

Date	Committee	Time	Location	Links
2/22	Lobbying Committee	4:00 PM	Zoom Only	Agenda and Zoom Link
2/22	Design Review Committee	5:30 PM	Zoom and City Council Chambers	Agenda and Zoom Link
2/22	Development Review Board	7:00 PM	Zoom and City Council Chambers	Agenda and Zoom Link
2/23	Social & Economic Justice Advisory Committee	8:00 AM	Zoom Only	Agenda and Zoom Link
2/23	Public Art Commission	5:00 PM	Zoom Only	Agenda and Zoom Link
2/23	City Council Meeting	6:30 PM	Zoom Only	Agenda and Zoom Link



Improve Public Health and Safety

COVID-19 Response- Updated

Announcement: There is a blood supply shortage. Please consider blood donation. Upcoming local donation events can be found here:

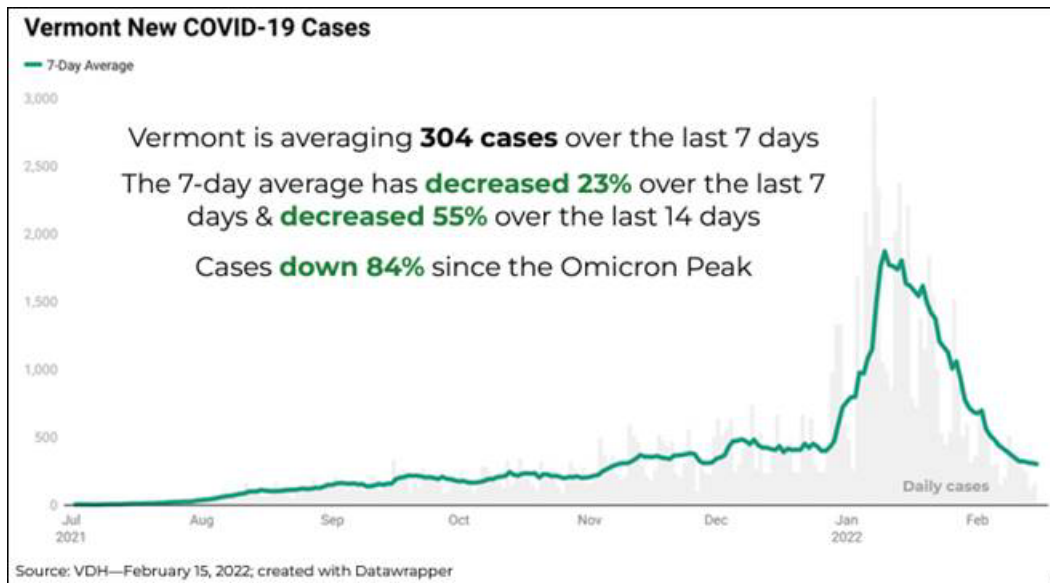
<https://www.redcrossblood.org/give.html/find-drive>. **The next scheduled blood drive at City Hall is on March 4th, 2022, 10:00 AM - 02:30 PM.**

Update: the State has distributed 481,000 disposable masks to sites including municipalities, alpine ski areas, and COVID testing sites. The City received 500 masks to be distributed to staff, and kept on reserve so residents without masks can have some available to attend public meetings or other meetings in City facilities.

Update: The Agency of Education and Vermont Department of Health announced that they will not update the Advisory Memo to extend the February 28, 2022 end date for universal mask recommendations for highly vaccinated schools.

Update: The State has released their [COVID-19 Modeling report, updated on February](#)

[15th, 2022](#). According to the report, COVID-19 cases are now on the decline in Vermont, with the State's forecasts predicting this trend will continue. According to the DFR report, Vermont is averaging around 304 cases over the last week.



Just keep in mind, even with declining cases, according to the [State's Town Case-map](#), through the 9th of February, Montpelier has had over 1,000 reported cases!

It is very important that all who are eligible get vaccinated- it's never too late! [Find vaccination clinics here](#), or call your preferred pharmacy.

COVID-19 Reminders:

- **The City Council voted on February 9th to extend their [Mask Mandate](#).** They will take this up again for discussion at their March 9th meeting, and the current expiration date of the mandate is March 11th.
- **Keep up to date with CDC Recommendations!** You can find the CDC's updates regarding COVID-19 on their website [here](#). They have released an updated chart regarding their quarantine and isolation guidelines [here](#).
- **Federal Government Rapid COVID-19 Test Program** You can order at-home, rapid COVID-19 tests from the Federal Government at www.covidtests.gov. Through this new federal program, each household is eligible to receive four tests, which are expected to ship within 7-12 days of ordering. Supplies are limited. Any Vermonter without internet access can call the Governor's Constituent Services Office at (802) 828-3333 for assistance in filling out the online request form.



Practice Good Environmental Stewardship

Home Farm Way Property

The City remains in conversations with the Preservation Trust of Vermont (PTV) and Vermont Housing and Conservation Board (VHCB) about the future of this property. PTV and VHCB are taking the lead to resolve the complicated ownership

(802)-223-9502, Telephone 39 Main Street, Montpelier, Vt 05602

(802)-223-9519, Fax

www.montpelier-vt.org

issues. It is very likely that the city will become owners of the 15 acre parcel in the back which abuts the river. The 2-acre parcel with the old house is less clear at this time.



Provide Responsible and Engaged Government

Strategic Plan Public Dashboard: The 2022-23 Strategic Plan Public Dashboard is live and updated, available here: <https://performance.envisio.com/dashboard/montpelier-vt1777>. You can use the dashboard to see updates on where City Staff is on their work to achieve the City Council's goals.

It's easy to navigate to from the [city's homepage](#), you can click through to it by hitting this icon:



February City Council Meetings: City Council, in a reaction to the increase in community transition of COVID-19 and per the authority in the Vermont S.222 Act, will move both of their February Council Meetings to remote only. Council meetings in February will only be held via Zoom.

Pending Legal

- *Ferry, et al v. City of Montpelier.* Filing of multiple parties seeking to invalidate the City's non-citizen voting charter amendment. The City is represented by Attorneys Michael Tarrant, Stephen Coteus, and Kimberly Devine.
- *Appeal of Zoning Permit.* Neighbors have appealed DRB approval of a permit to move a barn structure. City is represented by Attorney David Rugh. We are monitoring the case. Recent filings by appellants have challenged the validity of sections of the city's zoning ordinance.
- *IUOE Local 98 v. City of Montpelier.* DPW filing to Labor Board objection to the re-classification of one employee. City is represented by Attorney John Klesch.

General Business Follow Up update:

- 2/9 A long series of comments and allegations were made at the meeting. A response in memo form is attached to the end of the report.



Create More Housing

Proposed former Elks Club Property Purchase New

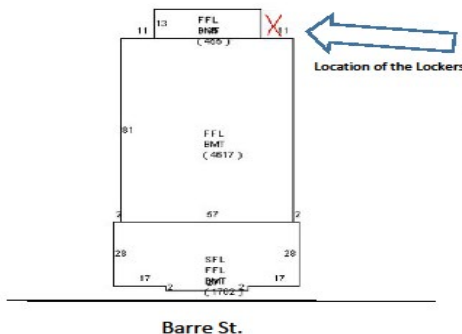
The HUB group, in collaboration with city officials, will host a site visit at the former Elks Club tomorrow (Saturday) at 11:00 AM for those interested in seeing the property and facilities. In addition, drone photos and videos of the property have been taken and are posted on the City's Facebook page. They will be on the website next week.



Improve Community Prosperity

Public Lockers Updated : The Leadership team has started a focus on issues related to homelessness, seeking to address one thing at a time. We have finalized the plan to site lockers at the rear of the Rec Center. We have chosen the lockers we'd like to purchase and have filled out a site-plan for the DRC to review. This topic will be on the Tuesday 2/22 DRC agenda. If the permit is approved, we will move forward with purchasing and installing the lockers. The policy for the use of the lockers is still being finalized and will be shared with Council when it's completed.

Please see the implementation site plan below.



Project: City Installation of lockers at the Rec Center
 Applicant: City of Montpelier
 Location: 55 Barre St., behind the Rec. Center

Community Services Department Shared Info Updates/Events/Collaborations

Montpelier Community Services Divisions (Parks & Trees, Recreation & Senior Activity Center): To find information about our facilities, services and programs, visit the following linked websites/pages:

Parks & Trees, Recreation, Senior Activity Center (MSAC), News and Announcements, Special Events, Hubbard Park Expansion Project, Capital Kids Afterschool Childcare Program, Facility Rentals, FEAST Senior Meals on Wheels and Curbside Meals, FEAST Farm, MSAC at Home services, Adult/Teen Winter Classes. To subscribe to the MSAC e-letter/newsletter, email a request to msac@montpelier-vt.org. To subscribe to the Parks/Farm Volunteer e-list, email a request to jhuettenmoser@montpelier-vt.org. Facebook pages for the divisions are: Parks & Trees, Recreation, MSAC, (and FEAST Senior Meals).

Montpelier Parks & Trees Division updates/events

Ski Trails Update 2/16 from Alec: Our local ski trail network is getting washed out this week. You can find regular updates on grooming and conditions at the Parks Facebook Page and at <https://onionrivernordic.org/>. Hopefully snow and winter conditions return soon!

Lake Champlain Basin Program (LCBP) "Healthy Ecosystems" Grant Awarded to Montpelier Parks: Montpelier parks received an LCBP grant for \$24,770 to run a Montpelier Youth Conservation Corps (MYCC) crew along the bike path this summer. They'll be removing invasive species, planting native species, and improving the riparian area. We'll be hiring these summer position in the next month or so, stay tuned for more info.

Montpelier Parks is hiring for the Summer! We are seeking a half-year, full time Americorps member to run our FEAST Farm Camp. This is a great summer camp program that we piloted last year and are hoping to grow this year. This person will have the chance to work with our crew to shape the program and develop an on-farm camp program that provides a meaningful summer experience for local youth. Experience with summer camps and/or child care is required. More information can be found here.

Animal Tracking Intro Walk (2nd in a series): Sat. Feb.26 | 10am (rain/snow date, 2/27) | Free | all ages | Join Naturalist Gail Johnson at the New Shelter at Hubbard Park for an easy walk. This is the second in a series about animal tracking. We will review the basics and concentrate on track patterns and compression shapes. A handout showing basic track patterns and compression shapes.

Montpelier Recreation Division updates/events

Skating Rink on State House Lawn is temporarily closed again: The ice is melting today, and thus the rink is closed temporarily again as of Thursday morning, 2/17. We'll post here, Facebook (www.facebook.com/MontpelierRec) and the Recreation main website (www.montpelier-vt.org/rec) when it re-opens.

Montpelier Senior Activity Center Division updates/events

Volunteers GREATLY needed for FEAST and MSAC at Home: FEAST Senior Meals is in dire need of more Meals on Wheels drivers 11:30am to 1:00pm. A regular driver is needed for Thursdays, and we're also recruiting substitute drivers for Mon-Thurs, kitchen prep help in the mornings, and dishwashers. Training and perks provided, great team, great cause! Call 262-6288 or email feast@montpelier-vt.org to talk with Kim. MSAC at Home is also in need of volunteers, to support aging in place and community connection through help with indoor and outdoor chores, social visits, and technology assistance. Call 262-6287 or email msac-amerikorps@montpelier-vt.org to talk with Maddie.

The Vermont Youth Employment Program (VYEP) is partnering with FEAST of Montpelier to provide a paid internship program for individuals that need work experience, are interested in gaining life skills, or looking for career the culinary trades. If individuals have questions, they can reach out to me directly. Internship description is found on the job board VermontJoblink <https://www.vermontjoblink.com/jobs/832758>

Senior Center thanks 2021 Volunteer during Valentines Week! MSAC couldn't do much without the amazing, diverse, intergenerational community of souls who volunteer on a regular or occasional basis! Dozens of MSAC's 2021 volunteers were feted on Valentine's Day Monday with a curbside luncheon loving prepared by Chef Shalonda and Team FEAST, valentine goody-bags, and notice of three opportunities to take care of themselves this week: (1) A nature walk on Siboinebi Trail with local naturalist Gail Johnson Saturday, (2) A wellness and self-care workshop facilitated by VT Care Partners online Friday, and (3) a yoga class taught by Lindsay Armstrong from Embodied Yoga, to attend virtually anytime. THANK YOU, VOLUNTEERS!

"Fill Up on Fiber" Nutrition Education Session online, free | February 22, 2022, 11 AM | Lindsey Robertson is the new Dietician Intern at Central VT Council on Aging for the month of February and will be culminating the internship with a free public nutrition education session on the importance of fiber. CVCOA is a key partner of FEAST Senior Meals of MSAC. [More info and registration.](#)

Montpelier Ukulele Players at MSAC (Drop-in) | Thurs. Feb. 24 | 3:30-5:00pm | Free | all ages | *may* restart for 2nd and 4th Thursdays of the month. Please email barrettsvt@gmail.com to be on notification list and learn more about what, where and when exactly they play, since there is **fluctuation in dates/times currently.**

Sponsorships opportunities for Community Champion Week celebrating Meals on Wheels March 18 – March 25 | March is National *Meals on Wheels Awareness Month*, and we're planning a robust series of events and community engagement to raise funds and awareness for our vital [FEAST Meals on Wheels program](#). Special guest star appearance by [Justin Michael Williams](#), [Montpelier Community Gospel Choir](#) with John Harrison, and others. If you are interested in sponsorship, contact [Janna](#). To help us celebrate this week or get involved as an ongoing volunteer with the program, reach out to [Kim](#) or call 262-6288.

MSAC Hosted Afghani Families

Last weekend, MSAC hosted a number of the new Afghani families coming together with members of CVRAN (the Central VT Refugee Action Network). Music, food and a lively atmosphere were enjoyed as the families mingled and children played. MSAC hopes to host more of these events in the future. If you want to learn more about how to support the refugee community, reach out to CVRAN at: <https://cvran.org/>



Build and Maintain Sustainable Infrastructure

East State Street Project **New**

Here is an update regarding the current status of the East State Street Reconstruction Project. During the preliminary engineering design of this project, developing the appropriate method to separate the combined storm and sewer at the bottom of the street was more complicated than initially thought. It was known that separating the storm and sewer would present challenges, but developing an adequate solution required additional survey and engineering design, which resulted in delays to the project.

The project team has come up with a phased approach to allow for the project to advance this summer. The engineering consultant proposed a stand alone project that would separate the storm from the sewer by installing a pipe along State Street and through the Rialto Bridge abutment utilizing trenchless technology. In addition, the first portion of the project will include all work within the immediate proximity of the East State Street and Main Street intersection. We are currently anticipating the project to follow the below timeline:

Phase 1 –2022: Separate sewer and stormwater at the bottom of the street. Install all required utility improvements to complete work that would impact the intersection of East State Street and Main Street. This project would include resolving the sewer odor at the lower end of East State Street.

Phase 2- Summer of 2023: Begin installing new water, sewer and stormwater utilities from Main St. to Hubbard Street. Work would also include reconstruction of the roadway.

Phase 3- Summer of 2024: Resume construction of water, sewer, stormwater and roadway reconstruction from Hubbard Street to College Street.

*The current design also includes green stormwater infrastructure to be installed in the Pitkin Court parking lot. It has not been determined which phase of the project will include this work.

The engineering design consultant, Green Mountain Engineering (GME) has closed their business. The lead engineer working on this project for GME has been hired within the Department of Public Works as a design engineer. The City has requested approval from the State of Vermont to finish the engineering design work in-house.



Employment and Personnel Announcements

Assessor new

I am pleased to announce that I have appointed Martin Lagerstedt to be the new City Assessor starting in March 2nd. He will work on a part time contract basis similar to our current arrangement. Marty has many years of experience in Central Vermont as a fee appraiser and is skilled with software tools such as sketching and GIS. He will need to learn more about municipal assessing but already has a good grasp on the concepts. Steve Twombly will work with Marty for a while to aid in the transition. Steve will also remain as a consultant for the reappraisal. We expect that Marty will be well grounded by the time the reappraisal is completed and we are working with an updated Grand List. We're delighted to have Marty on board.

Municipal Job Openings

Visit the City website for more information: <https://www.montpelier-vt.org/Jobs.aspx>

Community Development Specialist to leave position. The Planning & Community Development Department would like to announce that Kevin Casey will be leaving his position as Community Development Specialist in late March or early April to pursue his real estate career full time. Kevin has been in this position with the city for 10 years and in that time helped expand the position from primarily managing community development grants into a full time grant writer, administrator, and project manager. Over his years he had his hand in many of Montpelier's biggest projects including:

- Being a player key to the French Block redevelopment- from courting private investors at the start to aiding Downstreet and Housing Vermont in the eventual project.
- Securing close to a million dollars in grants late in the Transit Center project to close some budget shortfalls, clean up the brownfield contamination, pay for stormwater treatment, and repair the river retaining wall.
- Managed the Housing Trust Fund into a statewide model for other communities.
- Used his real estate experience to help purchase property on Old Country Club Road to allow most of the road to become part of the City's Bike Path.
- Applying for many grants, big and small, along the way to plan to assist DPW projects and other Council initiative.
- Assisting regional partners with their projects. Kevin's expertise in managing Community Development Block grants has led regional partners in housing to use the city to apply for grants that are used throughout Washington County and beyond.

While the department will miss Kevin, we know his passion has been in real estate and it's great to see him pursue his dream full time. We are currently beginning our search for a new person to pick up where Kevin is leaving off.

Position opening. The Planning & Community Development Department is now looking for a Community and Economic Development Specialist (CED Specialist) to handle project and program implementation for the city. The CED Specialist is a professional position with a very high degree of independence and responsibility for initiating,

implementing, and administering a wide range of community and economic development activities. The actions of the CED Specialist have the potential to significantly affect the quality of Montpelier's built and natural environment, the city's economic vitality, and the public's health and welfare. This position is therefore a critical to improving the lives of residents, workers, and visitors to our Capital City and in maintaining the public's confidence in the effectiveness and integrity of city government.

If you are interested in learning more about the position, the position advertisement and full job description can be found at <https://www.montpelier-vt.org/jobs.aspx> . Please contact Director Mike Miller at mmiller@montpelier-vt.org with questions or comments.

- **FT Police Department- Patrol Officers:** The Patrol Officer is responsible for the efficient performance of required duties in conformance with the laws and the Department's rules, regulations, and policies. Duties shall consist of, but are not necessarily limited to, a number of general police responsibilities necessary to the stability and safety of the community. For applications and more information, click [here](#) or email recruiting@montpelier-vt.org. We have one more open officer position.
- **Seasonal Park/Recreation Maintenance Staff:** Spring-Summer-Fall Mowing, driving tractors, maintaining sports fields, keeping parks and facilities clean. This is a busy, hands-on physical job that requires some heavy lifting and being on your feet for long periods of time. Visit <https://www.montpelier-vt.org/869/Employment> for more information about the positions available and how to apply. Or call 225-8699, 9am-4pm to inquire.
- **Looking for Summer Pool Staff!** The Montpelier Recreation Department is seeking seasonal pool staff for the municipal swimming pool this summer. Full and part-time positions are available. Staff will start work June 11 - August 21. There will be pre-season training prior to the start of the pool season. Training dates to be announced. Responsibilities would include supervising patron activity in and around the swimming pool, teaching swimming lessons, and front desk responsibilities. Applicants who do not hold a current Lifeguard certification could be accepted contingent on successful completion of a lifeguard course prior to the pool opening date, and reimbursement would be paid at end of season. Please submit a resume and cover letter describing your interest and qualifications. Please submit to amcmullen2@montpelier-vt.org or Montpelier Recreation Department, 58 Barre Street, Montpelier, VT 05602. Please submit applications by March 31. The City of Montpelier is an Equal Opportunity Employer
- **PT EMERGENCY SERVICES DISPATCHER/CLERK:** The Montpelier Police Department is seeking applications for the position of Emergency Dispatcher/Clerk. This part-time career position involves the appropriate call handling of both emergency and non-emergency requests for police, fire, and emergency medical services, and determining the nature and urgency of those calls. The position requires a considerable degree of initiative and independent judgment within procedural boundaries in responding to emergency and non-emergency situations. The dispatcher is also the first point of contact for those that come to the police station seeking assistance.

- **FT Streets Maintenance Worker Truck Driver, Level 1:** Montpelier, Vermont has a current opening for a Street Maintenance worker within the Streets Division of Public Works. The person filling this position will work with a streets crew performing skilled work in winter operations, construction, maintenance and repair of streets, drainage culverts, sidewalks, signage, and other appurtenances in the City Right of Way.
- **FT Water/Sewer Truck Driver Level 1:** Montpelier, Vermont has a current opening in the Water-Sewer Division of Public Works. The person filling this position will work with a water and sewer crew performing skilled work in the construction, maintenance and repair of water distribution, raw water distribution, wastewater collection and wastewater transmission systems.



Reminders

Social Worker Available to Residents

The Montpelier Police Department, the Barre City Police Department and Washington County Mental Health have partnered in providing an onsite social worker to help residents in crisis or needing an extra hand during the pandemic. If you would like to speak to Susan please contact her through email at: susan.lemere@wcmhs.org or contact MPD and we can assist with connecting you to Susan.

ORCA MEDIA

ORCA Media supports the City of Montpelier by live streaming videos to local TV and on YouTube. Recently, Comcast changed the government channel to 1085.

- Click here to see City Council Meetings: <https://www.orcamedia.net/series/montpelier-city-council>
- Click here for Live Stream: <https://www.orcamedia.net/series/live-stream-events>

City-wide Reappraisal Property Inspections Have Begun!

We have begun the process of a city-wide reappraisal of all real property. Representatives from the New England Municipal Consultants will visit each property in the city to gather data. The inspection process will start in late 2021 and continue through the spring of 2023. NEMC will mail notices to property owners in advance of conducting inspections.

Stump Dump:

Need to get rid of lawn debris, stumps, and branches? The City Stump Dump is open! Monday through Friday, 8:00 AM to 3:00 PM. Please call the City Garage at 802-223-9510 before going to dump to approve of your items!

Trash Receptacles:

Please, always, place trash receptacles for pick up at the corner of the driveway, behind the sidewalk. If you do not have a sidewalk on your street, please place receptacles on the corner of the drive, in the street closest to the curb. (Not obstructing traffic). Please do not please receptacles within the sidewalk. Questions? Please contact Jasmine Benson with DPW at 802-223-9508.

Thank you,



William Fraser, City Manager

Upcoming Agenda Items (<i>TENTATIVE</i>)			
2/23	<ul style="list-style-type: none">• 2nd PH on Bonds• Budget information meeting• Parklet Ordinance• Police Review Committee Schedule	3/9	<ul style="list-style-type: none">• Organizational Meeting• Elect Officers• Rules of Procedure• Ethics Policy• Committee Assignments• Mask Mandate extension• Election results review• Meals on Wheels proclamation• Public lockers?• Parking Meters
3/23	<ul style="list-style-type: none">• Zoning Revisions?• Reaffirm Strategic Plan• VRC Confluence Park• Public Records Fees?	4/13	<ul style="list-style-type: none">• Mask Mandate Update• 3rd Quarter Financials• Community Center update• Water/Sewer Fund Budgets• Zoning Revisions•
4/27	<ul style="list-style-type: none">• Strategic Plan Update• Zoning Revisions• Community Survey	5/11	<ul style="list-style-type: none">• Water/Sewer Rates• District Heat• Public Bathrooms• Summer Schedule
5/25	<ul style="list-style-type: none">• Telecommunications Infrastructure Update (CVPSA)• Conduit Policy	6/8	<ul style="list-style-type: none">• Economic Development Strategic Plan• TIF/Tax Stabilization Updates• Workforce Development Plan?• 12-16 Main St

? = Date is tentative, may shift to a different date

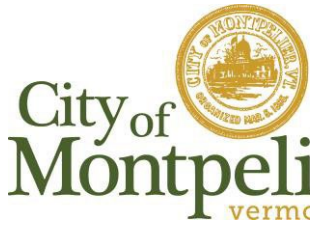
CURRENT PENDING STRATEGIC ITEMS

Topics from the FY22-23 City Council Strategic Plan for Future Council Agendas:

Month	Tentative Topic(s)
March	Zoning Changes and Housing Project Updates/ VRC Confluence Park Presentation
April	Community Center Updates
May	Public Restrooms/ District Heat (end of heating-season wrap up)
June	Economic Development – Strategic Plan, TIF, Tax Stabilization Updates/ Workforce Development program
July	Stipend Implementation Plan Recommendation (from SEJAC)
August	Website Updates / Capital Area Neighborhoods Presentation/ Stormwater Utility Updates (tentative)
September	Economic Development Strategic Plan Contract (Launch) / Strat Planning/ Accomplishments and Future Plans for Outdoor Recreation and Economic Development / Review Community Survey results
October	Creative Discourse Recommendations Status Update/ Strat Planning
November	ADA Transition Projects/ Net Zero Projects Update/ FEAST Program Updates/ **BUDGET** / PFAS Updates
December	**BUDGET**

Topics Pending Scheduling:

- Homelessness Plan
- Mutual Aid Issues with Middlesex and Berlin
- Update Barriers to Housing Study
- City Master Plan (Fall/Winter 2022)



City of
Montpelier
vermont

America's Small Town Capital

Mayor Anne Watson

City Council Members:

Dona Bate
Conor Casey
Jay Ericson
Lauren Hierl
Jack McCullough
Jennifer Morton

William Fraser
City Manager

Cameron Niedermayer
Assistant City Manager

Mary Smith
Assistant to the City Manager

MEMORANDUM

To: Mayor Watson & City Council Members
From: William Fraser, City Manager
Re: Public Comments at 2/9/22 Meeting
Date: February 18, 2022

The following is information about each issue raised during Stephen Whitaker's comments at the February 9, 2022, City Council Meeting.

- 1. Claim – City Manager has withheld information about millions of dollars of costs needed to upgrade Country Club Road to the Elks Club.** Country Club Road is a city street which already falls under city maintenance obligation. I have no information about repairs which may be necessary, much less in the millions of dollars.
- 2. Claim - 2004 Overpayment of \$462,000 to Scott Construction wasn't discovered for a couple of years, funds weren't fully recovered, and City Manager covered up the loss with council for years.** The Scott Construction overpayment issue was fully documented and reviewed by a special committee created by the State Auditor at the City's request. The overpayment was made in December 2004 and discovered during reconciliation in October of 2006. In between that time, the City's auditing firm had reviewed the payment and found no error. I reported the matter to the mayor immediately upon being informed. The Council and I always followed our attorney's recommendations about public disclosures. All related documents including internal and attorney/client emails were released to the public. The contractor was convicted of a felony in this case. Between the contractor's repayments and insurance payments the funds were fully recovered.

3. Claims regarding Transit Center:

Overpaid three or four times the worth of Carr lot with its toxicity: The total purchase price was \$1,400,000. Environmental liability and responsibility issues had been addressed for transit center and commercial use. The City continued leasing the property to the state for parking.

The property was appraised in 2013 for \$920,000. The City Council agreed to pay a higher amount to allow the project to move forward in a timely manner, to avoid the uncertainty and delay of eminent domain litigation, and in recognition of the significant rental income that Mr. Carr was receiving from the State of Vermont.

This agreement also enabled the City to move forward with the acquisition of three other parcels necessary for the project.

In addition, the City received approximately \$260,000 in lease revenue from the State of Vermont, offsetting the purchase price to \$1,140,000 compared to a \$920,000 appraisal. The 40 housing units on the site pay annual property taxes.

More Transit Center Claims:

- a. *ADA complaint is unresolved. Doors not working properly.* The ADA committee reviewed this complaint and registered it as fixed at their December 14th meeting.
- b. *Locked phone charging.* No information about this allegation.
- c. *Drains.* No information about this allegation.
- d. *Transit Center should have showers and lockers.* The facility was built with Federal Transit money to be a Transit Center, it was specifically not designed as a shelter. There was and is no functional need for transit for lockers and showers.
- e. *Buses cannot turn around.* The Taylor Street Bridge created turning issues for coach/large buses turning from Memorial Drive onto Taylor. Therefore the facility was designed as is for large buses to run from State to Memorial Drive. This is not a design flaw but properly working with the pre-existing conditions. All other buses can turn around.
- f. *GMT MOU- not having round the clock bathroom access.* Restrooms are available when GMT has staff on site. Because the building was created with Transit funds, we need to give all transit operations top priority. We are not allowed to charge rent money to GMT.

4. Bike Path Claims -

- a. *Connections to the paths are not supposed to be disconnected.* The only disconnection in the path is between Main Street and the Rec Center which has always been the most difficult section.
- b. *The multi million dollar bridge by Shaw's is poorly constructed.* The Bridge, which cost \$403,000, was properly designed by engineers and built as per specifications. No one other than Mr. Whitaker, and

no one with actual engineering expertise, has suggested that the bridge is faulty or improperly constructed.

- c. *Not Connected to the Heney lot. Says he saw in the plan there was a...circular ramp attached to the retaining wall in the early plans around this area but it was removed at some point...no public records as to why.* There was a draft plan for a connecting ramp which crossed two private properties. The owners were not amenable to this path and it was not made part of the project design. This was done verbally after talking with the landowners. This connection would have been addressed with the proposed Parking Garage design.

5. Public Records: Claim – City Manager disregards the law and lies to the Council about compliance. We seek to provide all records to Mr. Whitaker within the legal time frames. He frequently accuses us of withholding records when, in fact, none exist. You are copied on all of his requests and our response. He makes multiple overlapping requests with little clarity. When asked for clarity he often refuses, saying that he won't do our job for us. I will acknowledge that we have missed some of his requests and deadlines but usually because they were tacked onto a reply from a different request. I have always acknowledged when something was missed or late and provided the information. We have not withheld anything from him and he has no evidence that we have. **Provided the following as examples.**

- a. *Body Camera proposal "which included tasers"- says no agreement was produced for him* All records were provided to him. MPD did not ask for a taser proposal.
- b. *Appeals to the Head of the agency- unanswered or incomplete.* We have either provided any late or additional records or told him that he had them all.
- c. *Rights of public access to use the city garage (City Center) for parking and restrooms* The City has made this large file available to him for inspection in the Planning Office. He has declined to do this. We provided him copies of the key permit documents. There is nothing in the file which indicates that City Center is required to have public access for either bathrooms or parking. Mr. Whitaker claims to "have heard" differently and refuses to accept the documentation.
- d. *City's decision not to be a PSAP* All records that we could locate were provided. I contacted the former Chief and asked for the names of anyone he could have communicated with, we did server searches on all of those names. Chief Facos' recollection was that he notified the state verbally.
- e. *Cruiser cam video?* I believe this is in reference to the DPW grader accident on State St. Mr. Whitaker believes that cruiser cam video "should" exist for the drive from the police station to the accident scene. Cruiser cameras do not record until blue lights are flashing. A middle of the night ride from the Police Station to State Street did not warrant blue lights until the officer reached the scene. All video from that point forward has been provided.

I note that we have not received complaints about public records response from any person or entity, including press representatives, other than Mr. Whitaker.

6. **Debt for the parking garage Claim - No accountability? City Manager repeatedly lied to the press and refuse to hire an attorney.** There is no specific allegation of which lies were supposedly told to the press or public. I will state unequivocally that I always provided truthful and accurate statements based on information known at any given time. Bond payment for the garage expenses is in the budget and that potential outcome was made clear to the public well before the court case ended. City used an attorney for the garage project and is using an attorney for debt issuance.
7. **Downtown Master Plan. Claim – City Manager was warned that planning for the DT Master Plan shouldn't move forward until the garage decision was made, wasting 200k and our Master Plan needs to be re-done because it is useless and isn't in the FY23 budget.** The alleged warning was, apparently, a statement of opinion made by Mr. Whitaker. Many elements of the Master Plan remain viable and are tied into the Main St. Corridor study. The only conflict is the proposed removal of on street parking spaces with no replacement alternative existing. This year's budget proposes to improve the Barre/Main Intersection and street light coordination. Use of the 12-16 Main parcel will be on a future agenda for instance. The Main focus of the Master Plan was to address State Street when the Rialto Bridge is replaced which is not yet on a VTtrans schedule. All of the State Street recommendations are still viable.
8. **District Heat. Claim - The DH fund is \$800,000 in deficit and is mismanaged.** The District Heat fund had an FY21 year-end deficit of \$382,000. The start up deficit is being reduced each year through annual operating surpluses. Deficit was \$535,000 in FY19, reduced to \$441,000 in FY20, and reduced again to \$382,000 in FY21. We are projecting an operating balance of approximately \$62,000 in FY22 which will further reduce the deficit.
9. **Fiber. Claim - When streets were opened up for District Heat installation, the city failed to put in empty conduit to accommodate fiber optic.** This is correct, such a conduit was not installed. There was no request, demand, or interest, in this installation at the time from any party other than Mr. Whitaker nor did funds exist for such work.
10. **Truck Access behind the drawing board. Claim – There is no Truck Access, it is unsafe and a hazard and that loading for Aubuchon blocks traffic.** The truck turning movement overlay was designed and engineered by DuBois & King. The design used the WB-67 vehicle as a base which is a conservative approach. VTtrans doesn't use them for design purposes since they are larger than statutorily allowed on their roads.
11. **Deferred Maintenance. Claim - Infrastructure has been neglected.** There is no debate that the City has very old water and sewer lines and that road

conditions can be better. The City has been upgrading infrastructure annually and is proposing a major project on East State Street. Appropriate funding for pavement condition is included in the budget. Between FY97 and FY10, total annual general fund infrastructure spending was increase from \$400,000 to \$1,070,000. The FY23 Budget is \$1,790,000. There is always room for improvement.

12. Reappraisal. Claim –Resident property taxes to take the biggest hit while protecting wealthy commercial property owners. It is true that residential properties have appreciated in value at a much greater rate than commercial properties over the last few appraisals. This is happening throughout Vermont. Reappraisals are conducted by an independent appraisal firm using state guidelines for property assessment. The City Assessor reviews and updates all values and has independent authority in the statutes. Appeals go through the elected board of civil authority. After that appeals go to either a State hearing officer or Court at the choice of the appellant. The City Manager has no role whatsoever in property assessment or revaluation.

13. Equity. Claims that the City Manager is charge of hiring and that the City only has one minority employee out of 300 employees indicating a failure by the Manager. The City currently employs four individuals who qualify for EEOC reporting as POC from 113 FTE positions.

14. Contract. Claims that City Manager hires the attorney who writes the Manager's contract and that an Attorney should work for the Council on this issue.

I have never had a city attorney draft a contract on my behalf. My original contract in 1995 was presented to me by the City Attorney and we have worked from that framework ever since. In 2015, the Council retained an attorney to draft amendments to the contract and I hired a personal attorney to represent me in that process. Those revisions have largely remained. All other contract negotiations have been directly between the City Council and me with no attorneys involved.