

City Manager..... (802) 334-5136
City Clerk / Treasurer..... 334-2112
Public Works..... 334-2124
Zoning Adm. / Assessor..... 334-6992
Recreation / Parks..... 334-6345
Fax..... 334-5632



City of Newport
222 Main Street
Newport, Vermont 05855
www.newportvermont.org

Newport City Council Meeting
Regular Meeting Agenda
Monday, April 16, 2018, beginning at 6:30 p.m.
Council Room

City Council: Paul Monette, Mayor
Denis Chenette, President
Julie Raboin
Kevin Charboneau
Dan Ross

Laura Dolgin, City Manager
James D. Johnson, City Clerk/Treasurer

1. Call the Regular Council Meeting to Order
2. Approve Minutes of April 2, 2018
3. Comments by Members of the Public
4. Events Policy Review, Vote
5. Authorization to Sign Warrants, Vote
6. Water Request at Fresh Start Community Garden Lake Road, Vote
7. Town Roads & Bridge Standards Annual Compliance, Public Works Director Tom Bernier, Vote
8. Vt ACCD Newport Feasibility Planning Grant Award Resolution, Vote
9. HRA Annual Contract Resolution, Vote New Business
10. Old Business
11. Set next meeting: Regularly Scheduled Council Meeting: May 7, 2018, Centennial Planning Committee: April 26, 2018 at 5:00 - 7:00 pm.
12. Anticipated Executive Session, Pending Litigation/Contracts, 1 VSA 313 (a)(1)(A) & (a)(1)(E)
13. Anticipated Executive Session, Pending Litigation/Contracts, 1 VSA 313 (a)(1)(A) & (a)(1)(E)
14. Adjourn

Non-confidential materials pertaining to this agenda are available for inspection at the City Clerk's office commencing at 8:00 a.m., the morning of the meeting.

Newport City Council Meeting Participation Guidelines

Newport City Council meetings are for the purpose of allowing Council members to conduct City business. Distinct from public hearings or town meetings, City Council meetings are held in public, but are not meetings of the public. City Council meetings are the only time the City Council members have to discuss, deliberate and decide upon City matters. In an effort to conduct orderly and efficient meetings, the Mayor kindly requests your cooperation and compliance with the following guidelines per the policy adopted on December 21, 2015 and ratified on January 23, 2017:

1. Please be respectful of each other, Council members, city staff, and the public.
2. Please raise your hand to be recognized by the Mayor. Once recognized, please state your name and address or affiliation.
3. Please address only the Mayor and not members of the public, staff, or presenters.
4. Please abide by any time limits. Time limits will be used to insure everyone is heard and that there is sufficient time for the Council to complete their agenda within a reasonable timeframe.
5. The Mayor will make a reasonable effort to allow everyone to speak once before speakers address the Council a second time per the limits adopted on January 23, 2017.
6. Once public comment has been heard, discussion will be limited to the City Council members.
7. Please do not interrupt or mock other speakers or otherwise exhibit disruptive behavior during the City Council meeting.
8. Please do not repeat the points made by others, except to indicate agreement or disagreement with other views.
9. Please use the hallway for side conversation. It is difficult to hear speaker remarks when side conversations are occurring in the Council Chamber.
10. Presentations to the Council are not open to public comment. However, per the policy adopted on December 21, 2015, matters on the agenda requiring a vote are open to public comment immediately prior to the Council vote.
11. Individuals who do not abide by these procedures will be asked to leave the Council Chamber.

Council Meeting

April 2, 2018

DRAFT

A duly warned meeting of the Newport City Council was held on Monday, April 2, 2018 in the council room in the Newport Municipal Building. Present were Mayor Paul Monette, Council President Denis Chenette, Council Members Julie Raboin, Kevin Charboneau and Daniel Ross, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Chief Seth DiSanto, Chief James LeClair, Zoning Administrator Charles Elliott, Recreation Director Jessica Booth, members of the Press and Public.

Mayor Monette called the meeting to order at 6:30 PM.

Approval of Minutes

Mr. Chenette moved to approve the minutes of March 19, 2018 as presented. Seconded by Ms. Raboin, motion carried unanimously.

Comments by the Public

Anne Chiarello complained about the time allotted for public comment.

Sloan St. Drainage Issue

Joan Willard thanked Mr. Bernier the Mayor and Ms. Dolgin for meeting with her and coming up with a temporary fix to the drainage issue in her yard and she hoped that the city will come up with a permanent fix. Ms. Dolgin noted that Blake and Sloan streets were constructed without drainage. Ms. Dolgin noted that in order permanently fix the problem, the streets will have to be rebuilt. This could be added to the Capital Improvement Plan.

Fresh Start Community Garden

Jennifer Bernier gave a presentation on Fresh Start Community Gardens and announced that they will be closing the garden at Gardner Park on April 28, 2018. Concentration will be focused on the Lake Road garden and she asked that the City consider providing free water to the garden.

Adopt Annual Local Emergency Operations Plan

Mr. Ross moved to adopt the Local Emergency Operations Plan. Seconded by Mr. Charboneau, motion carried.

DRAFT

Events Policy, Parks and Recreation

Jessica Booth presented a draft Events Policy and asked for council input. After some discussion the council agreed to have the policy on the next agenda.

Water & Sewer Allocation Request

The permit from Douglas Spates is for an 8 unit apartment building to be built at 102 West End Ave. Mr. Ross moved to approve requests number P18002 and W18002. Seconded by Mr. Chenette, motion carried unanimously.

Town Road & Bridge Standards Forms

Public Works Director Tom Bernier was not in attendance. Ms. Raboin was not prepared to vote on this annual requirement. The item will be put on the next agenda.

Part Time Patrol & Dispatch Retention, .50 increase

Chief DiSanto stated that the city spends about \$20,000 training part time officers only to lose them to other agencies that have a higher rate of pay. He requested a .50 increase for Part Time Patrol Officers and Part Time Dispatchers to help with retention. Ms. Raboin moved to approve the request. Seconded by Mr. Ross, motion carried unanimously.

New Business

Mr. Johnson presented a Niles fund request. Mr. Chenette moved to approve the request for Niles funds. Seconded by Mr. Charboneau, motion carried unanimously.

The council signed Liquor license renewal applications.

Old Business

None

Next Meeting Dates

Centennial meeting, April 5, 2018, Council meeting April 16, 2018.

Executive Session to Discuss A Pending Contract. 1 VSA 313 (a)(1)(A)

DRAFT

Mr. Chenette moved that the City council finds that premature disclosure and public knowledge of the advice of the City's legal counsel in general, and with respect to currently pending litigation to which the City is a party, would place the City at a substantial disadvantage. (i.e., make the advice of counsel public, thereby waiving the attorney client privilege as to that advice; possibly disclose to the other litigants in the suit the attorneys thought processes and legal analysis, thereby disadvantaging the City. Seconded by Mr. Ross, motion carried unanimously.

Mr. Chenette also moved that the City Council enter executive session to receive legal advice and counsel with respect to, and to discuss, currently pending litigation to which the city is a party, and that the Mayor, the City Manager, the City's legal counsel and persons required to provide technical support, if any, be included in the executive session. Seconded by Mr. Charboneau, motion carried unanimously.

No action.

Adjournment

Mr. Charboneau moved to adjourn at 8:39 PM. Seconded by Mr. Ross, motion carried unanimously.

Attested _____ This _____ Day of April 2018

Mayor

CITY OF NEWPORT

Policy

SUBJECT: Third-Party Event Policy

Adopted by the Newport City Council: _____

Effective Date: _____

BACKGROUND:

Events, festivals and celebrations contribute toward the vibrancy and well being of Newport City. Newport City Council has seen an increase in the number of requests to support third-party events with free resources such as facility use, equipment, staff assistance, and monetary support. The City recognizes the value in these events and sets forth this policy to guide responsible fiscal and resource management decisions.

PURPOSE:

The purpose of this policy is to provide consistent and responsible criteria for approving levels of support from the municipality. To that end, the City has adopted a process and set standards to determine eligibility for third-party requests. The City considers proposals from a wide variety of organizations and this policy ensures uniform criteria is used to guide the distribution of resources and confirms that the City has relevant and adequate resources to administer such support. The parameters set forth by this policy help balance community expectations and protect the City's financial and physical resources from unplanned impact.

OBJECTIVES:

1. To appropriately plan for events held in Newport by identifying suitable entities to organize, seek funding for, execute, and grow events over time;
2. To establish and guide mutually beneficial relationships with third-party event organizers who share the City's interests to provide a high quality civic event;
3. To protect our community by responsibly and efficiently managing city resources and funds;
4. To work with organizations whose mission supports an effort to bring forth more opportunities for community benefit;
5. To promote the City of Newport as a desirable place to live, visit and do business;
6. To responsibly manage unplanned expenditures which are not considered in the approved budget.

GENERAL PRINCIPLES:

The City of Newport may allow limited use of certain resources to third-party organizations that apply for and meet eligibility guidelines for support. The City has established the following principles to define requirements, terms, duration, and other parameters as appropriate.

- All requests will be evaluated through the events application process;
- Requests may be approved in full or in part;
- Events will be evaluated to determine impact on daily activity within the City, whether the event is in the City's best interest and open to all residents, and is applicable with City laws, policies, ordinances and charter;
- Event requests should demonstrate financial viability, long term self-sustainability, and an effort to seek broad based support where the City is not relied upon indefinitely as the primary source of resources;
- Grants may be based upon a reimbursement model, where receipts for reimbursement must be provided or where the City pays vendors directly;

- In an effort to create long-term value for the community and encourage a sustainable business model for third-party organizers, requests for City funding should be considered an initial allocation to initiate a project, with subsequent requests diminishing in value. Only one city sponsorship will be awarded to an organization per fiscal year;
- Priority is given to returning events who have a proven track record of accountability, professionalism, attention to detail and consumer safety;
- Priority is given to groups or organizations with established non-profit status as defined by the IRS;
- Resources provided to third-party events are subject to availability and are superseded by events hosted by the City or those previously contracted or scheduled;
- Organizers must provide a Certificate of Insurance with \$1,000,000.00 general liability coverage listing the City of Newport as additional insured and must not create new insurance liabilities or exposures for the City;
- All events should be safe for community participation of all ages, promote unity, and should not provoke violence or controversy;
- All events must operate in accordance with Federal law and US Department of Agriculture policy and are prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. Further, the organization must agree to conform to the requirements of the Americans with Disabilities Act.
- Any fees requiring staffing, equipment or other charges not covered by City support must be paid by the event organizer in full before services are rendered. Newport Police invoices will be billed after the event and are expected to be paid within 30 days;
- In return for any level of support, the City respectfully requests that all third-party events list the City of Newport on related publicity by using the City seal or including the phrase "in cooperation with the City of Newport."

POLICY:

Support levels will be determined based on strategic considerations, the number of criteria met, and the merit of the request as determined by the Newport City Council. Preference will be given to events requests that meet the following criteria:

- The event takes place within Newport City limits;
- The event is compatible with, compliments, and is not in competition with events hosted by the City of Newport;
- The event is open to the public, accessible to Newport City residents, and provides services in a non-discriminatory manner;
- The majority of funds raised at charity or fundraising events are used to support specific programs or services that benefit Newport City residents;
- The event or organization is addressing a recognized community need;
- There is a substantial return on investment measured by economic impact, or other tangible benefits associated with the partnership;
- Event organizer's experience, qualifications, and responsiveness, promote a positive working relationship with the City;

PROCEDURE:

To ensure that all requests receive proper and equal consideration, the City must be provided with information needed to make informed decisions. All completed requests will be subject to the following procedure:

1. Organizers must submit an application and satisfy all requirements in accordance with Newport Parks & Recreation Field Use and Large Event policies at least two months in advance of the proposed event date;
2. Applications will be evaluated by the Parks & Recreation Director, who will coordinate further with the City Manager and relevant department heads;
3. Applications that request an expenditure of city funds, either directly or by use of resources, will receive an invoice with itemized fees;
4. Event organizers may submit a written request to City Council for waived or discounted fees to be presented at a regularly scheduled City Council meeting;
5. Event organizers may make a brief presentation before the City Council. City Council will evaluate, deliberate, and move to approve, modify, deny, or table a request. If a motion is made to give monetary support, Council will designate the appropriate line item. Any non monetary support will be quantified and accounted for in future budgeting purposes;
6. Following the City Council meeting, the Parks & Recreation Director will coordinate dispersal of any approved resources and funding requests with third-party event organizers;
7. A post-event debrief with Newport City Council will occur within 30 days to gauge the success of the event and determine future plans.

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TO: Laura Dolgin/City Manager/City Council
FROM: Thomas L. Bernier/P.W. Director *TLB*
DATE: April 11, 2018
RE: State Certification for Town Road and Bridge Standards

I understand there was some reluctance to sign the Annual Bridge & Roads Standards at the last council meeting. Unfortunately, I had the flu and was unable to personally attend, otherwise I would have been able to explain the document.

This is a brief history of the City's Road and Infrastructure Standards. The oldest document I have found in my search for anything to do with roads, bridges and infrastructure: is dated June, 7, 1982, entitled, *Minimum Requirements for Acceptance of New Streets*.

Specifications for Construction in City Right of Way: These specifications detailed water, sewer, drainage materials and installation practices that the City required with in our right of ways. Approved by City Council February 24, 2000.

State of Vermont, Town Road and Bridge Standards: this was first introduced to all Vermont Towns back on February 21, 2001. This came about from the Federal Emergency Management Agency adopting a policy which required the State of Vermont and all communities to adopt a set of codes and standards. This factors in to the percentage of relief during a natural disaster that FEMA pays out to the State and Towns.

The City Council adopted a Road and Bridge Standards for the City which replaced the Minimum Requirements for Acceptance of a City Street dated June 1982. The previously approved specifications for construction in the City right of way standards approved February 24, 2000 were now called Appendix A in these standards. This was all done to help the City meet the State of Vermont's Road and Bridge Standards. This was approved by the City Council dated April 2, 2001.

Public Works Standards & Specifications: This was my final 43-page version of very detailed standards for any road or infrastructure project that may be built in the City right of way. This also incorporated the State standards. This was adopted by the City Council May 2, 2005.

The State Certification of Compliance for Town Road and Bridge Standards and Network Inventory is a form that is signed yearly by the City Council since 2001. By accepting, the City receives an additional 10% funds which raises our total to 80% when receiving grant funds for roads, bridges and structures. It also helps when there is a natural disaster for FEMA assistance.

I spent many hours developing and refining the City Standards and Specifications which was adopted on May 2, 2005. I devoted many hours of my time to help protect the City and its taxpayers by designing standards for roads and infrastructure that would eventually be owned and maintained by the City.

I hope future questions will be asked of the city manager or me prior to an actual Council meeting. Sometimes these signatures are time sensitive and a delay could be detrimental to our operations.

**Certification of Compliance
for
Town Road and Bridge Standards
and
Network Inventory**

We, the Legislative Body of the Municipality of City of Newport certify
that we have reviewed, understand and comply with the Town Road and Bridge
Standards / Public Works Specifications and Standards passed and adopted by the
Selectboard / City Council / Village Board of Trustees on April 16, 2018.

We further certify that our adopted standards ☒do ☐do not meet or exceed the
minimum requirements included in the January 23, 2013 VTrans template.

We further certify that we ☐do ☒do not have an up-to-date highway network
inventory which identifies location, size, deficiencies/condition of roads, bridges,
causeways, culverts and highway-related retaining walls on class 1, 2, and 3 town
highways, and estimated cost of repair.

(Duly Authorized Administrator)

Date: _____

For a summary of your community's road and bridge information
please visit: tinyurl.com/rdsinfo

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April 11, 2018

Paul Bruhn, Executive Director
Preservation Trust of Vermont
104 Church St
Burlington VT 05401

Re: Heartfelt Thank You from Newport City

Dear Paul

Please accept this letter as an acknowledgement and thank you to you and Preservation Trust of Vermont for the immeasurable ways you have assisted the City of Newport at a critical time in our economic recovery. We were facing unprecedented disappointment due to circumstances beyond our control which left an entire Main St. block in a demolished state. At this point in our recovery, it behooves us to regard the vacant block as a blank slate and the beginning of opportunity. We are proactively working with state and regional partners to assess our constraints and appreciate our opportunities. Preservation Trust of Vermont has been an outstanding partner in our rehabilitation in the following ways:

First, when a convincing and persuasive argument presented itself to justify an appraisal of the block, you were the first to raise your hand to volunteer funding for the effort. The appraisal was carried out and Preservation Trust was at the forefront.

Second, when a convincing and persuasive argument presented itself for the city to commission a hotel feasibility study as part of our recovery effort, you were the first to raise your hand to pledge support for the study. That study was carried out and is now being utilized as a baseline tool for the City and potential developers as we move towards economic recovery.

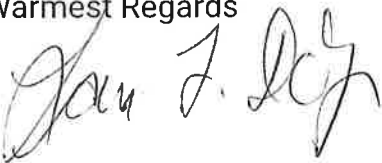
Third, Preservation Trust has set aside funds to help us make a positive impression for residents and visitors alike. We have undertaken a new focus on city beautification in an effort to show we care about our community and are open for business. Paul, you noticed the historic McClintock clock located on the corner of Coventry and Main St. has been non functioning for decades. Through a grant to the downtown organization,

the City is able to restore the clock in time for the City's Centennial Celebration slated for this summer. Local artisans and craftsmen will be tapped to help with the restoration and we couldn't be more delighted.

Fourth, you continue to call me and offer advice and assistance. We've shared some good laughs and some forehead slaps, and there is no question your heart has always been for the greater good of the community.

It has been a pleasure to meet and work with you. I appreciate your good wit and thank you for the support you have provided at a critical time in our recovery. I know as we transform you will continue to walk alongside us in the best way possible.

Warmest Regards

A handwritten signature in black ink, appearing to read "Laura F. Dolgin". The signature is fluid and cursive, with the first name "Laura" being more prominent than the last name "Dolgin".

Laura Dolgin
Newport City Manager

cc Mayor Paul Monette
City Clerk & Treasurer James Johnson
Newport City Council