SPECIAL Meeting of the City Council
Monday, October 23, 2023, beginning at 6:30 p.m.
Newport Municipal Building
City Council Room
222 Main St

Google Meet joining info
Video call link: https://meet.google.com/wac-qbsy-vbn
Or dial: (US) +1 530-421-8792 PIN: 992 572 715#

City Council: Linda Joy Sullivan Mayor
Council President John Wilson
Kevin Charboneau
Chris Vachon
Clark Curtis

Karen Geraghty, Interim City Manager
James D. Johnson, City Clerk/Treasurer

1. Call to Order
2. Additions, Changes, Deletions to the Agenda
3. Public Comment
4. Authorization to Advertise for the Position of City Manager; Anticipated Vote
5. Causeway Streetscape and Traffic Signal Removal and Replacement Project – Consider Approval of Construction Contract; Anticipated Vote
6. Bylaw Modernization Amended Contract for Consulting Services; Anticipated Vote
7. VT Electric Cooperative Town Road ROW Occupancy Request; Anticipated Vote
8. New Business
9. Old Business
10. 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 orderly and efficient meetings, the Mayor kindly requests your cooperation and compliance with the following guidelines:

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 ensure 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 limited 2 minute timeline 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 conversations. 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.
4. **Contract Term:** The period of this contract begins on 1 May 2022 and ends on 30 April 2024.

7. **Attachments:** This revised contract incorporates the following attachment:

   Attachment A: revised scope of services and budget

11. **Deliverables:** PlaceSense will provide the City of Newport with all final electronic files at the completion of work to include: an Adobe InDesign file of the regulations with all tables, graphics and map; a Microsoft Word file of the text of the regulations; an Adobe PDF of the regulations and the official zoning map(s) suitable for printing and electronic distribution; and ESRI shapefiles for the zoning map(s).

   All provisions of the original contract remain in force except for the specific provisions above.

   **We the undersigned parties agree to be bound by this contract.**

   **BY: City of Newport**

   __________________________
   Signature

   __________________________
   Type name and title

   ________________
   Date

   **BY: PlaceSense**

   __________________________
   Signature

   __________________________
   Brandy Saxton, Owner

   __________________________
   Type name and title

   ________________
   Date
SCOPE OF WORK

Based on the work plan provided in the RFQ, PlaceSense proposes to undertake your bylaw modernization project as detailed and scheduled below. This proposal assumes that in-person public meetings will be possible and preferred in the months ahead. If they are not or if there remains a significant demand for remote participation, PlaceSense will adapt the format of the public meetings as appropriate. This proposal specifies a mix of in-person and remote work sessions with project stakeholders and the Planning Commission as indicated in the project budget.

MAY 2022

Project Organization. PlaceSense will commence work with a document review. As described in your RFQ, this project will be guided by the vision, goals, objectives and policies established in Newport’s Municipal Plan (currently being updated) and other supporting documents, including the Downtown and Waterfront Master Plan. The consultant will prepare a memo identifying the policies in those planning documents that will be used in the regulatory audit. The consultant will also work with the local project manager to organize the project kick-off meeting, which is anticipated to include an opportunity for the consultant to tour the community and be introduced to project stakeholders.

JUN-AUG 2022

Diagnosis. PlaceSense will complete a full regulatory audit of Newport’s adopted regulations. This will include:

- A technical review of the regulations based on the policies identified in the document review memo. The review will assess whether the adopted regulations are in conformance with the policy and their effectiveness at furthering municipal goals.
- Identification of any provisions of the adopted regulations that are out of conformance with Vermont statute or other applicable regulations.
- Identification of any internal inconsistencies, missing definitions or similar issues with the regulations. If the Zoning Administrator is maintaining a list of problem sections, that information would be integrated into the audit.
- Review of permitting activity with a particular focus on requests for waivers or variances as these are an indicator of misalignment between the regulations and existing built form or land use.
- Conformance with the eligibility requirements of Vermont’s Neighborhood Development Area designation program and with the best practices recommended in the state’s Enabling Better Places zoning guide. These two components will assess whether there are regulatory barriers to housing in Newport’s adopted regulations.
- A block analysis of residential neighborhoods. This will document the existing built form and density of housing and will estimate potential for infill housing under adopted regulations.

The full regulatory audit results will be presented in a report with an executive summary and recommendations for amendments to address identified problems or shortcomings of the adopted regulations. The consultant will provide the report to the City Manager as requested in the RFQ in advance of meeting with the Planning Commission to discuss the findings and recommendations.
SEP 2022 - JAN 2023
Regulatory Amendments. PlaceSense will draft regulatory amendments based on the findings and recommendations of the audit report. The consultant anticipates this will include zoning district changes (boundaries, dimensions, allowed uses) to address housing recommendations and to align the zoning map with recent planning documents. Other areas of the regulations to be updated will be identified during the audit.

The consultant will meet with project stakeholders to discuss work in progress and will facilitate meetings with the Planning Commission to review draft language.

FEB 2023
Community Meeting. PlaceSense will facilitate a community meeting to present initial concepts for zoning changes and other amendments to the regulations. The consultant will prepare informational materials to be distributed at the meeting and on the city website.

MAR 2023 - FEB 2024
Regulatory Amendments. PlaceSense will work with the local project manager, project stakeholders and the Planning Commission to refine the proposed amendments, incorporating feedback from the community meeting. The consultant will provide a draft of the regulatory amendments ready for the Planning Commission public hearing, along with the required report and updated informational materials.

MAR 2024
Planning Commission Hearing. PlaceSense will support the Planning Commission through the public hearing process. The consultant will compile and respond to comments on the draft regulations.

APR 2024
Planning Commission Approved Draft. PlaceSense will work with Planning Commission to make any revisions to the proposed amendments necessary following the PC hearing. The consultant will also help package the proposed amendments and supporting documentation for presentation to City Council.
# Project Budget

<table>
<thead>
<tr>
<th>Tasks</th>
<th>Hours</th>
<th>Fee</th>
<th>MTGS</th>
<th>Date</th>
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<tbody>
<tr>
<td><strong>Project Organization</strong></td>
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<tr>
<td>Project Admin</td>
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<td>Document Review</td>
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<td>May-22</td>
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<td><strong>Public Engagement</strong></td>
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<td>Stakeholder Meetings</td>
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<td>8, remote</td>
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<tr>
<td>PC Meetings</td>
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<td>8, remote</td>
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<tr>
<td>Community Meeting</td>
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<td>Feb-23</td>
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<tr>
<td>PC Hearing</td>
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<td>$800</td>
<td>1, in person</td>
<td>Jul-23</td>
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<td><strong>Diagnosis</strong></td>
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<td>Regulatory Audit</td>
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<td>Aug-22</td>
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<td><strong>Regulatory Amendments</strong></td>
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<td>Draft Amendments</td>
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<td>Public Hearing Draft</td>
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<td>Mar-24</td>
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<td>PC Approved Draft</td>
<td>4</td>
<td>$400</td>
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<td>Apr-24</td>
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</tbody>
</table>

Consultant Fee: 232 hours $23,200  
Direct Expenses: $1,800  
**Total Project Cost:** $25,000
TOWN ROAD ROW OCCUPANCY REQUEST

TO THE SELECTBOARD OF THE CITY OF __NEWPORT__, VERMONT

Date: __9/27/2023__

Comes Vermont Electric Cooperative Inc. (VEC), your petitioner, and respectfully represents that in order to furnish adequate service to its members it is necessary to locate poles, wires, guys within the road right of way of East Main St., in the City of __Newport__, Vermont as shown on the attached sketch. VEC further represents that such work will be done in a manner safe for public travel and subject to the rules thereof. Also, that it is not desirable to make such locations otherwise than shown on the attached plan.

WHEREFORE, pursuant to 30 V.S.A. § 2502, VEC requests permission from the City of __Newport__ Selectboard to place, construct, reconstruct, operate, repair, maintain, improve, mark, replace thereon, and remove therefrom, electric, communications and data transmission and distribution systems consisting of poles, wires, cables, conduits, equipment, anchors, guy wires, and braces and other fixtures upon, over, through, across and under the road right of way. VEC may also cut and prune all trees and vegetation to the extent necessary to protect and keep said systems clear of the growth and to cut from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wire or in falling distance on the Electric Transmission and or Distribution Line or System for an overhead/underground service.

By:

Vermont Electric Cooperative, Inc.

APPROVED by authority from the Selectboard of the City of ________________, Vermont. Permission is hereby granted to the Vermont Electric Coop, Inc. Johnson, Vermont, to perform overhead/underground work within the road right of way on ________________ Street in the City of ________________, Vermont.

IN WITNESS WHEREOF, the undersigned has set his/her hand and seal this ________________ day of ________________, 20__

Board of Selectboard Members (if required by town/city)  Road Commission (if required)

________________________ (L.S.)

________________________ (L.S.)

________________________ (L.S.)

________________________ (L.S.)

To be completed by Vermont Electric Cooperative, Inc.

W. O. # ________________ Line/ Pole# ________________ B-911: ________________
Bluff Road & Spruce Street
Sewer Line Replacement Project:

The city had a bad section of sewer line on Spruce Street that terminated near Mrs. Dowd’s property. To get an adequate slope on the sewer pipe to repair this section we had to go back on to Bluff Road. The total length of 8” PVC sewer pipe that needed to be replaced was 805’.

This project turned out to be one of the most challenging small projects the city has taken on in years. Throughout the entire digging the subsoil water table was extremely high. We had to dewater the trench constantly and have a sub-base of stone bedding sometimes 3-4’ in depth. To keep the pipe at the proper grade you must maintain a firm bed for the pipe to rest on.

Immediately after the first manhole was installed, we hit a section of extremely hard rock ledge. We tried a couple different methods to break the ledge unsuccessfully. We finally waited five weeks for a blasting company to come and break up the ledge.

List of materials and cost:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>900’ of 8” Sewer Pipe $10.99 per linear foot</td>
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<tr>
<td>8 X 4 Service Wye $65.29 @ 5 Services</td>
<td>$326.45</td>
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<tr>
<td>80’ of 4” Sewer Service Pipe $2.75 per linear foot</td>
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<tr>
<td>Misc. 4” Parts</td>
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<tr>
<td>Sewer Manholes Installed (4)</td>
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<tr>
<td>¾” Crushed Stone</td>
<td>$2,067.08</td>
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<tr>
<td>Fine Gravel</td>
<td>$299.77</td>
</tr>
<tr>
<td>Sub-base Gravel — City Stockpile</td>
<td>$0.00</td>
</tr>
<tr>
<td>Sub-base Sand Replaced Clay material — City Stockpile</td>
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</tr>
<tr>
<td>Excavator St Onge Transport, Inc.</td>
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</tr>
<tr>
<td>Excavator with Hydraulic Hammer — RG Gosselin, Inc.</td>
<td>$1,980.00</td>
</tr>
<tr>
<td>Ledge Tech Drilling &amp; Blasting</td>
<td>$6,600.00</td>
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<tr>
<td>Asphalt Paving estimate 272 Ton @ $83</td>
<td>22,576.00</td>
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<tr>
<td>City Labor &amp; Overtime</td>
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<tr>
<td><strong>Total Cost</strong></td>
<td><strong>$106,389.58</strong></td>
</tr>
</tbody>
</table>

This project was completely designed and installed by the Public Works Department. If this project were to be bid out to a contractor, engineering design, permits and bidding would have to take place. If soil borings had not been done during engineering the ledge and very wet sub-base would not have been discovered until construction. Change orders in contracted work typically can be very expensive.

Another point of interest while designing this project, I was able to install the sewer pipe where it initially ended at a depth of 3 ½’ deeper than originally. This change can now offer the undeveloped area between Bluff Road and Spruce Street city sewer. It also would allow current properties around Loop Road to access the sewer system.