

**BURLINGTON DEPARTMENT OF PUBLIC WORKS COMMISSION**  
**MONTHLY MEETING MINUTES, November 20, 2013**  
**645 Pine Street**  
**(DVD of meeting on file at DPW)**

**COMMISSIONERS PRESENT:** Bob Alberry, Tiki Archambeau, Asa Hopkins, Nathan Lavery (Chair), Solveig Overby (via conference phone), Jeffrey Padgett (first meeting) and Mark Porter (Vice Chair)

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

**ITEM 1 – AGENDA**

**Commissioner Alberry moved** to withdraw Item 6 – Continuation of Appeal of Code Enforcement Order for 234-240 College Street, from the Agenda. The Appellant has withdrawn his appeal. Commissioner Archambeau seconded. Unanimous.

**ITEM 2 – PUBLIC FORUM**

Caryn Long – Asked the Commission to assist her in working to reclaim the City’s green spaces that have been paved over or have eroded from stormwater or vehicular traffic. Ms. Long reported such a problem last week via *SeeClickFix* at 9 Weston Street (corner of Weston and Loomis). She presented a large piece of paper illustrating the area of lost green space at that location. Director Spencer will follow up with Planning & Zoning, Code Enforcement and Stormwater staff.

**ITEM 3 – CONSENT AGENDA**

(Refer to Commission Packet)

- 3.20 Main Street Parking Changes
- 3.30 Center Street Loading Zones
- 3.40 Bradley Street at Hungerford Terrace Stop Sign Request
- 3.50 Elmwood Avenue No Parking

**Commissioner Alberry moved** to approve the Consent Agenda; Commissioner Hopkins seconded. **Discussion:** Commissioner Porter requested further discussion on Item 3.10 (North Street Parking Request). Commissioner Lavery suggested Item 3.10 be pulled from the Consent Agenda for discussion immediately following this vote. The Consent Agenda minus Item 3.10 was approved unanimously.

**ITEM 3.10 – NORTH STREET PARKING REQUEST (formerly part of the Consent Agenda)**

(Refer to Commission Packet)

**Commissioner Porter moved** to accept staff recommendations:

- 1) To deny the petitioners’ request to remove parking on the north side of North Street around Rose Street;
- 2) To adopt a Vehicle Loading Zone in front of 128 North Street from 8am – 5pm; and
- 3) To install a Vehicle Loading Zone in the first space east of Rose Street on the north side of North Street, which will be used:
  - As a Loading Zone between the hours of 7am and 12pm, and
  - As a 15-Minute Parking Space between the hours of 12pm and 10pm.

Commissioner Padgett seconded. Unanimous.

#### **ITEM 4 – REFINANCE OF THE WASTEWATER DEBT**

(Communication, DPW Assistant Director Laurie Adams)

(Refer to Commission packet)

Assistant Director Adams and Assistant CAO for Finance Rich Goodwin explained the need for the City to secure financing for the previous debt incurred by improvements to the wastewater system. Assistant CAO Goodwin is taking the lead with the City in order to secure financing and feels confident that the Vermont Municipal Bank offers the most attractive rate. Bond counsel representative Shane McCormack from Burak Anderson & Melloni PLC was also present. The Commission is being asked to adopt the Resolution.

The City put \$52M into the wastewater plant's collection system, separation work, etc. There were two borrowings with the State with different time frames: The first balloon payment came due in December 2010 (which has since been paid in full); the second larger balloon payment of \$14.5M is now due January 1, 2014. Wastewater has been positioning itself for changes in rates to spread this out over time.

Back in 1990 when the course of action was set in place, it required that any future changes would need to come before the Commission first to gain approval for the City to proceed with the borrowing, and then the terms and payment schedule would be worked out through a resolution with the City Council. The original, lengthy DRAFT Resolution which was given to the Commission has, as of today, been pared to two (2) pages; Assistant Director Adams handed copies of the duplexed sheet to the commissioners.\* Director Spencer e-mailed a copy to Commissioner Overby so she could follow along.

A fee schedule was eliminated from the new two-page proposed Resolution because the terms will not be known until the issue is put on the market and then are approved by the City Council. Though the balloon payment is for \$14.5M, Assistant CAO Goodwin is looking for authorization to bond *up to* \$15.5M (which will cover fees paid to the Municipal Bank and cover a short-term borrowing mechanism to borrow from a local bank). The local bank (most likely one of the following with which Assistant CAO Goodwin has worked: Northfield Savings Bank, KeyBank, TD Bank, Merchants Bank or Peoples United Bank) will pay the balloon payment due on January 1, 2014 *in full*. Bond proceeds from the Municipal Bank will be sent to the City by the second or third week of January 2014, of which the City will use those bond proceeds to pay back the local banker. There is a requirement of this refinance to establish a reserve, which will be financed through the bond.

Because the revised Resolution was given to the Commission at this meeting, approval to move forward was postponed until after the next Agenda item, giving the Commission time to review the Resolution.

#### **ITEM 5 – BIKE PATH INTERSECTIONS SCOPING STUDY**

(Nicole Losch, Transportation Planner)

Ms. Losch presented a PowerPoint presentation, "Burlington Bike Path Intersections Scoping Study," a collaboration of the Burlington Department of Public Works and Department of Parks and Recreation, and VHB Engineering consulting firm and funded by the Chittenden County Regional Planning Commission's work program. The Scoping Study names potential improvements to the street intersections of the Waterfront Bike Path. The rehabilitation of the bike path continues and may affect some of the improvements suggested in the Scoping Study.

Next steps: Finalize the report by December, and then start the improvements in the next 1-2 years.

If people feel strongly about changing the name of the bike path to reflect the multimodal use, direct your comments to Jesse Bridges, Director of Parks and Recreation.

#### **ITEM 4 – REFINANCE OF THE WASTEWATER DEBT, continued**

The commissioners had an opportunity to review the revised Resolution during Ms. Losch's presentation. Commissioner Archambeau questioned a discrepancy in the principal amount (\$13,539,472 mentioned in the first paragraph of Burak Anderson & Melloni's letter of October 17, 2013, included in the packet, vs the actual amount of \$14,570,620 mentioned in the sixth paragraph of the Resolution). Mr. McCormack concurred that the amount *should* be the latter amount.

Once the Commission adopts this Resolution it will then go before the City Council for approval to proceed. They will see the final amount and then make a decision.

\*Asked to add a simple clarifying statement for the general public to explain the reason for the need to borrow the amount to pay it off, Mr. McCormack suggested revising Paragraph 6 of the Resolution: "The 1992 Series Bonds in the principal amount of \$14,570,620 are presently outstanding which bonds are due in payable as of January 1, 2014"...

Mr. McCormack was also asked to add a date to the Resolution: First Sentence: "Be it Resolved on this date of November 20, 2013, by the Board of Public Works Commissioners..."

**Commissioner Alberry moved** to accept the Resolution prepared by the City of the Bond Council, the Department of Public Works and the Treasurer's Office to include the amendments in the previous paragraph. Commissioner Hopkins seconded. Commissioner Porter opposed; the six other commissioners voted in favor. The motion passed 6-1.

#### **ITEM 6 – APPEAL OF CODE ENFORCEMENT ORDER FOR 234-240 COLLEGE ST**

Withdrawn per Item 1.

#### **ITEM 7 – RESIDENTIAL PARKING PROGRAM**

(Oral Communication, DPW Commission)

Commissioner Lavery added this Item to the Agenda for further feedback from the public and to reiterate that the Commission had reached the general conclusion that no changes will be made *right now* for several reasons: the existing rules are now being adhered to; residents' feedback produced no clear consensus on how to move forward; and there have been new developments in the downtown core parking area. No feedback has been received since the last meeting, and there is no public input tonight.

The Commission will invite John King/Parking Enforcement to its June meeting for a status report and any further feedback.

Director Spencer and Assistant Director Baldwin added that the public's and Commission's comments will be put to use with an upcoming full study of the residential parking issue in its current configuration. This study, between DPW (Ms. Losch will be the department's lead) and the Chittenden County Regional Planning Commission (CCRPC - funding the study) and a consultant of their choice will work in conjunction with the Parking Summit's efforts for the Downtown Parking Program. This study will take place this fiscal year.

#### **ITEM 8 – MINUTES OF OCTOBER 30, 2013**

(Refer to Commission packet) **Commissioner Alberry moved** to accept the Minutes; Commissioner Padgett seconded, Commissioner Archambeau abstained. The Minutes passed 6-1.

**ITEM 9 – DIRECTOR’S REPORT** (Chapin Spencer, Director & Norman Baldwin, Assist. Director)

(Refer to Commission packet)

- Successful Parking Summit, which Commissioners Lavery, Hopkins and Padgett attended.
- The City Council on Monday voted unanimously to approve the Resolution on the Downtown Parking Improvement Initiative.
- Thanked DPW staff for a successful United Way Campaign.
- Some projects in progress:
  - The Rapid Flashing Beacons are being installed on Pine Street to improve pedestrian safety;
  - DPW manages the Waterfront Access North Project. Phase 1/Stormwater work is taking place this fall (deep excavation). Phase 2 begins this spring;
  - Rail trestle abutments on Lakeside Avenue were in rough shape. The neighborhood has been interested in repainting/beautifying it. DPW worked on it to stabilize it and is now ready for repainting.
  - Colchester Avenue sidewalk (grant project) is being installed and will be completed shortly.

**ITEM 10 – COMMISSIONER COMMUNICATIONS**

Commissioner Hopkins

- Praised the Parking Summit and ideas.

Commissioner Porter

- Requested a status update on the Connector. Assist Director Baldwin responded that one of the major Act 250 permit appeals has been settled so design work may proceed. Two appellants remain but both are contesting criteria which cannot stop the project but condition it.

Commissioner Padgett

- Requested a status report on the south end rotary. Assist Director Baldwin responded that it is a State-managed project. The stormwater process design process has been completed and DPW is taking over utility design (Erin Demers, DPW engineer, is managing this project).

Commissioner Overby

- Requests improved public education and communication in cases such as the wastewater financing bonding (e.g., Parking Summit);
- Requested a status report on Champlain College parking situation. Assist Director Baldwin has not heard from the College since the last Commission meeting. Mr. Baldwin will follow up with the College.

Commissioner Lavery

- The Resolution concerning the Downtown Parking Initiative requires a commissioner to serve on the Advisory Board. Commissioner Hopkins will serve as the representative; Commissioner Padgett offered to be a back-up.

**ITEM 11 – DELIBERATIVE SESSION TO DISCUSS APPEAL** – Cancelled.

**ITEM 12 – ADJOURNMENT & NEXT MEETING DATE**

The next DPW Commission meeting is scheduled for Wednesday, December 18, 2013 at 6:30pm.

Commissioners Hopkins and Archambeau will most likely be absent.

**Commissioner Alberry moved** to adjourn at 8:25pm; Commissioner Porter seconded. Unanimous.