief of Police, one thing the Traffic Committee wasn't aware of was that in getting the permit for the restaurant, the restaurant was told by the Design Review Board that they would get two spaces on the street. As it turns out, they needed seven spaces for the number of seating and the Design Review Board said they would let them count the street for two. They only had to come up with five. As it turns out, if you go down to the market when the restaurant is closed, those spaces are wide open. When the restaurant opens up, some of those people who ought to be parking in the spaces that the owner very thoughtfully reserved off the street are parking there and filling them up. That is what explains why the calls are being made to the police. He urged the Council to leave these two

spaces. This business is telling him they cannot survive without car traffic, and it is five days a week they face this problem.

Lydia Lewis appeared before the Council and said she was the last of the survivors of Barre Street. She grew up on Barre Street and has seen everything. They were never told that all of the condominiums were going up right next to her. She can't even look out her bedroom window without someone looking up and seeing her in her bedroom. She has actually adopted the family at the Barre Street Market. We need this market. They are courteous to everyone. She has seen people park there, and they are not people in the businesses. She is under the understanding that when a building like the big block that was there with the Roma Garden restaurant way back, that whoever rented there was to provide parking spaces for those people. Aren't they supposed to provide parking spaces?

Mayor Hooper said the testimony when it went through the Development Review Board that it was acceptable for 4 or 5 off street and then we allowed 2 spaces on the street.

Mrs. Lewis said the parking is terrible on Barre Street. She is having a tremendous problem, and she hopes the Council will do something about it. She would like to see no right hand turn on Sibley. She counted 41 cars in a half hour going up Sibley. Nine cars out of 10 do not stop coming down College Street. She has adopted the family at the Barre Street Market. They have been wonderful to her and to everyone. They need this market. She will not move away from the neighborhood. There are all of these places she can walk to. We need to do something about keeping the store open. There are cars parked from the condo on the other side. They have all kinds of people coming at all hours of the night and parking their cars there. A lot of trucks are bringing their merchandise into the store. If there is a car parked there, they cannot stop. She has been in the store when Norm has asked them to move their cars. She has seen people from out of state and she has told them they would get a ticket if they stay there. She takes the GMTA Bus to nursing homes where she does volunteer work. She needs to be picked up at the Barre Street Market, where she can go inside to wait out of the cold. If there were another car there she would have to go around to get onto the bus. There are so many advantages for the people in their neighborhood. It seems like Sibley Avenue and Barre Street is a forgotten area in the city. She thinks the Council Members need to go around to see what is going on. Walk down to the market sometime and just see what is going on. She is sure if the market was in some other part of the city they would not be facing all of these problems. These people worked very hard to come to America. They are wonderful people. Her husband is handicapped and housebound right now. She needs to have the bus route there. Barre Street needs this market very badly. They are surrounded by condominiums, but the market is still here. There are families coming out of the condos parking there.

Mayor Hooper reminded everyone that this is not about a specific business. They are just trying to sort out a traffic problem.

Council Member Sheridan said for those who think the Council is establishing some precedent here if we do what Chris said, he doesn't have a problem with cutting it from 5 to 2. At one point the city did a favor to the Library when they approached us about on street parking. They asked us to take all day parking and put in meters for just 2-hour parking, and the Council did. It is a good market for Barre Street. He is only disturbed by one thing. You can't be coming out and yelling at people when it is not technically your parking spot. It is everybody's for 15 minutes. He doesn't like to see that kind of behavior, but he doesn't have a problem with Chris' compromise.

Council Member Golonka said one concern he had earlier was the capacity of our Police Department. We are cutting back and taxing them with a lot of different issues. He felt 168 calls for

enforcement in one area of the city was excessive. He would like to hear from the Parking Committee after they investigate. Is this the reason we need the 17<sup>th</sup> officer?

Council Member Jarvis said that was her main concern. That is a ridiculous waste of the city's resources to have 168 police calls to this one area for parking. She would like to hear from the Police Department and Public Works about whether Chris Smart's proposal would change that or not. She would imagine that some of the police calls have to do with the confusion about where exactly the 15-minute limit is but also the issue of who can park there. If those two things are cleared up that would hopefully make a big difference in the police department calls, but she would like to hear from our police staff.

Council Member Sherman said she is concerned about consistency and fairness. In front of the Post Office there is 15-minute parking, but she doesn't know anywhere else they have a 15-minute limit. A half hour would still give turnover and time to go in and come out, but it would be appropriate for all three businesses. Even one hour might be too long. Maybe a half hour would work given that intersection. It is a very special, unique and fortunately unduplicated kind of convergence of traffic right there at Sibley Avenue and Barre Street. She is also concerned about the 6:00 A.M. to 9:00 P.M. That is a very unique timeframe for the ordinance.

City Manager Fraser reminded Council Member Sherman that was in a different section. That is down by 58 Barre Street by the Recreation Center and Senior Center.

Council Member Sherman said in front of 207 209 it is 8:00 A.M. to 4:00 P.M.

City Manager Fraser said the actual proposal is that there would be no restriction at all at any time. The suggestion is that we would have 15-minute parking for all the time, so that is consistent with the other restrictions on the street.

Council Member Sherman said she would have questions about Chris Smart's proposal, that the timing should be standard.

City Manager Fraser said when you think about this in terms of other proposals around the city we already have 15-minute parking there. This is an existing condition with 6 spaces. The proposal needs to reduce them. The history comes from the fact that there was Barre Street Market, the auto parts shop across the street and Susan's Kitchen, which was a take-out restaurant, so with the exception of the hair salon there was a lot of in and out traffic in the business which worked well in that area.

Mayor Hooper said what she would like to suggest is that the Traffic Committee go back out and consider what has been put in front of the Council. See if that is a solution they could recommend to the Council, look at signage issues, and before the Council acts on this proposal or continue the public hearing that we also ask that the Justice Center work with the folks in that area, listen to what those concerns are and perhaps there will be some other suggestions that will come out of that conversation to guide what the ordinance ought to say.

Council Member Sheridan said parking spots are 20 feet long, so if they cut it back to 40 feet would it be a big problem.

Mr. Smart replied no.

Council Member Sheridan said if they put 50 feet people might try to squeeze 3 parking spaces in there.

Mayor Hooper closed the public hearing at 7:45 P.M.

Motion was made by Council Member Jarvis, seconded by Council Member Sheridan that the council direct staff to investigate Chris Smart's suggestion about parking limitations for the area around 207 Barre Street. This would apply only to Section 10-717(a). The motion included that the Council adopt Section 10-717(z).

Council Member Weiss asked if there motion included the suggestion among other things.

Council Member Jarvis said that was included in the motion.

Mayor Hooper called for a vote on the motion. The vote was 6-0, motion carried unanimously.

Mayor Hooper said they have put off making a decision about the parking because the Council would like to gather some more information. She thinks the offer to work with the Community Justice Center is very good.

Council Member Jarvis said she wondered if they could give the Traffic Committee a little direction in terms of how quickly this needs to be done.

09-115. Second public hearing to consider an amendment to Chapter 10 of the City's Code of Ordinances, MOTOR VEHICLES AND TRAFFIC, ARTICLE V., ONE-WAY STREETS AND ALLEYS.

V.A.

In a memo from Public Works Director Todd Law to the City Manager, it reads that, "Following a year of review and observation of the traffic patterns and school-related traffic congestion with the modifications in place that were enacted last spring, the Traffic Committee has concluded that the desired improvements have been achieved and are substantially successful."

It also mentions that while their (DPW) failure to remove the signs for the summer was entirely unintentional, it must be reported that no complaints or objections were received by any City staff members.

As a result, the Traffic Committee is proposing the following amendment to Chapter 10, Article V, as follows:

Sec. 10-501. ONE-WAY STREETS.

(h) Park Avenue - southerly, between Loomis Street and Hubbard Street ~~seasonally during the school calendar year, as determined annually by the Montpelier School Board.~~

Council conducted the first public hearing for this proposed amendment on April 29<sup>th</sup>; no further changes were made.

Recommendation: Conduct the second reading/public hearing; adopt with, or without, further changes.

Mayor Hooper opened the second public hearing at 7:48 P.M. This public hearing is to eliminate the seasonal restriction of the one-way street on Park Avenue between Loomis and Hubbard Streets.



Mayor Hooper opened the public hearing at 7:48 P.M. No one came forward to comment and the public hearing was closed.

Motion was made by Council Member Sheridan, seconded by Council Member Weiss to adopt the amendment to Chapter 10 of the City's Code of Ordinance relating to one-way streets, (h) Park Avenue at its second reading.

Council Member Golonka said his concern is why are we inconveniencing the neighborhood if we don't have to? He would argue that people are smart enough to be able to understand that during school it could be one way. Are we going to enforce this? Is this going to be a law on the books?

Council Member Jarvis said her understanding about the reason we keep it one way year round is really a safety issue and people really get used to traffic flowing in certain directions and if it changes two or three times a year people will forget.

Council Member Golonka said he isn't of the mind that people can't read signs.

Council Member Sheridan asked if we wanted the Public Works staff doing this twice a year.

Council Member Golonka said he thinks they are inconveniencing a portion of the community, particularly in the summer months when it shouldn't be necessary.

Council Member Sheridan said he would be willing to revisit this if they had enough people say this is a pain for them. He would be happy to say to bring it back and make it seasonal.

Mayor Hooper called for a vote on the motion. The vote was 5-1, with Council Member Golonka voting against the motion.

09-116. First public hearing to consider a proposed amendment to Chapter 10 of the City's Code of Ordinances, MOTOR VEHICLES AND TRAFFIC, ARTICLE VII, Sec. 10-717., LIMITED PARKING, and Sec. 10-715D, TOW-AWAY ZONES. V.A.

Based on a recommendation for full-time bus use restriction in the vicinity of M&M Beverage, staff is recommending the following proposed amendments:

Sec. 10-717. LIMITED PARKING.

*New Sub-section:*

(ii) Main Street. For the establishment of a bus stop zone for the loading and loading of passengers, parking is restricted daily to bus use (public transportation coaches) only within the parking space located on the westerly side of Main Street beginning at a point located ninety-eight feet (98') northerly of the centerline of the railroad crossing and proceeding in a northerly direction for a distance of thirty seven feet (37').

Sec. 10-715D. TOW-AWAY ZONES.

New Sub Section:

- (i) Main Street. Within the bus stop zone located on the westerly side of Main Street as described in Sec. 10-717., sub-section (ii).

These proposed amendments are a result of numerous discussions to relocate the Greyhound Bus Service's pick up and drop off point in Montpelier.

Recommendation: Conduct the first public hearing; direction to staff if there's further changes; set the date for the second public hearing to be held on May 27<sup>th</sup>.

Mayor Hooper said this relates to creating a full-time restriction for allowing an interstate bus to be able to stop in the vicinity of M&M Beverage. Mayor Hooper opened the public hearing at 7:58 P.M.

Tom McArdle, Assistant Director of Public Works, and Gwen Hallsmith, Director of Planning and Community Development were present for this agenda item.

Planning Director Hallsmith said she is the one who drew the short straw on the Traffic Committee for writing the memo in the first place, which is a memo recommending that the city discontinue use of one parking space that falls between M&M Beverage and the Drawing Board on Main Street so they can use it temporarily as a bus stop. The bus stop over on Taylor Street has been discontinued. It was closed down several weeks ago when Mike decided not to do his business any longer. He had been suffering for quite awhile from changes in the Greyhound Bus program and just couldn't make ends meet and decided to move on to something else. That left Greyhound rather suddenly without a bus stop in town. They were committed to continuing bus service here so they came up and talked to businesses all over the downtown looking for a place to sell the tickets. They talked to a number of different businesses. Alicia and Shawn Welters at the Rhapsody Restaurant have agreed to sell the tickets and agreed to make the little front section of their restaurant a waiting area for bus passengers which made Tom Stone real happy because that solved the problem of where to sell the tickets. That presented the city with a problem of where the buses would stop because if they continue to stop over on Taylor Street the shortest way between Rhapsody and Taylor Street is across the railroad bridge and then across a contaminated site. It seemed like a better idea to have them stop here on Main Street. They explored the idea of having them pull around City Hall, but there were concerns from the Fire and Police Departments about possible interferences with the emergency vehicles coming in and out of this area. After much debate and consideration, and a lot of objections because this isn't ideal as a solution, the Traffic Committee pretty much settled on that one space across the street.

The problem with the existing bus stop that is right in front of Shaw's is that the site distance coming in and out of Shaw's is quite difficult now with the short buses. The Traffic Committee felt that longer buses there would really make that a blind spot and potentially endanger people in the pedestrian crossing and the cars coming in and out of Shaw's. That was considered as well as a couple of parking spaces that would be right in front of the businesses there, but they felt that would interfere more with the businesses whereas the one they are talking about is a little beyond the businesses seemed to them the minimum impact. It doesn't mean that there isn't an impact, but weighing all of the different considerations it seemed the least of all of the evils eliminating parking in the downtown.

Assistant Public Works Director McArdle said the Manual of Uniform Traffic Control Devices and other texts recommend a bus zone that is about 50 feet in length for one bus of this nature, and that it is in an offset barrier separated from the travel lanes. The bus area in front of Shaw's is an example of no design, or poor design. The buses are actually in the travel lane and that not only

presents some issues with the site distances at the driveways but it also interferes with through traffic in the turn lane. To put this bus into that turn lane would be further exacerbating a poor situation, which is why Gwen has been working so hard and diligently on the Carr Lot as a permanent home for buses and mass transit. When they look at the guideline it makes sense to get the bus out of the bus zone and provide a level landing area. There would be a waiting area on the sidewalk and you should be able to open the bus luggage compartment. People should be able to enter the bus from a platform and not interfere with through traffic on the sidewalk as well. The sidewalk in this area has ample width; it's about 12 to 14 feet in that area. The 50 feet is not accomplished in this location. It is 37 feet between the two driveways, so the back end of the bus will be encroaching in the adjacent driveway that serves the old Tomasi block's parking lot. That would be obstructed for a short period of time. There are some details that will have to be worked out with that property owner. Some of that communication still needs to take place.

Council Member Golonka said he remembers when they were talking about locating a parking garage behind that block. That intersection was classified as a failing intersection. He thought there were issues there as a dangerous intersection already, so if they are putting a bus stop there it would make it more dangerous. He is concerned because of that. Turning on to Barre Street from Main Street is very dangerous during the day. He just sees this as a very dangerous intersection.

Assistant Public Works Director McArdle said that actually was considered in why the bus is being proposed where it is being proposed, out in the travel lane and proper site distances being allowed between the parked bus and the crosswalk. The bus is not in the travel lane but in the parking area and there are site distances maintained to that crosswalk. The bus is not actually in the intersection. The intersection is in failure during peak time periods, which means it still functions but the term failure refers to delay time. The delay exceeds acceptable norms for stop control type of intersections, so delays are excessive. Excessive delays lead very often to poor decision making and over abundance of information as you try to maneuver turns in pedestrian crossings. They did take that into account to keep the bus away from the intersection. It doesn't obstruct site distance at the crosswalk.

Council Member Sherman asked if there were any other options.

Planning Director Hallsmith said it would take away more parking spaces in front of City Hall, but that would be another possibility.

Council Member Sherman asked if City Hall would sell tickets.

Planning Director Hallsmith said they would sell the tickets across the street at Rhapsody.

Assistant Public Works Director McArdle went on to explain that one of the thoughts they had, which was the restrictions or signs they would place for the parking restriction in the bus zone. There is a towing zone accompanying this ordinance because of the hardship a parked car would have on the bus zone.

Mayor Hooper said it is always a struggle to find parking at M&M to bring bottles back.

Council Member Weiss said he has a question for the City Manager. If this goes through, will that mean the owners of Rhapsody will have to go through any of the government bureaus because they are changing the nature of their business.

Planning Director Hallsmith said it isn't a complete change of use which is what would trigger the zoning review. The people in the restaurant are still buying things from the restaurant. They are

potentially good customers of the restaurant as well. She doesn't think a restaurant adding tickets to their list of things they sell puts them over that threshold.

Council Member Sherman asked if they consider this as a short term solution.

Planning Director Hallsmith said that is the hope. The Carr Lot issue is on the next agenda for discussion, which would be the long term solution, to develop a multi-modal center. This is a temporary solution.

Tim Heney appeared before the Council and said he manages the building at 24 Main Street where the Drawing Board, Savoy Theatre and Vermont Violins and a few other businesses are located. The reason he was talking to Tom about the right-of-way is because Shaw's has blocked it off for their construction project. If you take a quick look at this proposal, it looks as if it was "nuts" in terms of the way the dynamics of that whole area is struggling now. There are businesses like the Drawing Board that have people driving in to pick things up and drop them off. Vermont Violins is the same with violins and cellos. Of course, the Savoy has the theatre but it also has a video business with people who come and drop off for that, too. Taking away parking in that area could have an impact on all of them that wouldn't be good, and that's without even opening up the conversation about blocking the right-of-way with buses or adding a big bus to that whole intersection. Just look at the impact that the GMTA buses have when they park two in a row in front of Shaw's with the 5 o'clock traffic trying to roll through. Bring in a Vermont Transit bus and the 6 to 10 cars that show up with people to drop them off or pick them up for the bus, it just doesn't seem like it's a well thought out solution. He knows they need a fast solution, and he appreciates that, but this can't be the best solution to this problem. It seems like they are tied with Rhapsody because they have agreed to sell the tickets, so there is some proximity issue with them, but there have got to be other places they can pull a bus through. In other places they sell tickets on the bus as people get on. There has got to be some place they can wheel a bus through and get it back out easily.

Mayor Hooper said they went through quite a long list. It is a dilemma because the bus is an important service to the community.

Jody Brown from the Drawing Board said she is very much in favor of keeping the bus service. She definitely thinks it is important to keep public transportation. She knew the ticket sales were moving to Rhapsody but she did not know the bus might be stopping there. Living on that corner she believes it is a very unsafe intersection and she crosses it very frequently to walk to the Coop. She doesn't believe there is visibility now without a bus there. There is a lot of confusion with cars turning and people walking with just parked cars. There are a lot of close calls in that area. She is very scared about a bus stop there six times a day with cars dropping off and picking up. The other thing that makes her very nervous is she shovels her business and the Savoy and the parking lot is not maintained. It gets plowed around what is there, but the sidewalk and the snowbanks she doesn't know who is going to take care of them. She was concerned about the people standing there trying to load on and off a bus in the winter and who was going to keep that shoveled. She went on to say that they had lost all of the parking behind their business to permit parking except for two spaces. They also lost their right-of-way for drop off and pickup for their paying customers. She didn't say much about that as long as they could pull into the lot, but now they have roped off the lot she is going to start working hard to open it back up. If a bus is going to be blocking that most of the day, then there is a real issue because even if they can't park their customers have to be able to pick up and drop off their work.

Mayor Hooper asked if most of the Drawing Board's customers go through that lot rather than down by the railroad tracks.

Ms. Brown said most of their customers who pull into the lot think they will find parking.

Elisha from Rhapsody appeared before the Council said she is very excited. We need more people in town, and the bus brings more people into town. She would like to have the city put a few restrictions on the bus. They shouldn't be able to idle in front of the businesses and they have to take care of the snow. The bus comes and goes; they are not sitting out there all night. She suggested to Jody Brown to ask for a sign for pick up and drop off for the Drawing Board only.

Police Chief Facos said on behalf of the Traffic Committee they want to make a slight distinction that they simply did not look at business models but traffic safety with other options, such as Taylor Street where the city has a right-of-way.

Mayor Hooper said it is important that they get in touch with the owner of M&M.

City Manager Fraser said Police Chief Facos talked about the safety issues. The only other potential place is in front of City Hall and it would cost three parking spaces, but he doesn't recall there were significant safety issues.

Police Chief Facos said at least there wouldn't be an intersection. Again, the other spot where they are currently located on Taylor Street the city has the space, but they just don't have the business available for ticket sales.

City Manager Fraser said if they wanted to have the bus stop in front of City Hall it would cost three parking spaces. It might also be a place where tour buses could drop people off. The Traffic Committee was trying to minimize the loss of downtown parking.

Council Member Sheridan said he doesn't see that being any safer. He uses this crosswalk a lot and that means the buses are going to be right there as you are trying to step out into the traffic going across the street.

Assistant Public Works Director McArdle said the issues around City Hall include Rite Aid trucks that deliver and multiple deliveries to that store, some deliveries along City Hall, a lot of funky parking out behind City Hall across the crosswalk so it is not always open for travel, particularly during the times of day they have on their schedule which also seemed to be the busiest times around City Hall. As Tim pointed out correctly, the location was tied to the business and the site where the tickets were being sold and how could a bus be sited as near to that as possible. The fact still remains that Taylor Street is the ideal location. In fact, the city has a deeded bus zone on that property from the railroad. On street parking could be provided and not be on the Carr Lot property. That is the ideal setup for the bus stop. That is really the only place where it could actually fit and not interfere with traffic and be convenient for customers. There are a lot of issues with that location.

Mayor Hooper asked if they knew the timeframe about when we need a solution.

Planning Director Hallsmith said the bus doesn't have a location now.

Council Member Jarvis said she thinks it is fabulous that the owners of Rhapsody have come forward and are willing to host ticket sales. However, she thinks they should think about a safe and convenient location and then make some overtures to businesses that are close to that location. The Taylor Street location seems to make the most sense for a lot of reasons. She would like to see city staff reach out to the owners of that convenient store on the corner. That might make a lot of sense. There is also a gas station across the street.

Planning Director Hallsmith said the bus company came up and explored all of those options before. When the issues came up with the bus stop she also called him back and asked about Capital Deli, the Gulf Station or the hotel. The hotel might be a nicer place for the bus tickets because there is the waiting area. You don't have it with Capital Deli or with the gas station. There isn't any place for people to wait inside. It's not up to the staff. She did raise it with the Greyhound Bus folks and they weren't terribly enthusiastic about that idea. He was happy with the solution he came up with. The hotel would be even another option, or even City Hall. If we are trying to keep the bus away from Main Street, then City Hall is a problem, too. He did talk to a lot of businesses in town and considered a lot of options.

Council Member Hooper asked Gwen what were the hours of operation for the bus, the earliest and latest times.

Planning Director Hallsmith said it was around the clock. There is one that leaves at 7:00 A.M. and another one that comes through at 2:00 A.M.

Council Member Golonka asked if they could sell tickets on the bus.

Planning Director Hallsmith replied that is what they are doing now. Mayor Hooper inquired if Gwen had talked with the tourist information people.

Planning Director Hallsmith said the man from the Greyhound Bus did. He talked to First In Fitness, Minuteman and anybody who would listen.

Council Member Weiss asked Elisha from Rhapsody if anybody had discussed with her that in addition to tickets and passengers that there would also be a requirement that they have to have packages.

Elisha from Rhapsody said they are not starting that yet. They will first see how just passengers works.

Mayor Hooper reminded people the Council is conducting a public hearing on this proposal.

Council Member Sheridan said he doesn't think it is a good spot.

Council Member Golonka said he didn't anticipate he could support that spot.

Council Member Sherman said there must be a better place. The information center sounds like a great idea, although it is not very close to the downtown. There are people who walk to the bus stop to catch a bus in or out of town and the tickets need to be near where you get on the bus. We definitely need a transit center. Is there a possibility of hiring someone else to man the totally insufficient bus station and keep it where it is?

Mayor Hooper said this is a tough thing because what is in front of the Council right now is the parking restriction and it is all related to the problem. She is concerned that if they say no to this option they will lose the bus and that will be a real problem.

Council Member Sherman asked if they could table it until they have a discussion about the Carr Lot.

Mayor Hooper said they obviously need to come up with a solution pretty quickly.

Council Member Weiss asked if there was anything that prevents the Council from approving the ordinance with a sunset date.

City Manager Fraser said there are seasonal ordinances, etc.

Council Member Weiss moved that in the matter of Section 10-717 that the Council approve the proposal as submitted with a sunset date of June 1, 2010. Council Member Hooper seconded the motion.

Mayor Hooper said this is a proposal to amend what is in front of the Council for the first public hearing and we'll conduct a second hearing. She suspects a good deal of work would be done in the interim.

Council Member Golonka said they should secure a different site. He isn't happy with the site.

Council Member Jarvis said the Traffic Committee was working on this one spot.

City Manager Fraser said the Traffic Committee assessed a number of spots, and this is the one they settled on.

The vote on the motion was 2-3 with Council Members Jarvis, Golonka, and Sheridan voting against the motion. Council Member Hooper abstained from voting.

Motion was made by Council Member Jarvis, seconded by Council Member Sherman to direct staff to make an effort to find a different a location for the bus stop.

Mayor Hooper said the Council is not accepting this proposal and are looking for an alternative place.

Assistant Public Works Director McArdle said for clarification the Traffic Committee's recommendation was Taylor Street, but that doesn't work for a lot of reasons as Gwen pointed out. What is the site that works on Main Street? The Council has understood quite well and hit on all of the points. It is clear that the charge to have the Traffic Committee consider other sites they have exhausted that for this area in trying to site a bus near that particular business. It is a built up downtown area. There aren't any places without this having a significant effect. What is going to be lost? Parking spaces. To create the bus zone he mentioned you need a 50 foot corridor that is off the travel lane. The next thing over is a sidewalk and buildings. Other locations are limited to on street and parking spaces. Taylor Street doesn't have any of those issues.

Council Member Sheridan suggested in back of Christ Church.

Mayor Hooper inquired if a bus could pull through at Perry's Gas Station on Lower State Street.

Mayor Hooper said the Council needs to decide what it is doing with this ordinance. She appreciates it that it is not the Traffic Committee's job to site businesses, but she thinks they have a deep interest in trying to make through bus service work.

The motion was to direct staff to investigate and find a suitable location for a bus stop. The vote was 6-0, motion carried unanimously.

As a result of the Council's Goal-setting Session in April, it was decided that ample time would be set aside at each upcoming Council meeting to receive an update from one of the various committees or groups working on City-related projects.

Councilors feel that more time has been needed not only to receive the update, but to allow for a longer discussion as well.

Recommendation: Receive update; discussion; possible direction to the District Energy group and/or staff.

Barry McPhee, the Team Leader of the Montpelier Energy Team and Gwen Hallsmith, Director of Planning and Community Development were present for this agenda item.

Mayor Hooper said the purpose of this workshop is to discuss issues regarding energy. The goal is to figure out what the issues are and provide direction to staff so they are thinking this through at the beginning. It is important for the Council to be informed so they will be able to make the decisions they will need to make later.

Gwen Hallsmith, Director of Planning and Community Development, said the District Energy Plant began years before she was here. It has been a process that has been underway for about ten years and has been through numerous studies and as of late it has changed direction. The initial effort that the city was making was hooking up to the state facility as that expanded. She reviewed the recent changes in the wording on the bond vote where the original bond vote was basically to run a pipe from here over to Taylor Street. At this Town Meeting we changed the wording of the bond to enable the city to do permitting, siting and feasibility of the District Energy Plant that the city would build independent of the state. That is the change in direction that has occurred in the process in the last couple of years.

This change in direction really began at the Energy Town Meeting that was held in March 2007. At that meeting a new committee was convened around district energy and she has been active on that committee to coordinate efforts. That committee has gone through a number of different exercises. They applied for a preliminary grant from the Clean Energy Development Fund, received it and completed the feasibility study. They did a solicitation of interest last summer and recently issued an RFP for a private partner. Right now they are in the selection process for that partner. The committee that was reviewing the applications met and has decided to interview four companies and those interviews are happening next week. The four companies are NRG Thermal, Concord Steam, Viola and Woodfuels.

There is some thinking about what partner to choose because each of the partners has proposed a different approach. Concord Steam would like to be the city's engineering firm or designer. They are not proposing to make a lot of investment in the facility. NRG Thermal is in the middle. They are interested in owning and operating the generation facility. They are not interested in the distribution lines and they are not interested in taking the fuel risk. Between the distribution and the fuel risk that really does put a lot of the risk on the city's shoulders. Fuel risk means basically betting on what oil does because the economics of biomass plants do shift in terms of what oil is, or other potential replacement fuels. Woodfuels has a different model. They are actually a wood pellet manufacturer that is looking for customers. They have a different business model where they would actually come in and build the plant providing the city would agree to buy their pellets for the next 20 years indexed to the price of oil which could be or not be a really good deal depending upon what happens with oil. Pellet production is energy so right now the cost of pellets is not outrageous. The preferred fuel source right now is wood chips, although they are not closed to the idea of wood pellets.



Council Member Jarvis asked if it made sense for the city to make its own pellets.

Planning and Development Director Hallsmith said the Viola Company is a big company. They are based in France and she toured one of their plants in Paris when she was there last fall.

Council Member Hooper asked Planning & Development Director Hallsmith to explain what the Clean Energy Development Fund and if the city expected to receive a lot of money out of that fund.

Planning & Development Hallsmith said it was a state fund and they have received \$25,000 and just recently received another grant for \$75,000. They spent the \$25,000 on the feasibility study. The \$75,000 will help supplement the money that we have in the bond for siting and permitting for the project. That is the phase they are moving into now and the partner they select will help us to do that phase of looking at sites, acquiring the sites and getting it through the permit process.

Her idea about a public/private partnership and why that might work was that if the city had a permitted site and the design that would actually ameliorate a lot of the risks associated with developing the facility. Essentially, the city could rent or lease the site to them indexed to the cost of the energy and produce a revenue stream for the city while at the same time we attract a good partner.

Planning & Development Director Hallsmith said she is really excited about the project and is interested to meet these people next week. NRG Thermal already does some work for the state. They have insisted on making it a joint meeting with the state. She will be meeting with them and Buildings and General Services on Wednesday, and they are interviewing with the Energy Team on Thursday. She has had a long meeting with Buildings and General Services because it is in our interest for the state to be the city's client. They already have a large district energy system and for them to be on our system would be beneficial for everybody. The state has not managed to get their capital bill for their upgrade of their plant. By the end of the meeting they really did seem to think if the city came up with a viable plan they would sign on to it.

She went on to explain that one of the strategies she has been using to try to attract stimulus money for the district energy project is to work through Burke to help organize the folks from around the state that are also working on similar projects, such as Burlington, Brattleboro, Montpelier and Randolph. If we could receive a Vermont allocation under the stimulus plan for district energy, it could pick up the state's needs as well. We're talking about the layout of a hot water plant, which is different than a steam plant. While it is possible for steam to supplement hot water, it is a lot harder for hot water to manage steam. The way the systems work when they go into peoples' buildings is you don't actually run the hot water that comes through the plant through the peoples' buildings. There is a heat exchanger at the building entrance, and that is what this \$100,000 will pay for.

Council Member Sherman asked if the hot water system was not as hot as steam.

Planning & Development Director Hallsmith said that was correct. It is also not as pressurized and not as dangerous. It used to be when these plants were built they needed steam because they needed to be hot enough to get through all of the non-insulated areas, but now they are building these pipes with insulation systems. Funding is going to be the next question. They are working at putting the pieces in place to enable a large scale capital project, but another critical decision that the Council is going to have to make at some point within the next year is how much of this plant do they want to own.

Mayor Hooper inquired what the footprints of the plant.

Planning & Development Director Hallsmith replied it is very small. It depends upon what the city decides to build. She has the data for what they would look at for particular parts of the city. A footprint for a facility that would serve thermal needs of a majority of the downtown might need a couple of acres, but if you build a facility that produces more electricity, such as 25 megawatts, that is going to take more.

Council Member Hooper asked if there is a cooling need if they produce electrical generation.

Planning & Development Director Hallsmith said it depends on how much electricity is produced. The way they have been moving forward with this proposal is that we are optimizing for heat. That is why locating some type of co-generation that can use that surplus power is important. The biomass needs to be sustainable and the plant needs to be efficient.

Mayor Hooper said it is going to need Act 250 permitting. Does it also have to go to the Public Service Board because it is a utility? There was a real concern with the District Energy Group early on about not having unsustainable wood harvesting practices, but the other problem is what the other demands are. Another item on the list is to create a city forest.

Council Member Hooper said the city has a lot of wood and not a lot of people harvesting it at this point.

Planning & Development Director Hallsmith said one of the things about biomass facilities is they support Vermont's forestry industry because they use low grade wood and it gives the existing wood harvesters the market for a product that they wouldn't necessarily have otherwise. There is a nice synergy to the group between these plants and the wood industry supporting them.

Mayor Hooper said one of the sites is on the edge of Sabin's Pasture, which is a really great site because there is land mass, a railroad and the stack works there.

Planning & Development Director Hallsmith said the other place she discovered recently that would work well as a site is the little industrial area across the river from Sabin's Pasture where the Lamb Abbey is. There is big old granite shed down there that is about to come up for sale and it might actually make a nice site and the railroad crosses there. A nice thing about that area is you don't see it from anywhere. You wouldn't see the stack.

Mayor Hooper said any of the potential locations are relatively close to residential areas and that will be one of the issues out there.

Council Member Weiss said this is the tip of the iceberg. The difficulty is going to be how we can prevent the Council and the work that Gwen is doing from being separated. We need to have Gwen at every meeting with a brief update. Somehow we are going to get to a point where one of the most important decisions will be made during this decade. As a Council Member he can't be caught in a position of trying to catch up. What process can we develop that will enable the Council to keep abreast of what is happening during this critical time?

Planning & Development Director Hallsmith said Alan has been part of the selection committee, but the interviews with the partners are going to be open interviews and members could attend as one way of keeping up with the issue.

Mayor Hooper said one of the important decision points is who the contractor is but also the content of the contract. There are siting concerns, revenue issues and who plays what role in the process. She mentioned the city playing the role as the developer, and she is sure there are 50 other

more important decision points that it would be helpful for the Council to know so they can weigh in before voting on them. The purpose this is evening is to find out what else the Council Members want to know about this project. Do you know enough to even ask questions?

Mayor Hooper said she is thinking about funding and a revenue package. She guesses everyone would like to see some revenue from this which would mean the city would be participants in it.

Planning & Development Director Hallsmith said the risks the city would be taking on are a good question, along with the potential revenues. Where do we want to site it? How much opposition are they willing to walk through to site a plant? The main thing is the money they have added into the economic development bill helps get over a huge obstacle and will help people pay to hook up.

Council Member Hooper asked if there were ballpark total cost figures for this money.

Planning & Development Director Hallsmith said \$20 million.

Mayor Hooper said if we own the land then there wouldn't be much cost at all. She is thinking about the city's bonding capacity.

City Manager Fraser said the issue with bonding capacity is that we are nowhere near our limit. The question we need to answer would be are we just taking on more than we feel we can afford?

Planning & Development Director Hallsmith said that this project would certainly be eligible for a TIF. That's the other advantage of keeping it private. She tends to favor the end of Barre Street potential site because there you have all of the potential new housing units going on. This could be their primary heating source. There is also Barre Street coming into town. Even though the big anchor clients are the ones they would go for first, that doesn't mean as you go by the residences that they wouldn't have the option of purchasing this. To build it on a basis of residential hookups isn't in the works. All of this relates to the right size of the facility. The way they have been thinking about it so far is they would try to build a facility that is expandable.

Council Member Weiss asked if Gwen could give the Council a timeline. Secondly, if this project comes to light, do we have to make any changes to the city charter?

Planning & Development Director Hallsmith said it depends on what they decide to do. If they wanted to go into operating a thermal utility that also opens state level issues because the utility legislation at the state covers power, water and sewer. Right now the utility regulatory legislation does not cover solely thermal utilities. It has been flagged as an issue and they have been working on it at the state.

Mayor Hooper asked the Council what other issues are out there for us in order to make a decision. Also what does Gwen need to know from the Council for the Council to proceed with this.

Council Member Sheridan said he is concerned with the whole big picture. There are a lot of big projects we are talking about. What is our capability of managing them? We have only got so many people and next week we're looking at Sabin's Pasture, the Carr Lot, the Senior Center and other buildings around town. There is a lot of big stuff on our plates. He would rather they do two or three things really well than five or six things not so well just because we are spread too thin.

Planning & Development Director Hallsmith said it might be a good idea to take a look at all of them and figure out priorities based on criteria. From her point of view district energy would be at

the top of her list no matter what all of the other issues were because it is really a critical issue, and an issue we need to get on top of as soon as we possibly can.

Council Member Sheridan said if we are sidetracked with a lot of other things, burning out, and people are breaking down it is not going to help us

Mayor Hooper said the next point to consider, which may help us choose whether to go the district energy path at all, we may choose a different option because somebody else can do it for us.

Council Member Weiss asked Planning & Development Director Hallsmith if the first couple of times this was on the Council's agenda would it be acceptable if it was listed as information only and not as an action item.

Planning & Development Director Hallsmith said that is what they are doing tonight. If the Council's inclination in general is to go with somebody who is going to make an investment, then there are three of the four they are interviewing that would meet those criteria. One is not. Concord Steam is not going to make an investment, but they have been running the Concord, New Hampshire District Energy Plant for many years now, which is parallel to what we are talking about doing.

Council Member Weiss said the Energy Committee meets May 21<sup>st</sup> and May 22<sup>nd</sup> and someone is selected, there will be almost a month of negotiations to finalize an agreement. He doesn't see anything coming to the floor for action until at least July.

Mayor Hooper said unrelated to the District Energy Plant but in a broader category the Vermont Legislature did pass an energy bill, which hasn't been signed yet and may not be signed, but one provision in it is the ability for municipalities to create special districts in which property owners could choose to participate. The municipalities would enable property owners to get loans based on future property taxes.

09-120. Adoption of the City Council Goals for 2009. V.A.

(City Council held its Goal-Setting Workshop on Wednesday, April 1<sup>st</sup>; the City Manager will have compiled a draft list for Council review prior to Wednesday Evening.)

Recommendation; discussion; adoption.

The City Council Members had received the copy of the goals this evening and action on this agenda item was rescheduled for the next council meeting.

09-121. Report by City Council

Council Member Hooper told Council Members to expect big news about EC Fiber within the next few weeks.

Council Member Sherman reported that the GMTA Board now has two members from Montpelier and two from Barre. If they go regional, they would like to include Franklin and Grand Isle Counties on the Board without expanding the number of seats. They are going to be proposing that Montpelier and Barre just have one seat. Nancy Wasserman is the Chair of this Board, so she would be the seat. They are going to vote on it at their annual meeting in June so if anyone feels strongly that dual representation is needed they need to speak up.

Mayor Hooper said she believes the issue of governance is very important and she just doesn't want them to arbitrarily say we are losing a seat.

Council Member Sherman said the July 3<sup>rd</sup> parade is coming up and Andy threw away the Council's old banners. She just reminded the Council they will all be out in the parade. She went on to say that there was some confusion at the Farmer's Market on Saturday about who could drive in and who didn't. Perhaps the Council should clarify that.

09-122. Mayor's Report:

None.

09-123 Report by the City Clerk-Treasurer:

None.

09-124. Status Reports by the City Manager

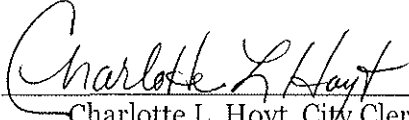
Agenda Reports by the City Manager:

09-125. No further items as of "press time".

Adjournment:

After proper motion made by Council Members Weiss and Golonka the council meeting adjourned at 10:03 P.M.

**Transcribed by Joan Clack**

Attest:   
Charlotte L. Hoyt, City Clerk