

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, December 16, 2019, beginning at 6:30 p.m.
Council Room

****Public Hearing #2 on the Proposed Capital Investment Plan****

City Council: Paul Monette, Mayor
Julie Raboin, President
Kevin Charboneau
Dan Ross
Melissa Pettersson

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

1. Call the Regular Council Meeting to Order
2. Approve the Minutes of the December 2, 2019 & December 9, 2019
3. Comments by Members of the Public
4. Five Year Capital Investment Program: Vote
5. Set 2020 Council Meetings
6. USDA Community Facilities Grant Authorization for PD Radios: Vote
7. New Business
8. Old Business
9. Executive Session to Discuss Labor Relations Agreement, 1 VSA 313(a)(1)
10. Set next meeting: Special Meeting on the Proposed FY20-21 Operational Budget Scheduled for Monday, December 23, and December 30 @ 6:30 pm; Regularly Scheduled Council Meeting: January 6, 2020
11. Adjourn

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 an 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, and adopted again on April 1, 2019:

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 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 Minutes
December 2, 2019

DRAFT

A duly warned meeting of the Newport City council was held on Monday, December 2, 2019 in the council room in the Newport Municipal Building. Present were Mayor Paul Monette, Council Members Melissa Pettersson, Kevin Charboneau, and Daniel Ross, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Fire Chief Jamie LeClair, PW Director Tom Bernier, Recreation Director Jessica Booth, Wayne Elliott, Mike Welch, Gary Holloway, Conrad Bellavance and Roger Gosselin, members of the Press and Public. Council Member Julie Raboin was absent.

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

Approval of Minutes

Ms. Pettersson moved to approve the minutes of November 18, 2019. Seconded by Mr. Ross, motion carried.

Comments by the Public

Laurie Grimm mentioned the increase in traffic on RR Square due to the opening of Domino's Pizza.

Downtown Designation Presentation

Gary Holloway, Downtown Program Manager, Community Planning and Revitalization, Vermont Department of Housing and Community Development and Conrad Bellavance, Chair, Newport City Downtown Development Board gave an update on the Downtown Designation Program its importance and benefits to the City.

State Drinking Water Revolving Loan Fund Application & Engineering Contract (Attached)

Wayne Elliott P.E., of Aldrich and Elliott Water Resource Engineer, and Tom Bernier Director of Public Works updated the council on the 1272 Order from the State of Vermont issued to the City on February 19, 2019. One of the conditions of the order require that the City submit a long-term control plan for the six remaining combined sewer overflows. The loan application is for \$79,400 which includes the engineering services (\$63,400) and additional monitoring equipment (\$16,000). The loan is 100% forgiven.

Mr. Ross moved to approve the application and authorize the City Manager to sign the documents. Seconded by Mr. Charboneau, motion carried.

Mr. Ross moved to approve the engineering contract with Aldrich & Elliott and authorize the City Manager to sign the documents. Seconded by Mr. Charboneau, motion carried.

Vermont Recreational Trails Program Grant Application (attached)

Jessica Booth, Recreation Director and Mike Welch, Senior Project Manager at NCIC presented the grant application request in the amount of \$50,000. The grant will be used to fund Phase 2, the final design and site layout for the Prouty Beach Connector Trail. Mayor Monette read the letter of support he signed that will accompany the application. Mr. Charboneau moved to approve the application and authorize the City Manager to sign the documents. Seconded by Ms. Pettersson, motion carried.

Annual VAST Access Request, Broadview Ave., Landing St. and the Railroad Bridge to Pomerleau Park (attached)

Roger Gosselin presented the annual request. Mr. Ross moved to approve the request. Seconded by Mr. Charboneau, motion carried.

New Business

None

Old Business

Ms. Dolgin asked the council to let Ms. Booth know if they plan to attend the Pomerleau Christmas Party. Ms. Dolgin also noted that the next Public Hearing on the Capital Investment Plan will be December 16th.

Mr. Johnson noted that he had received a qualified petition to consider repealing the ATV ordinance. He offered two dates for the Special Meeting to vote on the issue. The council selected January 14, 2020, as the date of the vote. The polls will be open from 8:00 AM until 7:00 PM.

Next Meeting Dates

December 9th, 16th, 23rd and 30th, 2019.

Adjournment

Mr. Charboneau moved to adjourn at 7:45 PM. Seconded by Ms. Pettersson, motion carried.

DRAFT

Attested _____ This _____ Day of _____ 2019

Mayor

TO: Newport City Council, Jim Johnson, City Clerk & Treasurer
FROM: Laura Dolgin, City Manager
RE: Vermont Recreational Trail Program (RTP) Grant Application Prouty Beach Connector Trail – Phase 2
Date: November 26, 2019

Notice of Funding Opportunity: The City of Newport has an opportunity to submit an application to the Vermont Recreational Trail Program (RTP) to support Phase 2 design and construction of the Prouty Beach Connector Trail. A pre-application was submitted on October 31, 2019 – and the complete application is due on or before Tuesday, December 17, 2019. The maximum grant amount is \$50,000 and requires a 20% match (cash and/or in-kind). This program is a federal grant program that is administered by the VT Department of Forests, Parks and Recreation.

Timeframe: Decisions on Grant Awards will be made by March 2020. The State plans to have Grant Agreements completed by May 15, 2020. The City would have 2 years to complete the project (State encourages that projects be completed in 1 year).

Project Description: The City of Newport, Vermont is requesting financial support through the VT Recreation Trails Program for Phase 2 of the design and construction of the Prouty Beach Connector Trail. This new Trail is a vital link in the Newport Waterfront Recreation Path & Lake Access Project, that will offer four-season recreational trail access from Downtown Newport to Quebec Province. Phase 2 will include: final design and site layout for Prouty Beach Connector Trail segment 4 (link to the planned Bluffside Farm Trail-property owned by VT Land Trust); paving of the entire Prouty Beach Connector Trail; wayfinding trail signage and information, and hydro-seeding. The project will include improvements to the recreational beach area with landscaping and rehabilitation of sand and grass areas. The City of Newport has initiated Phase 1 construction of the 0.25 mile, multi-use recreation path to connect the planned Bluffside Trail system and the existing Newport Bike Path. Phase 1 consists of the design, permitting and construction of segments 1, 2 and 3 of engineered plans for Prouty Beach Connector Trail (See attached plan prepared by Horizons Engineering). These path segments are routed through the City owned municipal park and at Prouty Beach & Campground. Phase 1 of the project includes construction of the Trail beginning at the Broadview Avenue entrance of Prouty Beach. The Prouty Beach Connector Trail will be routed strategically through the park to showcase the City's shoreline assets and provide exposure to existing public lake access points, amenities and rest rooms. Phase 1 construction will go into winter shut-down in November. Phase 1 and Phase 2 construction will resume in Spring 2020 and be completed by Fall 2020.

Final design plans for Phase 2 Segment 4 will be performed by a licensed engineering firm. The majority of Phase 2 construction work (Segment 4) will be completed by the Newport Department of Public Works (DPW), under the experienced leadership of DPW Director Thomas Bernier. DPW labor and equipment will be used as an "in-kind" match toward the total project cost. Utilization of DPW Operators and Equipment to include: Excavator, Trucking, Roller/Compactor and Track Loader. Signs will be ordered from a vendor, and installed by DPW. Paving will be contracted through a private vendor.

Phase 2 of this project does not involve a water body crossing – but will connect to a planned crossing at Scott's Cove that will be a component of the VLT Bluffside Farm Trail project (currently under design).

To: City of Newport City Council, City Clerk & Treasurer James Johnson
From: Laura Dolgin, Tom Bernier and Wayne Elliott
Date: December 2, 2019

Re: 1272 Order – Combined Sewer Overflows

The State of Vermont issued an updated 1272 Order to the City of Newport on February 19, 2019 specific to the Combined Sewer Overflow Rule. Initial assessments confirmed that the City still has six (6) remaining combined sewer overflows (CSO's); Western Avenue, Bayview Street, Union Street, Lake Road pump station, Causeway siphon and Bluff Road pump station. One of the conditions of this Order requires that the City submit a Long Term Control Plan for the CSO's by August 19, 2020.

As required by the State, the City went through a Qualifications Based Selection (QBS) process in September 2019 for the engineering. Aldrich + Elliott was selected by the Public Works Department as the most qualified firm to assist the City with the Long Term Control Plan (LTCP).

An engineering services agreement for this work has been prepared and reviewed by the State, and the CWSRF funding application has been prepared for consideration by the City Council. The total amount requested in this funding application is \$79,400 which includes the engineering and additional monitoring equipment and the City is eligible for the following:

- For the cost of the LTCP, the State is providing 100% forgiveness on this loan amount of \$63,400.
- For the CSO monitoring equipment, the City is eligible for 100% additional subsidy in the form of principal forgiveness up to the \$16,000.

Once the City Council approves the CWSRF planning loan application, the work on the Long Term Control Plan can move forward.



Landowner Permission Form

For the Vermont Association of Snow Travelers, Inc.
26 Vast Lane • Barre, VT 05641 • 802.229.0005 • Fax 802 223.4316

Permission is hereby granted to the Vermont Association of Snow Travelers, Incorporated (VAST), to
..... Orleans County Snowmobile Club,
.....
Incorporated, and to the North Country Mountaineers of,
.....
..... Vermont to establish, maintain, and groom a snowmobile trail or trails upon property located in
.....
..... Vermont belonging to City of Newport of
.....
..... The snowmobile trail(s) shall be established and maintained in an area acceptable to the
landowner. No construction or major maintenance shall occur without the landowner's permission. Permission is further granted to VAST,
to the fourteen Vermont county snowmobile clubs, to all affiliated local snowmobile clubs, and to their respective members to use the
trail(s).

Permission extends for a period starting December 16, 2019 to April 15, 2020
Date Date

Permission is subject to the additional terms and conditions listed below, if none, enter "NONE":

**Permission to use Broadview Ave. and Landing St. on a trial basis with the following conditions: Both streets must have a 10
mph speed limit for snowmobiles. A curfew of 10:00 PM to 8:00 AM on Broadview Ave. and a curfew of 11:00 PM to 8:00 AM**

on Landing St. Permission to use bridge and Pomerleau Park for downtown access. The city can revoke permission at any time.

Vermont law limits the liability of landowners for personal injury and property damage sustained by a person operating a snowmobile or riding as a passenger to damage intentionally inflicted by the landowner unless the landowner charges the owner or operator of the snowmobile a cash fee for the use of the property. VAST agrees to maintain a policy of trails liability insurance with a policy limit of at least \$1,000,000 covering the landowner as an additional insured. VAST further agrees to defend the landowner or reimburse the landowner for the reasonable costs of defense in the event that a claim is made or a suit is brought as a result of a snowmobile accident on the landowner's property, unless the landowner charges a fee for the use of the landowner's property for the purpose of establishing and maintaining a snowmobile trails(s). A complete "Explanation of Landowner Rights and Protections" is printed on the reverse side of this document. **Neither this permission nor any use of the trail(s) established pursuant to this permission shall, under any circumstances, entitle VAST, any county snowmobile club, any local snowmobile club, or any member of any one or more such clubs, to claim any dedication, any right of adverse possession, any prescriptive easement, or any similar right with respect to any portion of the landowner's property.**

Dated this 2nd day of December, 2019.
Day Month Year

Vermont Association of Snow Travelers, Inc.
By: Roger M. Gosselin, Orleans County Director
(Please Print Name)

Its duly authorized agent for the limited purpose of negotiating and entering into landowner permission agreements.

Signature of landowner or landowner's duly authorized agent.
Paul C. Monette, Mayor
(Please Print Name)

Mailing Address:
City of Newport
222 Main St.
Newport, VT 05855

Phone Number 802-274-4502 Phone Number 802-334-5136

Council Minutes
December 9, 2019

DRAFT

A duly warned meeting of the Newport City Council was held on Monday, December 9, 2019 in the council room in the Newport Municipal Building. Present were Mayor Paul Monette, Council Members Kevin Charboneau, Melissa Pettersson and Daniel Ross, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Chief Seth DiSanto, Tom Bernier, Jamie LeClair, Becky Therrien, members of the Press and Public. Council Member Julie Raboin was absent.

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

Review proposed FY 2020-21 Budget

The council reviewed the Administration and Police Department portions of the proposed FY 2020-21 budget.

ATV Vote Warning

Ms. Pettersson moved to approve the Warning for the Special Meeting on January 14, 2020. Seconded by Mr. Charboneau, motion carried.

Next Meeting Date

December 16, 2019

Adjourn

Ms. Pettersson moved to adjourn at 7:13 PM. Seconded by Mr. Charboneau, motion carried.

Attested: _____ This _____ Day of _____ 2019

Mayor

2020 Regular City Council Meeting Schedule

Approved: _____

| | | | | |
|----|--------------------|---|--|--|
| 1 | January 6, 2020 | | | |
| 2 | January 20, 2020 | | | |
| 3 | February 3, 2020 | | | |
| 4 | February 10, 2020 | | | |
| 5 | March 2, 2020 | Regular and Informational Meeting about the Annual Meeting | | |
| 6 | March 3, 2020 | Annual Meeting to Bring up Any Other Business from the Annual Meeting | | |
| 7 | March 16, 2020 | | | |
| 8 | April 6, 2020 | | | |
| 9 | April 20, 2020 | | | |
| 10 | May 4, 2020 | | | |
| 11 | May 18, 2020 | | | |
| 12 | June 1, 2020 | | | |
| 13 | June 15, 2020 | | | |
| 14 | July 6, 2020 | | | |
| 15 | July 20, 2020 | | | |
| 16 | August 3, 2020 | | | |
| 17 | August 17, 2020 | | | |
| 18 | September 14, 2020 | | | |
| 19 | September 21, 2020 | | | |
| 20 | October 5, 2020 | | | |
| 21 | October 19, 2020 | | | |
| 22 | November 2, 2020 | | | |
| 23 | November 16, 2020 | | | |
| 24 | December 7, 2020 | | | |
| 25 | December 21, 2020 | | | |

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City of Newport
222 Main Street
Newport, Vermont 05855
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RESOLUTION

The Newport City Council, at their meeting held on Monday December 16, 2019 by a majority vote of the council members authorized City Manager, Laura Dolgin, to submit and sign any and all forms relevant to the submission and award of a \$29,100 USDA Community Facilities application for upgrades to the Police Department's portable and mobile radios. The required \$23,800 match will come from the Police Departments Operating Budget.

Newport City Council

Paul Monette, Mayor

Julie Raboin, Council President

Kevin Charboneau

Dan Ross

Melissa Pettersson

Dated: Monday December 16, 2019

Project Memo Handout:

The Newport Police Department is currently utilizing last years Community Facilities grant funding to purchase 7 new Motorola APX 8000 portable radios (Officer-worn) and 4 new APX 8500 Mobile radios (vehicle-mounted). This leaves the Department with 7 existing Motorola XTS 2500/XTS 3000 portable radios (Officer-worn) and 4 Motorola Astro Mobile radios (vehicle-mounted). Note that the new mobile radios are multi-functional and replace two of the old.

Unfortunately due to lack of match funding available last year, the Department was unable to request upgrades for their full inventory of radios and needed to wait until the new fiscal year to allocate funds to the next round of upgrades. It should also be noted that the useful life of the existing equipment is around 10 years; Newport PD's is approaching 20 years which limits capacity and function.

The USDA Community Facilities grant request is to purchase 7 new Motorola APX 8000 portable radios which will be carried on Officers' uniforms and 1 new APX 8500 Mobile radio which will be mounted in the police vehicle.

Motorola is the only vendor that manufactures the APX radio which is what the Department needs to seamlessly interface with existing equipment. Prices quoted are off of the State NASPO Contract.

The total cost of the radio equipment is \$52,900. The City is requesting \$29,100 in Community Facilities Grant funding and will be required to provide match totaling \$23,800. Match funding will come from the Police Departments Operations Budget.