

**BURLINGTON PUBLIC WORKS COMMISSION MONTHLY MEETING**

**645 Pine Street**

**MINUTES – April 17, 2013**

**(DVD of meeting on file at DPW)**

**COMMISSIONERS PRESENT:** Bob Alberry, Tiki Archambeau, Matt Conger (Secretary), Asa Hopkins, Nathan Lavery (Chair), Solveig Overby and Mark Porter (Vice Chair)

Commissioner Lavery called the meeting to order at 6:35 p.m.

**ITEM 1 – AGENDA**

Commissioner Alberry asked that an item be added: Item 14.5 - Deliberative Session to Discuss the Dangerous Building Appeal (Item 11).

**ITEM 2 – PUBLIC FORUM** – No one came forward.

**ITEM 3 – BATTERY STREET – ADD MOTORCYCLE PARKING**

(Joel Fleming, Public Works Engineer)

(Refer to Commission packet)

**Commissioner Conger** moved to accept staff recommendation that the Commissioner adopt the proposed motorcycle parking space on the east side of Battery Street just south of the entrance to the ICV building. Commissioner Archambeau seconded. The motion passed with 6 commissioners in favor, 1 (Commissioner Porter) opposed.

**ITEM 4 – HANDY COURT PARKING REMOVAL REQUEST**

(Joel Fleming, Public Works Engineer)

(Refer to Commission packet)

DPW staff took another count and didn't find a significant difference in the first count. **Commissioner Archambeau** moved to accept staff recommendation that the Commission deny the request to further prohibit parking. Commissioner Hopkins seconded. Following City policy and applying parking guidelines to this request, further expansion of the existing parking restriction is not warranted. The Commission strongly encouraged Mr. Fleming to reach out to the resident who made the parking removal request, as soon as possible. Unanimously approved.

**ITEM 5 – CHAMPLAIN COLLEGE ON-STREET METERED PARKING PROPOSAL**

(Presentation by Beth Isler and John Caulo)

(Hard copies of the presentation were distributed to the Commission)

Champlain College: Beth Isler and John Caulo want to get input from the Commission and then proceed with outreach to surrounding neighborhoods about adding metered parking. As part of the College's Master plan adopted in 2007, new buildings are planned on the core campus surface parking lots. Because this will affect on-campus parking, the College plans to shift no-charge, long-term parking (half-day or longer) to remote sites (Lakeside/Gilbane) while the remaining core campus lots with greater than 80% occupancy will be preserved for metered, short-term parking (less than 3 hrs.). Other lots, within walking distance but further away, will serve those with campus permits.

Ms. Isler and Mr. Caulo are proposing a Pilot Test, with about 75 spaces in three blocks, used most by Champlain parkers (as determined and monitored by Champlain enforcement), dispersing the spaces throughout the city. De-installation of the Pilot: If it is not successful, depending on what Champlain's next move is and on the Commission's opinion, Champlain may place the meters on other areas throughout campus. Champlain would make the up-front equipment cost.

Commissioners request from Ms. Isler and Mr. Caulo before they give their recommendation:

- Input from the homeowners within a 2-3 block radius;
- Input from the vehicle-owners who park in the area (flyers on vehicles, "...in cooperation with the Department of Public Works...", or Front Porch Forum, e.g.);
- Numbers of full- and part-time students;
- Parameters of the Pilot Test: What data will be collected, and how? What is the impact on parking on blocks outside the core?
- Request a place on the May NPA agenda for Ward 6 in order to inform residents that Champlain College is in discussion about installing meters on the specific streets.

Ms. Isler and Mr. Caulo would like the Commission's recommendation as soon as possible, preferably this summer so that when the fall semester begins, the off-street parking lots can already be metered or re-zoned.

The Commission cannot make a decision at their May meeting, but Commissioner Lavery advocates working hard over the next few months while data is being collected, to come to a decision prior to the start of the fall semester.

#### **ITEM 6 – FY'14 STREET RECONSTRUCTION PROGRAM – BID OPENING RESULTS**

(Erin Demers, Public Works Engineer, Street Capital Program Manager)

(Refer to Commission packet)

Pike Industries came in as the lowest bidder (\$940,838). Ms. Demers is requesting the Commission's approval to begin the process of entering into a contract with Pike Industries. DPW would then proceed to the City Council Board of Finance for their approval. Ms. Demers was asked, for next year's presentation, to do the multiplication between the units and actual prices for the winning bid.

**Commissioner Alberry moved** to recommend approving Ms. Demers' recommendation to accept the low bid. Commissioner Porter seconded. Unanimously approved.

#### **ITEM 7 – RESIDENT PARKING**

(John King, L. Jones)

(Refer to Commission packet)

Mr. King is requesting that the Commission adopt the Ordinance - *Section 27. No parking except with resident parking permit* - as amended, feeling it addresses the two goals he was tasked with: 1) To better monitor the permits issued; and 2) Better control the guest passes being issued. The most significant change to the Ordinance is the authorization for Burlington Police Department (BPD) Parking Enforcement to create the rules to manage the program/to guide who gets permits. If the Commission adopts the amended Ordinance, then BPD would be authorized to make the rules.

Because this issue affects so many residents, Commissioner Lavery and Mr. King have agreed that public input is vital. Mr. King will:

- Continue outreach through NPA meetings (he is already on Ward 1 NPA's June agenda);
- Prepare an informational packet to hand out at the meetings;
- Contact City Attorney Eugene Bergman tomorrow for approval to switch the time limit for parking passes to three months;
- Contact Burlington Free Press' Mike Donoghue about writing a story about the proposed changes to the Ordinance;
- Reconsider the Commission' strong recommendation to include on the resident parking application, a place for the property owner's signature (as discussed at a previous Commission meeting).

## **ITEM 8 – COMMUNICATION AND BOARD APPOINTMENT PROCESS**

(Steven Goodkind, Public Works Director)

(Refer to Commission packet)

The City Council resolved to engage in a pilot process for the June 2013 appointment of board members and commissioners. Director Goodkind recommended that the commissioners, whose terms are ending and are considering reapplying, read the document. Applications must be received by April 23rd.

## **ITEM 9 – OPERATION CLEAN SWEEP** (Steven Goodkind, Public Works Director)

(Refer to Commission packet)

Operation Clean Sweep officially begins the evening of May 1st. Informational outreach included activation of parking ban lights, signage at the entrances to the City, press releases, placing warning flyers on vehicles the evening before that area is scheduled to be swept, etc. Sweeping, however, has already begun in order to get a jump on empty areas.

## **ITEM 10 – RENEWAL OF INSPECTION AGREEMENT WITH STATE OF VERMONT**

(Steven Goodkind, Public Works Director)

(Refer to Commission packet)

The Commission had already agreed to renew/endorsed the Agreement; the actual text (no changes made) has been included in this month's packet for the commissioners' information.

## **ITEM 11 – 395 MANHATTAN DRIVE – DANGEROUS BUILDING APPEAL**

(Appellant and Ned Holt, City Building Official)

(Refer to Commission packet)

- Mr. Holt and Mr. Norman Baldwin sent the Appellant (Chris Khamnei), via Certified Mail, a "Dangerous Building Inspection (Survey) Report and Order," with a deadline of June 1, 2013. Mr. Khamnei confirmed receiving the Order.
- Mr. Khamnei provided a photograph of the site addressing the security of the property.
- Mr. Khamnei appealed the Dangerous Building Inspection Order and asked that the hearing of the Appeal be postponed until the May Commission meeting. The Commission is to decide whether to delay the appeal.
- The construction site is secured from passersby, by a chain link fence as of today and the structure is under construction.

**Commissioner Conger moved** to proceed with tonight's hearing. Commissioner Porter seconded. The motion passed 4 – 3 (Commissioners Alberry, Hopkins and Overby opposed).

Mr. Holt reported briefly on the Order and submitted into evidence copies of the Building Permits issued for - and photos of - the site.

After requesting a brief recess, Mr. Khamnei presented his appeal case to overturn the Order:

- Item 3 of the Order: The building description is not accurate (feels it is not a structure or a building).
- Appealing that this hearing is of an untimely fashion.
- The materials on site are not part of the structure so the Order does not make sense.
- Requests that he be allowed to appeal to a higher court for results.

Also submitted into evidence: From Mr. Holt, a list of definitions; and from Mr. William Ward, Code Enforcement Director: a photo of the site taken on April 15<sup>th</sup> at 5:32 p.m.

#### **ITEM 12 – MINUTES OF 2/20/13 AND 3/20/13**

Minutes of 3/20: With the exception of the erroneous spelling of the “Walkable City” author Jeff Speck’s (*not Spech*) last name: **Commissioner Archambeau moved** to accept the Minutes; Commissioner Alberry seconded. Commissioner Porter did not vote because he was not at the March meeting.

Minutes of 2/20: Commissioners Archambeau and Overby request that *all* the amendments they submitted between the March and April meeting be included in their entirety; only a portion of their notes were included. The Commission also asked for consistency in titles (the commissioners be addressed as “Commissioner Porter,” for example, rather than “Mark.”) The Minutes will be added to the May meeting agenda.

#### **ITEM 13 – DIRECTOR’S REPORT – CUSTOMER SERVICE REQUEST SYSTEM**

(Steven Goodkind, Director)

Due to the lateness of the hour, Director Goodkind will defer the full report until the May meeting. The Customer Service Request System is being used and continues to be developed and refined.

The General Fund budget has been turned in to the CAO’s office.

Nicole Losch, Transportation Planner, e-mailed to the commissioners a Memorandum dated 4/15/13 from David Saladino, P.E., RSG, Inc., entitled, “Response to Questions on the Proposed Pearl/Prospect Intersection Pilot Improvements.” This item will be included in the May meeting agenda.

#### **ITEM 14 – COMMISSIONER COMMUNICATIONS**

Commissioner Hopkins: Timeline for swapping out human-for-automated pay stations (for credit card swipes) in addition to an attended booth for cash payments and troubleshooting.

Commissioners Overby and Porter: Nothing.

Commissioner Lavery: Received an e-mail from Phil Merrick expressing a number of concerns about downtown parking and will forward it to Director Goodkind.

Commissioner Alberry: Requests a temporary fix to the asphalt in the Pearl Street eastbound lane approaching Prospect Street (by the DeGoesbriand/UHC bldg.).

Commissioner Archambeau: Update from a recent NPA meeting for Wards 2 & 3 – a developer presented a project for the corner of Pearl and George Streets (near Bove's). Where there are currently 8 units, the developer is looking to put in 23 units, and budgeting less than one parking space/unit.

**Commissioner Alberry moved** to go into deliberative session to discuss Item 11, and then go into Executive Session to discuss Item 15, then officially adjourn. Commissioner Archambeau seconded. Unanimously approved. The public portion of the meeting ended at 10:30 p.m.

#### **ITEM 14.5 – DELIBERATIVE SESSION TO DISCUSS THE DANGEROUS BUILDING APPEAL**

#### **ITEM 15 – EXECUTIVE SESSION: EVALUATION OF DEPARTMENT DIRECTOR**

**Commissioner Alberry** moved for the Commission to go into deliberative session to discuss the appeal (Item 11), and then go into executive session to discuss the director's evaluation,

#### **ITEM 15 – ADJOURNMENT AND NEXT MEETING DATE – 5/15/13**

The next meeting of the DPW Commission is scheduled for May 15, 2013.