

MEMORANDUM



To: Selectboard
From: Peter B. Elwell, Town Manager
Re: Administrative Report
Date: September 27, 2018

The following will summarize the proposed motions for the Selectboard meeting on Tuesday, October 2, 2018. The Board will hold committee interviews at 5:15pm in the Selectboard Meeting Room, then enter into executive session at 5:30pm to discuss pending or probable civil litigation, the negotiation of a real estate purchase or lease, and appointment of public officers or employees. The Board will reconvene the business meeting at 6:15pm in the Selectboard Meeting Room.

7. LIQUOR COMMISSIONERS

A. Second Class Liquor License – *Max, LLC, d/b/a One Stop*

The Board is asked to approve a second class liquor license for Max, LLC, d/b/a One Stop, located at 414 Canal Street (the former Canal Street Gulf Station). Muhammad Adnan will attend the meeting to discuss the application. Town staff recommends approval.

POTENTIAL MOTION: TO APPROVE A SECOND CLASS LIQUOR LICENSE FOR MAX, LLC, D/B/A ONE STOP, LOCATED AT 414 CANAL STREET.

8. WATER AND SEWER COMMISSIONERS

A. Interfund Loan – *Formal Approval to Lend Utility Funds to the Parking Fund*

The Commissioners are asked to approve a loan of \$260,000 from the Utility Fund to the Parking Fund to expedite certain improvements to the parking system. The Parking Fund will repay the loan (plus 2.5% interest) by 2023.

POTENTIAL MOTION: THAT THE UTILITY FUND LEND TO THE PARKING FUND THE SUM OF \$260,000 AT AN INTEREST RATE OF 2.5% FOR A PERIOD OF FIVE YEARS IN ACCORDANCE WITH THE PAYMENT SCHEDULE AS PRESENTED.

9. UNFINISHED BUSINESS

A. Parking Actions

- (i) *Update on Procurement and Installation of Smart Meters and Kiosks*
- (ii) *Interfund Loan – Formal Approval to Borrow Parking Funds from the Utility Fund*
- (iii) *Increase Parking Rates (See “Amend Parking Rate Ordinance” below)*
- (iv) *Review of Boot Procedures*

The Board is asked to take formal action on matters that the Board has previously approved and directed conceptually. These include: (1) purchase and installation of smart meters and kiosks at a cost of \$200,016.50, (2) an interfund loan of \$260,000 from the Utility Fund to the Parking Fund, and (3) an ordinance amendment to increase parking rates for on-street meters and for parking lots with kiosks.

POTENTIAL MOTION: THAT A CONTRACT IN THE AMOUNT OF \$200,016.50 BE AWARDED TO IPS GROUP OF SAN DIEGO, CALIFORNIA, USING THE PROCUREMENT PERFORMED BY THE REGION 14 EDUCATION SERVICE CENTER OF ABILENE, TEXAS, FOR THE PURCHASE AND INSTALLATION OF A SMART PARKING SYSTEM; AUTHORIZING THE TOWN MANAGER TO TAKE ALL OTHER ACTIONS NECESSARY TO IMPLEMENT THE APPROVED SMART PARKING SYSTEM; AND AUTHORIZING THE TOWN MANAGER TO CONTRACT WITH IPS GROUP FOR SUPPORT SERVICES RELATED TO THE OPERATION OF THE SMART PARKING SYSTEM AFTER IT IS INSTALLED.

POTENTIAL MOTION: THAT THE PARKING FUND BORROW FROM THE UTILITY FUND THE SUM OF \$260,000 AT AN INTEREST RATE OF 2.5% FOR A PERIOD OF FIVE YEARS ACCORDING TO THE PAYMENT SCHEDULE AS PRESENTED.

10. NEW BUSINESS

A. Petition for Charter Amendment – *First Public Hearing re: Youth Vote Proposal*

The Town Clerk received a petition on August 20, 2018, to amend the Town Charter to include youth voting at age 16. A copy of the petition is included in the Board's back-up materials. The Board held a special meeting on August 24, 2018, to hear the petitioner's request. Town Attorney Robert Fisher determined that a Charter amendment required the Selectboard to hold two public hearings prior to adding the matter to the ballot for the Town voters to vote on the matter. The first public hearing will be held at this meeting and the second public hearing will be held at a special Selectboard meeting on Tuesday, October 9, at 6:15pm.

NO ACTION IS REQUIRED ON THIS ITEM.

B. Amend Parking Rate Ordinance – *First Reading, Chapter 16, Article VI, Section 16-111*

The Board is asked to hold a first reading to amend the parking rate ordinance. The Board previously approved increasing parking rates to pay for operation of the new smart parking system and for capital improvements to parking system infrastructure. The process to amend an ordinance includes holding two readings and a public hearing. The second reading and public hearing will take place at the October 16 Selectboard meeting.

NO ACTION IS REQUIRED ON THIS ITEM.

C. Repeal of Anti-Panhandling Ordinance – *First Reading, Chapter 13, Article I, Section 13-2*

The Board is asked to hold a first reading on the repeal of the Town’s “Begging” Ordinance. As set forth in Town Attorney Robert Fisher’s memorandum dated September 24, 2018, he recommends repealing the ordinance because applicable case law has firmly established that asking for money is an act of free speech that is protected by the First Amendment to the United States Constitution. The ordinance has not been enforced in years. Staff joins the Town Attorney in recommending its repeal.

NO ACTION IS REQUIRED ON THIS ITEM.

D. Tri-Park Master Plan – *Authorize Consultant Contract*

The Board is asked to award the bid for consultant services to prepare a Tri-Park Housing Cooperative Master Plan to Dubois & King for a cost not to exceed \$71,214, and to authorize the Town Manager to execute the contract, as set forth in the memorandum dated September 26, 2018, from Planning Director Sue Fillion.

POTENTIAL MOTION: TO AWARD THE BID FOR CONSULTANT SERVICES TO PREPARE A TRI-PARK HOUSING COOPERATIVE MASTER PLAN TO DUBOIS & KING FOR A COST NOT TO EXCEED \$71,214, AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE CONTRACT

E. Building Communities Grant for Disc Golf at Memorial Park – *Accept and Appropriate*

The Board is asked to accept and appropriate a grant in the amount of \$6,800 from the Vermont Department of Buildings & General Services to pay for improvements to the Disc Golf facility at Living Memorial Park.

POTENTIAL MOTION: TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$6,800 FROM THE VERMONT DEPARTMENT OF BUILDINGS & GENERAL SERVICES TO PAY FOR IMPROVEMENTS TO THE DISC GOLF FACILITY AT LIVING MEMORIAL PARK.

F. FY20 Budget Process – *Proposed Schedule*

The Board is asked to tentatively commit to meeting on most or all Tuesday evenings during November, December, and January for the purpose of reviewing, revising, and approving the proposed budget for FY20, in accordance with a memorandum dated September 25, 2018, from Town Manager Elwell.

NO ACTION IS REQUIRED ON THIS ITEM.

G. Committee Matters

- (i) *Appointments*
- (ii) *Announce Vacancies*

The Board will hold interviews for the Citizen Police Communications Committee (CPCC) at the start of this meeting. The Board is asked to appoint one of the applicants to the vacant seat on the CPCC and to appoint applicant Tom Mosakowski to the Planning Commission.

POTENTIAL NOMINATIONS: TBD

A resignation has been received from a member of the ADA Advisory Committee. After making the above appointments, the Board is asked to announce that vacancy and remaining vacancies on other Town boards and committees.

PBE:ja