

REGULAR COUNCIL MEETING
Tuesday, June 29, 2021, 7:00pm

This is a Hybrid Meeting (In-person and Virtual)
Council Chambers City Hall

Join Zoom Meeting

<https://zoom.us/j/95158084622?pwd=dWdScjg0d3M2YjZfOTdBMkJKUNnhVOT09>

Meeting ID: 951 5808 4622

Passcode: 887370

One tap mobile

929-205-6099

Page No.	Agenda
	1. Call to Order – 7:00 pm
	2. Adjustments to the Agenda
	3. Consent Agenda
7	A. Approval of Minutes of the Regular City Council Meeting June 22, 2021 <ul style="list-style-type: none"> i. Special Meeting of June 22, 2021 ii. Regular Meeting of June 22, 2021
11	B. Approval of City Warrants from Week of Wednesday June 30, 2021
19	C. Clerk’s Office Licenses and Permits
20	D. Purchase Approval of Bola Wrap Restraint Device (Chief Bombardier)
	4. City Clerk & Treasurer Report
	5. Liquor Control Board
	6. City Manager’s Report
	7. Visitors and Communications
	8. Old Business: <ul style="list-style-type: none"> A. Reschedule Grand List Workshop (Mayor)
	9. New Business <ul style="list-style-type: none"> A. Update from the Vermont Granite Museum (Scott McLaughlin) B. CVHHH & Barre City EMS Dept. Community Collaboration Program (Dpty Chief Aldsworth) C. Overview of ARPA Funding Program and Approval of Grant Terms & Conditions (Manager)
31	D. Discussion of Ordinance Review Process in FY22 (Mayor) <ul style="list-style-type: none"> i. Administrative Ordinance E. Assignment of Ordinances for review in FY22 (Mayor) F. Appointment of Charter Work Group (Mayor) G. Discussion of Policy Review Process in FY22 (Mayor)
83	H. Review and Approval of FY22 Council Priorities (Mayor)
89	I. Athena Leadership and Young Professionals Nominations (Mayor)
	10. Round Table
	11. Executive Session – As Needed
	12. Adjourn

Steven E. Mackenzie, P.E., City Manager

*The portion of this meeting starting at 7:00 pm will be taped for re-broadcast on Channel 192 CVTV
and will be re-broadcast on Wednesday at 9:00 a.m. and 12:00 noon
CVTV Link for meetings online – cvtv723.org/*

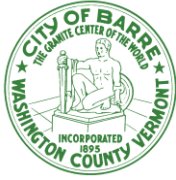
OTHER MEETINGS AND EVENTS

Monday, June 28

Energy Committee, 5:30pm, Virtual (ZOOM)

Ground Rules for Debating

- Rules may be reviewed periodically
- Practice Mutual Respect
 - Assume Good Intent and Explain Impact
 - Ask Clarifying Questions
 - If off course, interrupt and redirect
- Think, then A.C.T.
 - Alternatives – Identify All Choices
 - Consequences – Project Outcomes
 - Tell Your Story – Prepare Your Defense
- Ethics checks
 - Is it legal?
 - Is it in scope (Charter, Ordinance, Policy)?
 - Is it balanced?
- “ELMO” – Enough, Let’s Move On
 - Honor Time Limits
 - Be attentive, not repetitive
- Be open minded to different solutions or ideas
 - Remarks must be relevant and appropriate to the discussion; stay on subject.
 - Don’t leave with “silent disagreement”
 - Decisions agreed on by consensus when possible, majority when necessary
 - All decisions of Council are final
- No blame
 - Articulate Expectations of each other
 - We all deeply care about the City in our own way
 - Debate issues, not personalities
- Electronics
 - No texting/email/or videogames during the meeting
 - No notes are taken during Executive Session



City of Barre, Vermont

"Granite Center of the World"

Steven E. Mackenzie, P.E.
City Manager

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manager@barrecity.org

MEMO

TO: City Council
FR: The Manager
DATE: 06/25/21
SUBJECT: Packet Memo re: 06/29/21 Council Agenda Items

Councilors:

The following notes apply to packet support material for the Subject Council Agenda:

General Info:

Final Reminder: The **Municipal Pool Project Ribbon Cutting/Open House** will go forward as planned on Sunday, 6/27 at 12:30 sharp! I have included 2 flyers prepared by Stephanie Quaranta, Recreation Director, regarding the pool re-opening and user protocols as well as the Summer Lunch Program at the Pool.

Executive Session: - None

Adjustments to the Agenda: - None at this time

Consent Agenda: - No *Consent Agenda* notes

New Business:

Item 9. C - ARPA Update & Overview: As I only located the VLCT APRA link information that I was searching for on Friday morning, I have not been able to retrieve/review at the time of preparing the Friday packet. I will conduct my research by Tuesday's meeting, and provide a verbal report at a minimum in order to update Council on Terms & Conditions to obtain final concurrence to request funds.



Summer Family Fun

The Municipal Swimming Pool is located off South Main Street on Parkside Terrace in Barre City.

During the summer of 2020 and into the spring of 2021 the pool underwent a major renovation. A zero entry section was added to the swimming pool leading into the 3 foot section. Railings provide added assistance for all ages. The walls and bottom of the pool were repaired and received new coats of cement and paint. An above ground filtration room was added with modern recirculating equipment. The Lifeguards have new safety equipment and the pool is complete with new decks and coping stone. The slide remains in the 2nd part and the accessible lift is available as well. We are excited as our zero entry will create opportunities for more swimmers as well as a value for swimming lessons.



Swimmers who have passed their deep water test can add a “splash” to the water using our **waterslide**. The slide is open during all open swim hours for those who have shown deep water swimming skills.

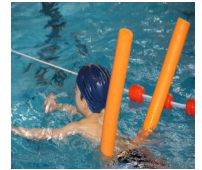
Coast Guard approved **Lifejackets/Puddle Jumpers**



are allowed in the first part and zero entry area. A Parent/Guardian must remain in the water at all times with any child using a Lifejacket. Please note water wings or

bathing suits with built in floatation devices are not allowed. All jackets must properly fit the individual. The pool will have a limited supply that you may borrow while swimming.

Everyday is **Noodle Day!** You are welcome to use our pool noodles in the 1st & zero entry sections of the pool everyday or you may bring your own.



If you want to take a break from swimming we have a **basketball** court located inside the pool area. There is always a “pick-up” game to add some fun. Basketballs are available to use, free of charge and can be picked up at the front desk.

There is no need to bring **lawn chairs**. We have ones that you are welcome to use! There are several at the pool that are available free of charge!



The “**Find My Friend**” game returns ! Each day our friendly frogs are hidden. Youngsters search for our friend with new clues posted daily.



Free Lunch/Snack



The Barre City Buildings & Community Services—Rec is a proud participant in the summer meal program. A healthy lunch will be served shortly after our general swim opening M-F during the school’s summer vacation. A healthy snack is offered later in the afternoon. The lunch and snack is available just inside the swimming pool bathhouse. A menu of the lunches that will be served is available at the swimming pool front desk and on the bulletin board. You do not have to be swimming at the pool to participate in the program.



The bathhouse provides a sheltered area to hand out the lunches. This is available to all youngsters under 18 years of age.



Swimming Pool Hours: Opening June 27

Monday—Friday	General Swim	12:30 pm—4:00pm
	*Family Swim	4:30 pm—7:00 pm
Saturday— Sunday	General Swim	12:30 pm - 5:00pm

***In order to stay for Family Swim an individual must be entering grade 9 or accompanied and supervised by someone 18 years of age or older.**

Hours will be dependent upon on the availability of certified Lifeguards.
Any changes will be posted.

Fee Schedule: On Sale Daily At The Pool

	<u>Daily</u>	<u>Season Pass</u>
Child:	\$3.00	\$ 20.00
Adult:	\$4.00	\$ 55.00
Family:		\$ 60.00

-Scholarship funding is available-

The City of Barre was a recipient of a **2021 Summer Matters For All Grant** which has allowed us to reduce the cost of swimming pool passes for the 2021 season. We are encouraging youngsters and families to come out and swim, have a picnic, meet new friends and have FUN! A special thank you to the **VT Afterschool** group for their support and assistance. The City also received a **VOREC (Vermont Outdoor Recreation Economic Collaborative)** grant that has assisted pool personnel with the cost of their waterfront recertifications. We will teach, encourage and support active participation at VT waterfronts while promoting everything that the VT outdoors has to offer. Additional financial assistance is available to help cover the cost of swim lessons. Our goal is to help everyone feel confident in the water so that you may explore other outdoor activities such as boating, fishing, etc. So much fun in the VT outdoors this summer!!

~~6/2021~~ Barre City Recreation Department Municipal Swimming Pool
2021 Season Pass Form

We would like to thank the **Summer Matters For All** Grant Program for support funding that has allowed us to offer Family and Child passes at a reduced rate this summer.

<u>Fees:</u>	<u>Resident</u>	<u>Type of Pass</u>
Child	\$ 20.00	___ Child
Adult (18 yrs +)	\$ 55.00	___ Adult
Family	\$ 60.00	___ Family

Pass holder's Name: _____
PLEASE PRINT (If family pass, please write Parent/Guardian names)

Address: _____
(Please list actual street address)

City State Zip Code

Telephone: _____ Cell Phone: _____

Email: _____

Resident: ___ Barre City ___ Barre Town ___ Other (please specify) _____

Family Pass Information

- Child's Name _____ Entering Grade ___ Age ___
- Child's Name _____ Entering Grade ___ Age ___
- Child's Name _____ Entering Grade ___ Age ___
- Child's Name _____ Entering Grade ___ Age ___

* The Family pass shall consist of family members who resident in one household: Parents / Guardians and minor children of that immediate household. The pass does not include daycares or businesses.

.....
Admin- -BCS Department / Pool Personnel /Record Below This Line

Amount Paid \$ _____ Check / Cash Check # _____ Date: ___/___/___

Make checks payable to: City of Barre Staff person: _____

**Special Meeting of the Barre City Council
Held June 22, 2021**

The Special Meeting of the Barre City Council was called to order in person and via video platform by Mayor Lucas Herring at 6:03 PM at Barre City Hall. In attendance, participating in person or by video or phone, were: From Ward I, Councilor Emel Cambel; from Ward II, Councilors Michael Boutin and Teddy Waszazak; and from Ward III, Councilors Ericka Reil and Samn Stockwell. City staff members present were City Manager Steve Mackenzie, Planning Director Janet Shatney, and Clerk/Treasurer Carol Dawes.

Others present included Stephanie Clarke from White & Burke Real Estate Advisors.

Absent: From Ward I, Councilor Jake Hemmerick.

Adjustments to the Agenda: NONE

Visitors and Communications – NONE

Executive Session –

Mayor Herring said Council would go into executive session to discuss possible contracts associated with TIF district planning. Councilor Boutin made the motion to find that premature general knowledge of contracts to be discussed would clearly place the City of Barre at a substantial disadvantage should the discussion be public. The motion was seconded by Councilor Stockwell. **Motion carried.**

Council went into executive session at 6:04 PM to discuss contracts under the provisions of 1 VSA sec. 313 on motion of Councilor Boutin, seconded by Councilor Reil. **Motion carried.**

Ms. Clarke, Manager Mackenzie, Planning Director Shatney, and Clerk Dawes were invited into the executive session.

Council came out of executive session at 7:01 PM on motion of Councilor Stockwell, seconded by Councilor Boutin. **Motion carried.**

No action was taken.

The Special Council meeting was adjourned at 7:02 PM on motion of Councilor Cambel, seconded by Councilor Reil. **Motion carried.**

There is no audio recording of this meeting.

**Regular Meeting of the Barre City Council
Held June 22, 2021**

The Regular Meeting of the Barre City Council was called to order in person and via video platform by Mayor Lucas Herring at 7:04 PM at Barre City Hall. In attendance, participating in person or by video or phone, were: From Ward I, Councilor Emel Cambel; from Ward II, Councilors Michael Boutin and Teddy Waszazak; and from Ward III, Councilors Ericka Reil and Samn Stockwell. City staff members present via video or phone were City Manager Steve Mackenzie, Public Works Director Bill Ahearn, Planning Director Janet Shatney, and Clerk/Treasurer Carol Dawes.

To be approved at 06/29/21 Barre City Council Meeting

Absent: From Ward I, Councilor Jake Hemmerick

Adjustments to the Agenda: NONE

Approval of Consent Agenda:

Council approved the following consent agenda items on motion of Councilor Boutin, seconded by Councilor Reil. **Motion carried.**

- A. Minutes of the following meetings:
 - a. Special meeting of June 15, 2021
 - b. Regular meeting of June 15, 2021
- B. City Warrants as presented:
 - a. Approval of Week 2021-25, dated June 23, 2021:
 - i. Accounts Payable: \$298,737.96
 - ii. Payroll (gross): \$147,195.45
- C. 2021 Licenses & Permits: NONE
- D. Acceptance of Donation from the Hollow Inn.
- E. Authorize Purchase of City Hall Alertus Security Software/Hardware.
- F. Selection of Re-Appraisal Contractor.
- G. Ratify Manager's Execution FY22 Fuel Oil and Propane Contracts.
- H. Authorization to Award Contract for City Hall Heat Pumps.

The City Clerk/Treasurer Report –

Clerk/Treasurer Dawes reported on the following:

- Water/sewer bills are due by June 30th.

Liquor Control – NONE

City Manager's Report - Manager Mackenzie noted his written weekly report included in the Council packet, and said the municipal pool ribbon cutting is June 27th. The Manager will be on vacation next week.

Visitors and Communications – Resident Ellen Kaye said she attended yesterday's National League of Cities training on equity, and she encouraged others to attend the remaining two trainings in the series.

Councilor Waszazak said he is serving as the operator for the virtual platform portion of the Council meeting. Manager Mackenzie said the City will be purchasing more advanced equipment to facilitate hybrid meetings more effectively.

Councilor Stockwell said the Council packets are getting larger, and it would be helpful to have a table of contents to assist in navigating the packets.

Old Business –

B) Review/Approved City Fee Schedule Changes.

Clerk Dawes presented the list of proposed changes. Council approved the changes on motion of Councilor Boutin, seconded by Councilor Waszazak. **Motion carried.**

New Business –

A) Council Approval of Property Tax Due Dates for FY22.

Clerk Dawes presented the memo and recommended Council set the tax due dates as September 15, 2021, November 15, 2021, February 15, 2022, and May 16, 2022. Council approved the recommended dates on motion of Councilor Boutin, seconded by Councilor Stockwell. **Motion carried.**

B) Award of Paving Bid.

Public Works Director Bill Ahearn reviewed the bidding process and recommended the contract be awarded to low bidder Extreme Excavating. There was discussion on paving thickness. Council approved the contract award as recommended on motion of Councilor Boutin, seconded by Councilor Stockwell. **Motion carried.**

C) Appointment of:**i. Alexander Raeburn to the Police Advisory Committee.**

Mr. Raeburn expressed his interest in serving on the committee. Council approved the appointment on motion of Councilor Waszazak, seconded by Councilor Boutin. **Motion carried.**

ii. Heather Milne Ritchie to the Cemetery Committee.

Ms. Ritchie expressed her interest in serving on the committee. Council approved the appointment on motion of Councilor Stockwell, seconded by Councilor Cambel. **Motion carried.**

iii. Nancy Wolfe to the Recreation Committee.

Ms. Wolfe expressed her interest in serving on the committee. Council approved the appointment on motion of Councilor Waszazak, seconded by Councilor Boutin. **Motion carried.**

iv. Janelle Starr to the Recreation Committee.

Ms. Starr expressed her interest in serving on the committee. Council approved the appointment on motion of Councilor Boutin, seconded by Councilor Stockwell. **Motion carried.**

Mayor Herring said there are two people interested in serving on the Development Review Board, and there is one available seat.

v. Michael Hellein to the Development Review Board.

Mr. Hellein expressed his interest in serving on the board, and noted he also serves on the Planning Commission.

vi. Pete Fournier to the Development Review Board.

Mr. Fournier was not present.

Council approved appointing Mr. Hellein to the DRB on motion of Councilor Waszazak, seconded by Councilor Cambel. **Motion carried.**

D) Public Art Committee.

PAC committee member Alexander Raeburn gave an update on the committee activities to date. They are working on the mission and vision statements and expect to have them ready for presentation to the Council in November. The committee is working on fundraising and name recognition. Upcoming projects include an open mic night, a Chalk the Walk family sidewalk chalk event scheduled for August 21st, and a city-wide mural project in conjunction with a statewide mural project.

E) Re-establishment of Organics Diversion Committee as Task Force.**i. Appointment of Samn Stockwell to Task Force.**

Mayor Herring said the joint Barre City/Montpelier Organics Diversion Committee hasn't been meeting, and his intention is to re-establish it as a Barre City-only task force. He asked Council to approve the re-establishment and name change. Council approved on motion of Councilor Boutin, seconded by Councilor Waszazak. **Motion carried.**

To be approved at 06/29/21 Barre City Council Meeting

Council approved appointing Councilor Stockwell to the task force on motion of Councilor Cambel, seconded by Councilor Boutin. **Motion carried.**

F) Discuss Recommendation to Provide to the Planning Commission.

Mayor Herring polled the Council on issues they'd like to see reviewed by the PC. Councilors listed the following:

- Demolition of housing,
- Signs on Main Street,
- Reviewing the municipal plan and assigning responsible parties,
- Neighborhood development areas.

G) City of Barre FY22 Annual Appointments.

Mayor Herring reviewed the annual appointments. Council approved the appointments on motion of Councilor Boutin, seconded by Councilor Reil. **Motion carried.**

Round Table –

Councilor Stockwell said she hopes the meeting between Good Samaritan Haven and the Housing Conservation Board goes well, and leads to GSH's ability to purchase the Twin City Motel in Berlin for additional housing for those who are experiencing homelessness.

Councilor Waszazak said he's grateful that Juneteenth has been approved as a new national holiday. He said photos of the municipal pool look great and he looks forward to the ribbon cutting this Sunday.

Councilor Boutin said he'd like to hold a local dog show for the common dog.

Mayor Herring said the donations received by the police and fire departments from the Hollow Inn will be used for the community picnic scheduled for August 25th.

Executive Session – NONE

The meeting adjourned at 8:59 PM on motion of Councilor Boutin, seconded by Councilor Stockwell. **Motion carried.**

The meeting was recorded on the video meeting platform.

Respectfully submitted,

Carolyn S. Dawes, City Clerk

By check number for check acct 01(GENERAL FUND) and check dates 06/30/21 thru 06/30/21

Vendor

PO Number	Invoice Number	Invoice Description	Account Number	Account Description	PO Amount	Invoice Amount	Check

01042	ADAMS TODD						
	062121	reimb parking permits	001-4030-430.4038	PARKING PERMITS	0.00	111.85	141437
01150	AIRGAS USA LLC						
	9113696352	oxygen	001-6040-350.1055	OXYGEN	0.00	43.83	141438
	9980420891	cyl leases	001-6040-350.1055	OXYGEN	0.00	1,362.17	141438
					-----	-----	
					0.00	1,406.00	
23018	AUBUCHON HARDWARE						
	490024	eye bolts	002-8220-320.0727	BLDG & GROUNDS MAINT	0.00	8.24	141439
	490036	repellent,duct tape	003-8330-320.0727	BLDG & GROUNDS MAINT	0.00	28.76	141439
	490062A	cutting wheels	001-7020-470.1270	MACHINES/EQUIPMENT OUTLAY	0.00	8.98	141439
	490070	brushes,tape,blades	003-8330-320.0727	BLDG & GROUNDS MAINT	0.00	42.60	141439
	490103A	fence posts	001-7020-470.1270	MACHINES/EQUIPMENT OUTLAY	0.00	103.40	141439
	499662	coupling	003-8330-320.0743	TRUCK MAINT	0.00	1.79	141439
	499824	caulk,caulking gun	003-8330-320.0727	BLDG & GROUNDS MAINT	0.00	71.01	141439
	499930A	tie downs	001-6040-320.0726	MAINT FIRE ALARM/NEW BOX	0.00	13.49	141439
	499941	ext cords	050-5830-360.1166	2020 \$1.7M BOND EXP POOL	0.00	197.98	141439
	499957	oil	001-6040-330.0834	FUEL OIL-GENERATORS	0.00	10.78	141439
	499995A	disinfectant spray,air fr	001-8050-320.0743	TRUCK MAINT - STS	0.00	9.88	141439
					-----	-----	
					0.00	496.91	
01209	AVENU INSIGHTS & ANALYTICS						
	B-026264	perfect vision system	001-5070-220.0417	RECORDING OF RECORDS	0.00	950.00	141441
02185	BARIL JAMES A						
	GARNISHMENT	refund PR deduction	001-2000-240.0009	SAVINGS PAYABLE	0.00	1,343.40	141442
02045	BARRE CITY WATER & SEWER DEPT						
	00023JUN21	49 Treatment Plt Dr	001-7015-200.0215	WATER BILLS	0.00	632.65	141443
	00471JUN21	20 Auditorium Hill	001-7020-200.0215	WATER BILLS	0.00	287.94	141443
	00472JUN21	20 Auditorium Hill	001-7020-200.0215	WATER BILLS	0.00	270.50	141443
	00473JUN21	25 Auditorium Hill	001-7030-200.0215	WATER BILLS	0.00	9,098.14	141443
	00474JUN21	25 Auditorium Hill	001-7030-200.0215	WATER BILLS	0.00	273.00	141443
	00736JUN21	201 Maple Ave	001-8500-320.0727	BUILDING MAINT (HOPE)	0.00	120.93	141443
	00737JUN21	226 E Montpelier Rd	001-8500-320.0735	DUFRESNE GROUNDS & BLDGS	0.00	108.35	141443
	00884JUN21	6 N Main St	001-6043-200.0215	WATER BILLS	0.00	481.32	141443
	00885JUN21	6 N Main St	001-6043-200.0215	WATER BILLS	0.00	175.00	141443
	00953JUN21	135 N Main St	001-7015-200.0215	WATER BILLS	0.00	621.96	141443
	04172JUN21	2 Maple Ave	001-8040-320.0725	PUB PARKS/TREES MAINT	0.00	82.13	141443
	04174JUN21	59 Parkside Terr	001-7015-200.0215	WATER BILLS	0.00	25.88	141443
	04176JUN21	36 Parkside Terr	001-7015-200.0215	WATER BILLS	0.00	82.13	141443
	04177JUN21	13 Washington St	001-8040-320.0725	PUB PARKS/TREES MAINT	0.00	82.13	141443
	04187JUN21	3 Franklin St	001-7015-200.0215	WATER BILLS	0.00	82.13	141443
	04322JUN21	15 Fourth St	001-7035-200.0215	WATER BILLS	0.00	920.82	141443
	04414JUN21	15 Fourth St	001-7035-200.0215	WATER BILLS	0.00	104.00	141443
					-----	-----	
					0.00	13,449.01	
02193	BEN'S UNIFORMS						
	097575	shorts, freight	001-6040-340.0940	CLOTHING	0.00	116.00	141446

6/29/2021

City Council Packet
City of Barre Accounts Payable

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06/25/21

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02:00 pm

Warrant/Invoice Report # 21-52

dmcnally

By check number for check acct 01 (GENERAL FUND) and check dates 06/30/21 thru 06/30/21

Vendor

PO Number	Invoice Number	Invoice Description	Account Number	Account Description	PO Amount	Invoice Amount	Check

03276	CARROLL CONCRETE						
	388702	concrete	001-8050-350.1062	SUPPLIES - SW	0.00	1,460.00	141447
03226	CERASOLI MORGAN						
	LEGO CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	50.00	141448
03277	CHARTER COMMUNICATIONS						
	025972106192	service 6/19-7/18	001-7020-200.0217	IT	0.00	144.98	141449
03308	COMMUNITY BANK NA						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	3,347.19	141450
	HSAJUN21	employer contribution	002-8200-110.0160	BC/BS EMPLOYEE	0.00	750.37	141450
	HSAJUN21	employer contribution	003-8330-110.0160	BC/BS EMPLOYEE	0.00	549.29	141450
					-----	0.00	4,646.85
03127	CORBETT EMILYE						
	SCIENCE CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	150.00	141451
04120	DAWES CAROLYN S						
	061821	glasses	001-5070-340.0944	GLASSES	0.00	140.00	141452
04071	DEAD RIVER CO						
	87657	fuel oil,lic fee,fuel tax	003-8330-330.0825	FUEL OIL	0.00	1,033.56	141453
	96105	fuel oil,lic fee.fuel tax	003-8330-330.0825	FUEL OIL	0.00	438.31	141453
					-----	0.00	1,471.87
04123	EAST MONTPELIER VOL FIRE DEPT						
	061621	amb claim paid twice	001-1000-120.0139	AMBULANCE A/R	0.00	200.00	141454
05059	ENDYNE INC						
	374808	lab services	002-8220-320.0749	WATER SAMPLING/TESTING	0.00	100.00	141455
	374819	lab services	003-8330-320.0749	WASTEWATER SAMPLING/TESTI	0.00	310.00	141455
					-----	0.00	410.00
05007	EVERETT J PRESCOTT INC						
	5877956	tie bolts,hex nuts	002-8200-320.0750	MAIN LINE MAINT	0.00	22.54	141456
	5877961	pipe ductile	002-8200-320.0750	MAIN LINE MAINT	0.00	8,130.00	141456
	5878596	tap & drill	002-8200-320.0750	MAIN LINE MAINT	0.00	361.00	141456
					-----	0.00	8,513.54
06046	FERRARI CASSANDRA						
	VET CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	100.00	141457
06105	FIRSTLIGHT FIBER						
	9300652	monthly service	001-5010-200.0214	TELEPHONE	0.00	17.11	141458

By check number for check acct 01 (GENERAL FUND) and check dates 06/30/21 thru 06/30/21

Vendor

PO Number	Invoice Number	Invoice Description	Account Number	Account Description	PO Amount	Invoice Amount	Check
	9300652	monthly service	001-5020-200.0214	TELEPHONE	0.00	68.43	141458
	9300652	monthly service	001-5040-200.0214	TELEPHONE	0.00	128.43	141458
	9300652	monthly service	001-5050-200.0214	TELEPHONE	0.00	102.65	141458
	9300652	monthly service	001-5050-440.1240	COMPUTER EQUIP/SOFTWARE	0.00	559.33	141458
	9300652	monthly service	001-5070-200.0214	TELEPHONE	0.00	102.65	141458
	9300652	monthly service	001-6040-200.0214	PHONE /LANDLINE/INTERNET	0.00	199.53	141458
	9300652	monthly service	001-6050-200.0214	TELEPHONE	0.00	126.12	141458
	9300652	monthly service	001-6050-210.0310	COMPUTER ACCESS - PD	0.00	100.00	141458
	9300652	monthly service	001-7020-200.0214	TELEPHONE	0.00	228.61	141458
	9300652	monthly service	001-7030-200.0214	TELEPHONE	0.00	44.08	141458
	9300652	monthly service	001-7050-200.0214	TELEPHONE	0.00	289.33	141458
	9300652	monthly service	001-8020-200.0214	TELEPHONE	0.00	68.43	141458
	9300652	monthly service	001-8030-200.0214	TELEPHONE	0.00	51.32	141458
	9300652	monthly service	001-8050-200.0214	TELEPHONE	0.00	95.68	141458
	9300652	monthly service	002-8200-200.0214	TELEPHONE	0.00	73.40	141458
	9300652	monthly service	002-8220-200.0214	TELEPHONE	0.00	143.29	141458
	9300652	monthly service	003-8300-200.0214	TELEPHONE	0.00	25.66	141458
	9300652	monthly service	003-8330-200.0214	TELEPHONE	0.00	131.56	141458
	9300652	monthly service	001-6043-350.1050	BLDG/GROUND SUPPLIES	0.00	47.55	141458
	9300652	monthly service	001-7015-320.0730	POOL & BLD MAINT	0.00	47.74	141458
	9300652	monthly service	001-7020-200.0217	IT	0.00	55.95	141458
	9300652	monthly service	051-0280-360.1165	SEMP VCF TRUST PROJECTS	0.00	37.10	141458
	9300652	monthly service	001-6055-200.0214	TELEPHONE LANDLINE	0.00	189.18	141458
	9300652	monthly service	001-6055-210.0310	COMPUTER ACCESS - PD	0.00	150.00	141458
	9300652	monthly service	001-8500-200.0214	TELEPHONE	0.00	49.69	141458
					0.00	3,132.82	
06007	FORMULA FORD						
	117933	regulator,pump,freight	002-8200-320.0743	TRUCK MAINT	0.00	1,124.30	141459
	CM117933	credit-core return	002-8200-320.0743	TRUCK MAINT	0.00	-150.00	141459
					0.00	974.30	
07073	G D MACHINES						
	205311	labor	002-8200-320.0752	HYDRANTS MAINT	0.00	450.00	141460
07012	GREEN MOUNTAIN CREDIT UNION						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	549.29	141461
07006	GREEN MT POWER CORP						
	00492-0521	135 N Main St Wheelock	001-7015-200.0210	WHEELLOCK ELECTRICITY	0.00	44.61	141462
	04423-0521	public works garage	001-8050-200.0210	ELECTRICITY	0.00	426.82	141462
	10586-0521	Nelson St prv	002-8200-200.0203	ELECTRICITY-NELSON PV	0.00	68.76	141462
	177846-0521	Keith Pearl ped way	001-6060-200.0212	PEDWAY/KEITH AVE LOT LIGH	0.00	62.30	141462
	19335-0521	Merchants Row ev station	001-6045-200.0210	EVCS ELECTRICITY-MERCH RO	0.00	96.79	141462
	48336-0521	Prospect Sr bridge	002-8200-200.0204	ELECTRICITY-PROSPECT BDGE	0.00	21.56	141462
	515442-0521	Enterprise Alley sve bldg	048-8315-200.0210	ENT ALY O&M	0.00	21.56	141462
	53423-0521	water dept yard light	002-8200-200.0207	Electricity-Burnham Yd Li	0.00	24.88	141462

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PO Number	Invoice Number	Invoice Description	Account Number	Account Description	PO Amount	Invoice Amount	Check
	553795-0521	Enterprise Alley lights	001-6060-200.0210	ELECTRICITY	0.00	87.94	141462
	83423-0521	sewer dept bldg	003-8300-200.0210	ELECTRICITY	0.00	104.30	141462
	95693-0521	N Main St Dente Park	001-8040-200.0210	ELECTRICITY CURRIER/DENTE	0.00	36.73	141462

					0.00	996.25	
09021	IRVING ENERGY						
	948548	propane	002-8220-330.0836	BOTTLED GAS	0.00	1,664.13	141464
11027	KEY BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	299.29	141465
12065	LAFAYETTE HIGHWAY SPECIALTIES						
	32346	misc fence materials	050-5830-360.1166	2020 \$1.7M BOND EXP POOL	0.00	12,833.09	141466
12050	LAKE SUNAPEE BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	299.29	141467
	HSAJUN21	employer contribution	003-8300-110.0160	BC/BS EMPLOYEE	0.00	216.19	141467

					0.00	515.48	
12146	LAMB KERRI						
	VET CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	150.00	141468
12147	LAW JADE						
	061321	refund lifeguard recert	048-6301-320.0747	VOREC \$10K REC - COVID19	0.00	150.00	141469
12009	LOWELL MCLEODS INC						
	S65888	washers	003-8330-320.0740	EQUIPMENT MAINT	0.00	40.00	141470
13102	MACKENZIE STEVEN E						
	062521	reimb directional camera	001-5010-130.0184	CITY COUNCIL'S EXPENSES	0.00	1,199.00	141471
13018	MASCOMA SAVINGS BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	750.38	141472
13125	MILLETT JESSICA						
	LEGO CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	150.00	141473
14016	NELSON ACE HARDWARE						
	252982	scoop feed	001-6040-130.0182	TRAVEL & MEALS	0.00	6.29	141474
	253622	freight	001-6040-320.0720	CAR/TRUCK MAINT	0.00	15.79	141474

					0.00	22.08	
14078	NEW ENGLAND AIR SYSTEMS LLC						
	176427	labor,trip chg, filters	001-7035-320.0727	BLDG & GROUNDS MAINT	0.00	950.40	141475
14154	NORTH COUNTRY FEDERAL CREDIT UNION						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	2,448.60	141476

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	HSAJUN21	employer contribution	002-8200-110.0160	BC/BS EMPLOYEE	0.00	274.65	141476
	HSAJUN21	employer contribution	002-8220-110.0160	BC/BS EMPLOYEE	0.00	549.29	141476
	HSAJUN21	employer contribution	003-8300-110.0160	BC/BS EMPLOYEE	0.00	274.65	141476
					0.00	3,547.19	
14121	NORTHFIELD AUTO SUPPLY						
	341125	coupling, adapter	001-8050-350.1061	SUPPLIES - GARAGE	0.00	56.74	141477
14089	NORTHFIELD SAVINGS BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	11,313.91	141478
	HSAJUN21	employer contribution	002-8200-110.0160	BC/BS EMPLOYEE	0.00	137.32	141478
	HSAJUN21	employer contribution	003-8300-110.0160	BC/BS EMPLOYEE	0.00	137.32	141478
					0.00	11,588.55	
14903	NORWAY JOANNE						
	062421	reimb postage	001-5010-130.0184	CITY COUNCIL'S EXPENSES	0.00	26.35	141479
15051	ONE CREDIT UNION						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	3,096.10	141480
	HSAJUN21	employer contribution	002-8200-110.0160	BC/BS EMPLOYEE	0.00	274.66	141480
	HSAJUN21	employer contribution	003-8300-110.0160	BC/BS EMPLOYEE	0.00	923.20	141480
					0.00	4,293.96	
16151	PALMER PAIGE						
	062121	refund parking permit	001-4030-430.4038	PARKING PERMITS	0.00	111.85	141481
16600	PASSUMPSIC SAVINGS BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	299.29	141482
16799	PEOPLE'S UNITED BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	2,395.73	141483
	HSAJUN21	employer contribution	003-8330-110.0160	BC/BS EMPLOYEE	0.00	299.28	141483
					0.00	2,695.01	
16003	PIKE INDUSTRIES INC						
	1136590	asphalt	001-8050-360.1172	BITUMINOUS HOT MIX-ST5	0.00	207.00	141484
16116	PLANCK SHANNON						
	VET CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	150.00	141485
17004	QUARANTA STEPHANIE L						
	061321	mileage	001-7050-130.0182	TRAVEL/MEALS	0.00	28.00	141486
	061321B	reimb lifeguard recert	048-6301-320.0747	VOREC \$10K REC - COVID19	0.00	150.00	141486
					0.00	178.00	
17002	QUILL CORP						
	17569045	post-its,pads,pens,binder	001-5040-350.1053	OFFICE SUPPLIES/EQUIPMENT	0.00	62.97	141487

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	17569045	post-its,pads,pens,binder	001-7050-350.1053	OFFICE SUPPLIES	0.00	112.18	141487
	17595620	key cabinet	001-7050-350.1053	OFFICE SUPPLIES	0.00	24.99	141487
					0.00	200.14	
18148	R K MILES						
	12628	clear poly tarp	001-8050-350.1062	SUPPLIES - SW	0.00	50.66	141488
18004	REYNOLDS & SON INC						
	3392195	cable ties	001-7020-470.1270	MACHINES/EQUIPMENT OUTLAY	0.00	98.46	141489
18109	REYNOLDS EMILY						
	LEGO CAMP	refund registration fee	001-2000-250.0332	PREPAID REC REGISTRATIONS	0.00	150.00	141490
19205	S B COLLINS INC						
	321041	unleaded gas,diesel fuel	001-8050-330.0835	VEHICLE FUEL	0.00	22,099.52	141491
19102	SECURSHRED						
	365158	services through 6/10	001-5040-130.0185	SECURE SHRED	0.00	45.00	141492
19150	SHERWIN WILLIAMS CO						
	0714-9	paint,brush,tray,scrapper	001-7020-470.1270	MACHINES/EQUIPMENT OUTLAY	0.00	280.66	141493
19129	SLACK CHEMICAL CO INC						
	421968	chemicals	003-8330-360.1145	SODIUM BISULFITE	0.00	1,872.30	141494
19155	STAPLES CREDIT PLAN						
	051421	pens,headset,chair,clips	001-5040-350.1053	OFFICE SUPPLIES/EQUIPMENT	0.00	199.56	141495
	051421	pens,headset,chair,clips	001-6040-350.1053	OFFICE SUPPLIES	0.00	629.78	141495
	051421	pens,headset,chair,clips	001-6050-350.1053	OFFICE SUPPLIES/EQUIPMENT	0.00	275.58	141495
	051421	pens,headset,chair,clips	001-6055-350.1053	OFFICES SUPPLIES/EQUIPMEN	0.00	43.42	141495
					0.00	1,148.34	
19137	TAFT RIKK						
	062321	phone stipend May-Jun	001-5040-200.0214	TELEPHONE	0.00	100.00	141496
	2021TVCC	reimb tv's,wall mounts	001-5010-130.0184	CITY COUNCIL'S EXPENSES	0.00	1,256.00	141496
					0.00	1,356.00	
20095	TD BANK						
	HSAJUN21	employer contribution	001-9020-110.0160	EMP PREMIUM PAYMENTS	0.00	2,698.61	141497
20133	TIME WARNER CABLE						
	107159701060	service 6/1-6/30	001-6040-200.0214	PHONE /LANDLINE/INTERNET	0.00	266.81	141498
20002	TIMES ARGUS ASSOC INC						
	8623	advertise reroofing bid	001-7015-350.1053	OFFICE SUPPLIES	0.00	104.00	141499
	8625	advertise City Assessor	001-5020-230.0510	ADVERTISING/PRINTING	0.00	130.00	141499

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	8626	advertise Asst Chief Opt	003-8330-230.0510	ADVERTISING/PRINTING	0.00	162.00	141499
	8663	advertise agenda 6/8	001-5010-230.0510	ADVERTISING/PRINTING	0.00	288.86	141499
	9337	advertise meeting Jun 10	001-5010-230.0510	ADVERTISING/PRINTING	0.00	117.00	141499
	9385	advertise agenda 6/15	001-5010-230.0510	ADVERTISING/PRINTING	0.00	275.73	141499
	9418	advertise Chapter 17	001-5010-230.0510	ADVERTISING/PRINTING	0.00	201.18	141499

					0.00	1,278.77	
21042 ULINE							
	135008641	safety mirror, freight	001-8050-360.1189	STREET SIGNS	0.00	1,634.28	141500
21002 UNIFIRST CORP							
	0092	uniform rental	003-8300-340.0940	CLOTHING	0.00	34.46	141501
	0092	uniform rental	003-8330-320.0743	TRUCK MAINT	0.00	10.60	141501
	0092	uniform rental	003-8330-340.0940	CLOTHING	0.00	31.49	141501
	0094	uniform rental	001-7020-340.0940	CLOTHING	0.00	56.32	141501
	0094	uniform rental	001-7030-340.0940	CLOTHING	0.00	50.92	141501
	0094	uniform rental	001-7035-340.0940	CLOTHING	0.00	21.72	141501
	0094	uniform rental	001-7015-340.0940	CLOTHING	0.00	10.58	141501
	0094	uniform rental	001-8500-340.0940	CLOTHING	0.00	21.02	141501
	0095	uniform rental	002-8220-340.0940	CLOTHING	0.00	66.99	141501
	0096	uniform rental	001-8050-320.0743	TRUCK MAINT - STS	0.00	69.00	141501
	0096	uniform rental	001-8050-340.0940	CLOTHING	0.00	227.04	141501
	0096	uniform rental	002-8200-340.0940	CLOTHING	0.00	91.90	141501
	0096	uniform rental	003-8300-340.0940	CLOTHING	0.00	58.02	141501
	0737	credit	001-8050-320.0743	TRUCK MAINT - STS	0.00	-24.96	141501

					0.00	725.10	
22013 VERMONT DEPT OF HEALTH							
	061721	certificate paper	001-5070-220.0417	RECORDING OF RECORDS	0.00	50.00	141503
22019 VT AGY OF TRANSPORTATION							
	053121	Quarry St project	050-5800-360.1165	2018 1.15 MIL BOND EXP	0.00	235.84	141504
22035 VTGFOA							
	2021SUMMERWK	annual meeting, workshop	001-5050-130.0180	TRAINING/DEVELOPMENT	0.00	20.00	141505
23050 W B MASON CO INC							
	221045310	towels	001-6043-350.1049	CUSTODIAL SUPPLIES	0.00	32.99	141506
23003 WASHINGTON COUNTY TREASURER							
	052721	Washington County tax	001-1000-130.0161	PREPAIDS	0.00	20,558.50	141507
23041 WORK SAFE							
	25734	signs	001-8050-360.1189	STREET SIGNS	0.00	79.90	141508
23031 WORLD THE							
	W518994	advertise life guards	001-7050-230.0510	ADVERTISING/PRINTING	0.00	278.45	141509

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Report Total

138,301.19

To the Treasurer of City of Barre, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ***138,301.19

Let this be your order for the payments of these amounts.



City of Barre, Vermont

“Granite Center of the World”

**ACTION ITEM BRIEFING MEMO
CITY COUNCIL AGENDA ITEM
CITY COUNCIL AGENDA: 06/29/21**

Consent Item No.: _____ Discussion Item No. _____ Action Item No. 9A

AGENDA ITEM DESCRIPTION: Purchase of Bola Wrap Restraint Device

SUBJECT: BOLA-WRAP

SUBMITTING DEPARTMENT/PERSON: Police Department (Chief Bombardier)

STAFF RECCOMENDATION: Recommend approval and purchase

STRATEGIC OUTCOME/PRIOR ACTION: Increase the safety of the public and our officers

EXPENDITURE REQUIRED: \$12,250.00

FUNDING SOURCE(S): Seizure

LEGAL AUTHORITY/REQUIREMENTS: Is covered by Department Policy and Procedure as well as training standards.

BACKGROUND/SUPPLEMENTAL INFORMATION: Vetted by Police Advisory committee and the Mental Health Peer Support/Standing Committee

LINK(S): <https://www.youtube.com/watch?v=gJZu1cKquCQ>

ATTACHMENTS:

INTERESTED/AFFECTED PARTIES:

RECOMMENDED ACTION/MOTION: Motion to approve purchase of BOLA-WRAP

**PAC****BARRE CITY
POLICE ADVISORY COMMITTEE****CHAIR**

Bob Nelson

MEMBERS OF THE BARRE CITY COUNCIL

06/04/2021

Dear members of the Barre City Council,
The Police Advisory Committee discussed the potential use of the BOLA Wrap during our March meeting. The committee concluded that it would make an excellent addition to the “toolbelt” of a trained officer. It is a low impact, humane method of restraint with a high probability of a safe outcome for the subject and the officer. As you can see from the minutes posted below there was also some public input that favors the use of this tool in the right situation.
Please consider approving the purchase and use of the BOLA Wraps.

Sincerely,
Bob Nelson



PAC

**BARRE CITY
POLICE ADVISORY COMMITTEE**

From March meeting minutes:

7. Discuss “BOLA” <https://wrap.com/>

- Chief Peete brought it to attention to see the Demo.
- Restraint device, nothing more, nothing less. It's a pretty safe product, safer than others.
- It gives the ability to respond to individuals in crisis either in physical or mental, to take into custody with little force
- The Green Laser dots on the person is the target, the Kevlar tether deploys, weights at the end – metal, like a grappling hook. The hooks will not severely injure a person. This could save someone's life when police respond, another tool to assist police to take individuals into custody.
- Zack Hughes, from WCMH – oversight of adult mental health. “Very good device, a tool on the belt.” It's a good option to have, you can run into situations where you might need it where people won't comply, they are not willing to receive the information.
- Would this tool replace anything? No, it will not.
- The cost is not too expensive, about \$1,000.00 each. This isn't too expensive to save some one's life. There is no additional cost to the city, the Chief plans to use previously secured Seizure funds to procure the 3 units.
- Not to use on some one who is standing on the edge of a building, near a wall. This is all in the training. There is no size limit on this, gender Neutral
- The idea is, to put one in every police vehicle so there would always be one available to an officer and a mental health clinician. Mental health clinicians will not be trained, we don't want to put them in that position. It will not replace anything, it's in addition to.
- About the size of a Big iPhone 6 and twice the thickness. Great option as opposed to other options.
- Small chance a person running could get injured ex: fall to the ground when the BOLA is wrapped around legs.
- Chief would look for a recommendation to include in “Response to Resistance.” BOLA would get its own letter. He will also get more documentation from BOLA; people will have to get trained. The training would take about half of a day, might include in range training. Between ordering and training it could get up off the ground by the end of April if not sooner. It's been an ongoing conversation for 10 months.
- There is a possibility to observe if given the chance as well. Great to bring to the committee, Great conversation with getting suggestions and concerns.
- Suggestion of recommendation to The Barre City Council; Kristin Beaudin motions to approve, Reina Dean seconds motion, all in favor. The chief will bring it up to council, who was here, and our recommendation to purchase of the units.



Barre City Police Department

Chief Timothy J. Bombardier

15 Fourth Street, Suite 2
Barre, Vermont 05641-4476

www.barrecity.org

Tel: 802-476-6613
Fax: 802-476-0249

Larry E. Eastman, Jr.
Deputy Chief of Police

To: Steven E Mackenzie, P.E. City Manager
From: Timothy J. Bombardier, Chief of Police
Date: 05/26/21
Re: BOLA-WRAP

Steve, on 03/08/21 I brought the Bola Wrap (<https://www.youtube.com/watch?v=gJZu1cKquCQ>) unit/tool to the Police Advisory Committee. This is a tool that was demonstrated to us back in June of last year at Montpelier P.D. and was left by the wayside/in neutral due to COVID.

The Bola-Wrap is another way for our officers to potentially reduce the amount force needed to control a situation and preserve sanctity of life with an additional less-than-lethal option.

Since first seeing the Bola-Wrap demonstrated I have been in contact with Washington County Mental Health (WCMH) about this and the PD having this as an option when dealing with people experiencing a mental health crisis, this included meeting with the Mental Health Peer Support/Standing Committee for Central Vermont. I think that it is fair to say that everyone has supported the idea of the department having this as an additional tool when responding to individuals in crisis.

This is not meant to be the end all be all to resolving situations, but it is another option to resolve a potentially deadly situation that I believe both our citizens and our officers deserve.

I have done my due diligence with peer stakeholders and mental health professionals, as well as bring this up with the Police Advisory Committee who also support this. I have reached out to Bola Wrap to receive quotes for ten (10) devices, along with a couple of sample policies and procedures. (See attached).

This goes hand in hand with the creation of the CIT (Crisis Intervention Team) Program for the County that Chief Peete (Montpelier PD) is working on as part of a county wide mental health response plan with Barre City and others. This is already underway, and a steering committee is in place as well as CIT coordinators, so our timing is good.

We currently have seizure funds that would support the purchase of these tools. Moving forward, the quotes from Bola Wrap are attached as well as sample Policy and procedures. Now that we seem to be through the worst of the COVID concerns I would like to schedule and provide a demonstration (open to the public) at an upcoming council meeting, to give citizens a chance to ask questions and express any concerns they may have. The sooner the better.

Since we share our co-located mental health clinician with MPD, and both departments have agreed to respond with the MHC to each other's city, Chief Peete and I both believe that this is something that needs to be part of both department's capabilities when responding to mental health calls with our co-located mental health clinician.

I have offered to provide three units for MPD's primary cruisers. Chief Peete has already offered to assist with the initial training of officers (they already have trainers) and Bola Wrap would also come here to do a train the trainer session with our staff.

MAR 9 2021

Customer Phone: 802 476 6613

Email Address: tim.bombardier@vermont.gov

Barre City Police
 Chief Tim Bombardier
 15 Fourth Street
 Barre City, VT 05641



Contract FIR04 can be utilized by any agency
[CommBuys - FIR04 Who Can Use.docx](#)

Lead Time

Valid Till

Salesperson **Jean Cole**

Wrap Contact jeanc@central-equipment.net

Amount **\$12,205.50**

Payment Terms Net 30

Central Equipment is pleased to quote our BolaWrap on FIR04.

Product Name	Unit Price	Qty	Amount
BolaWrap 100 Yellow #10101	\$924.95	10	\$9249.50
BolaWrap 100 Black #10100	\$924.95	0	\$0.00
BolaWrap 100 Green #10102	\$924.95	0	\$0.00
Extended Warranty One year	\$189.00	10	\$00.00
BeltClip 1.5" #12000 discontinued	\$0.00	0	\$0.00
Belt Clip 2.25" Black #12009	\$25.95	10	\$259.50
Holster Kydex LL Black #12004	\$39.95	10	Free, Roe
Holster Kydex Dual Retention Black #12005	\$52.95	0	\$0.00
Dual Cartridge Holder Black # 12006	\$74.95	10	\$749.50
Dual Retention Push Button Holster, Black #12015	\$51.95	0	\$0.00
Thigh Rig w/Single Cartridge Holder Black #12016	\$129.95	0	\$0.00
Nylon Pouch Holster Black # 12014	\$19.95	0	\$0.00
U Mount Molle Attachment #12012	\$25.95	0	\$0.00
Laser Batteries # 800004	\$2.50	0	\$0.00
Cartridge Black #11200 (6 per unit recommended)	29.95	60	\$1797.00
Mannequin # 80003	\$ 0.00	0	\$ 0.00
Training	\$ 0.00	0	\$ 0.00

Sub Total

\$ 12,055.50

6/29/2021

City Council Packet

Page 26

[WRAP-SOLE SOURCE LETTER.docx](#)

Attached for your review
Right click Open hyperlink

Shipping

150.00

www.wrap.com

This is the BolaWrap website for access to all media
and video information on the WRAP.
Right click Open hyperlink

Grand Total: \$12,205.50

Sincerely,

Jean Cole

TESTIMONIAL FROM A WRAP DEMONSTRATION:

“I was impressed with the Bola Wrap Demonstration put on by the Chief and his colleague (at Springfield, MA). When Chief DeLucca said it bridges gaps in the use of force continuum, he nailed it. Being a Firearms Instructor and being involved in a On Duty Shooting involving a E.D.P. in July of 2008, I wish that I had this device back on that date and have no doubts it would have changed the outcome of the situation for the better. As a result, our department finally adopted the S.I.M.S. Program of the M.P.T.C., but it did not help us on that day, and this tool will assist in bridging that gap that continues to exist. This device is worthy, will reduce officer liability, and most importantly, will save lives and prevent injuries. I will bring this information with my recommendation to my Command Staff for their review.”

Sergeant Daniel F. Reardon Holyoke, Massachusetts Police Department

DEPLOYMENT OF REMOTE RESTRAINT DEVICE (BOLAWRAP® 100)**PURPOSE**

This policy provides guidelines for the issuance and use of BolaWrap® 100 devices in order to minimize injury to suspects, subjects, and officers.

POLICY

The BolaWrap® 100 device is intended to immobilize and control resistive/non-compliant persons and persons with known or suspected mental health issues.

PROCEDURE**A. DEFINITIONS**

1. **BOLAWRAP® 100** - A hand-held remote restraint device that discharges an eight-foot Kevlar cord to entangle an individual at a range of 10-25 feet. The BolaWrap® 100 is equipped with entangling barbs at each end of the Kevlar cord.
2. **PASSIVE NON-COMPLIANCE** – Does not respond to verbal commands but also offers no physical form of resistance.
3. **ACTIVE RESISTANCE** – Physically evasive movements to defeat an officer's attempt at control including bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody.
4. **ASSAULTIVE** – Aggressive or combative; attempting to assault the officer or another person, verbally or physically displays an intention to assault the officer or another person.

Note **need** to match BCPD language exactly

B. GENERAL

1. Only a Department-approved BolaWrap® 100 device that has been issued by the Department shall be utilized by personnel trained in its deployment and use.
2. A BolaWrap® 100 device is not a substitute for deadly force.
3. All BolaWrap® 100 devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
4. Uniformed officers who have been issued the BolaWrap® 100 device shall wear the device in an approved holster on their person.
5. BolaWrap® 100 devices should not be used on handcuffed persons unless they are actively resisting or exhibiting active aggression, and/or to prevent individuals from harming themselves or others.
6. Officers shall be responsible for ensuring that their issued BolaWrap® 100 device is properly maintained and in good working order.
7. Officers shall not hold both a firearm and the BolaWrap® 100 device at the same time.
8. Any deployment of the BolaWrap® 100 shall comply with the **department's response to resistance policy**
9. The BolaWrap® 100 is not intended to be a transportation restraint device and shall not be used as a substitute for a hobble or other restraints. Once the subject has been detained, the cord should be cut with an approved device and removed in accordance **with officer training**

C. CONSIDERATION FOR THE USE OF THE BolaWrap® 100 DEVICE

1. The BolaWrap® 100 device has limitations and restrictions requiring consideration before its use.

The device should only be used when its operator can safely approach the subject within the operational range of the device. Although the BolaWrap® 100 device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

unless an officer reasonably believes under the totality of the circumstances that other options would be ineffective or would present a greater danger to the officer, the subject, or others:
The use of the BolaWrap® 100 device on the individuals listed below should generally be avoided unless an officer reasonably believes under the totality of the circumstances that other options be ineffective or would present a greater danger to the officer, the subject, or others:

- a. Individuals who are known to be pregnant.
- b. Elderly individuals or obvious juveniles.
- c. Individuals who are handcuffed or otherwise restrained.
- d. Individuals detained in a police vehicle.
- e. Individuals in danger of falling or becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.
- f. Individuals near any body of water that may present a drowning risk.
- g. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

D. PRE-DEPLOYMENT RESPONSIBILITIES

1. A verbal warning of "Bola, Bola, Bola" should precede a BolaWrap® 100 device application, unless it would otherwise endanger the safety of officers or when it is otherwise not practicable due to the totality of the circumstances. The purpose of the warning is to:
 - a. Provide the individual with a reasonable opportunity to voluntarily comply.
 - b. Provide other officers and individuals with a warning that the BolaWrap® 100 device may be deployed.
 - c. The fact that a verbal or other warning was given, or the reasons it was not given, shall be documented by the officer deploying the BolaWrap® 100 device in the related report.
2. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.
3. The deploying officer should, if possible, assemble a sufficient number of officers to assist with taking the suspect into custody.
4. Under exigent circumstances, nothing in this policy prohibits an officer from deploying the BolaWrap® 100 at a subject without requesting or having the presence of additional officers.

E. APPLICATION OF THE BOLAWRAP® 100 DEVICE

1. The BolaWrap® 100 device may be used in any of the following circumstances, when the totality of circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:
 - a. The subject is assaultive, actively resisting, or passive non-compliant.
 - b. The subject has demonstrated, by words or actions, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.
2. Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause

for the use of the BolaWrap® 100 device to apprehend an individual.

3. Simultaneous applications of the BolaWrap® 100 on a single individual by multiple devices is allowed in authorized target areas.

F. TACTICAL USE

1. Targeting considerations:
 - a. Reasonable efforts should be made to target lower extremities or lower arms. The head, neck, chest and groin shall be avoided. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the BolaWrap® 100 device to a precise target area, officers should monitor the condition of the subject if it strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.
2. Multiple applications of the BolaWrap® 100 device:
 - a. If the first application of the BolaWrap® 100 device appears to be ineffective in gaining Control of an individual, the officer should consider certain factors before additional applications of the device, including:
 - (1) Whether the Kevlar cord and/or anchor's hooks are making proper contact.
 - (2) Whether the individual has the ability and has been given a reasonable opportunity to comply.
 - (3) Whether verbal commands, other options or tactics may be more effective.
3. Actions following deployments:
 - a. Personnel shall request a supervisor to the scene.
 - b. Officers shall comply with GO 522.02 Emergency Care for Individuals under Police Care or Control.
 - c. Only medical personnel may remove hooks that are embedded in a subject's skin.
 - d. If the hooks penetrate only a subject's clothing, then the supervisor or officer may remove the hooks. The supervisor or officer may cut the Kevlar cord with Department issued medical shears.
 - e. The Kevlar cord shall be cut prior to any transportation.
 - f. The expended cartridge, hooks and Kevlar cord shall be collected and submitted into evidence.

G. REPORTING THE USE OF THE BOLAWRAP® 100

1. The deployment of the BolaWrap® 100 is considered a Level 2 Use of Force. Refer to GO 580.02 and Appendix #2 for the required reporting matrix.
2. Officers shall:
 - a. Complete the applicable report(s) (crime, casualty, and/or incident). The report shall include the cartridge serial number, reason for the application of force as well as the description of injuries sustained or claimed.
 - b. Book an arrested subject and notify the appropriate jail medical staff employee of the sustained injury and the type of force used.
 - c. Forward a completed City of Sacramento General Liability Loss Report Non-vehicular (Red Border Form) to the Professional Standards Unit (PSU) through the chain of command.
3. The supervisor shall determine whether further documentation of the incident is necessary, in accordance with Department policy.

H. SUPERVISOR RESPONSIBILITIES

1. When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the BolaWrap® 100 device may be used. A supervisor shall respond to all incidents where the BolaWrap® 100 device was activated.
2. Comply with reporting procedures/supervisor's responsibilities specified in G.O. 580.02 Use of Force.

I. **OFF-DUTY CONSIDERATIONS**

1. Officers are not authorized to carry Department issued BolaWrap® 100 devices while off-duty.
2. Officers shall ensure that BolaWrap® 100 devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

DRAFT

Jody Norway

From: Steven Mackenzie
Sent: Tuesday, June 29, 2021 10:18 AM
To: Emel Cambel; Ericka Reil; Jake Hemmerick; Lucas Herring; Michael Boutin; Samn Stockwell; Teddy Waszazak
Cc: Dave Delcore - Times Argus (david.delcore@timesargus.com); Bill Ahearn; Tim Bombardier; Carol Dawes; Dawn Monahan; Douglas Brent; Barre City Planning Director; Jeff Bergeron; Jody Norway; Joseph Aldsworth; Larry Eastman; Rikk Taft; Stephanie Quaranta; Steve Micheli; Steven Mackenzie
Subject: ARPA Funding Request and Certifications
Attachments: Request Terms & Conditions Overview Packet.pdf

Councilors, et al:

For those of you interested, but who may not have found these ARPA links yet, I am forwarding 2 key **links below**

The first is the **Slide Deck** (40 slides) from the June 16, 2021 VLCT ARPA Webinar (the latest) titled: **Accessing Local Fiscal Recovery Funding**.

This is an overview/summary of the ARPA Program and is a good general guidance document with other important program links.

The second is the **Municipal Request Template**, which I, as the Authorized Rep, will complete/submit contingent upon Council re-approval this evening.

I have tried to pre-screen this from to fully understand its content, but the Template will not let you advance to pre-screen without completing each page.

I will try to do so, for informational purposes, before this evening.

Here is the **link to the slide deck**:

<https://www.vlct.org/sites/default/files/documents/Resource/ARPA%20Accessing%20Local%20Fiscal%20Recovery%20Funds%206.16%20FINAL.pdf>

By **Municipal Request Template**, do you mean the certification portal? (link below)

https://forms.office.com/Pages/ResponsePage.aspx?id=O5O0IK26PEOcAnDtzHVZxqgsvo1_xrhKjXIGZ78CjBdUQIVQNEFSTFIHMDRHMjJMQjlaSzhTQzBEQiQICN0PWcu

Attachment:

I have culled out, scanned and annotated 8 pages from the Slide Deck which summarize the Terms and Conditions that municipalities must agree/certify to when requesting the funds.

(Note: the table at the end of this attachment indicates the allocation for Bare City is \$892,777)

Based on my review thus far, I see nothing problematic in the T&C's. Contingent upon our Financial staff's review as well (see below), I'm comfortable recommending approval to Council to Request/Accept the ARPA funds. Anticipating that you will concur, I will proceed to submit the request on/before July 7, but definitely before the **required submission deadline of July 13th** (not the 23rd).

However, before doing so, I will request Carol Dawn's and Dawn Monahan's review of the financial requirements of the certification/request. Again, while I see nothing problematic from my chair, and believing we have most likely agreed to similar/identical T&Cs in all our previous Federal Grant requests, due diligence requires their pre-review as well.

While I believe this request/certification process is relatively perfunctory, I will address any question you may have this evening.

Steve

(Jody: Please include in the posted Council Meeting Packet Documents)

6/29/21

How Much Money Will My Community Receive?

- **Allocation Table Issued June 9th!**

The State of Vermont issued allocations for all of Vermont's Non-Entitlement communities on June 9th. The allocation table is available online at: <https://finance.vermont.gov/covid-19-guidance>.

\$ 892,997 (See Table encl)

- **Allocations Represent One Portion of Expected Funding**

These allocations only include the Non-Entitlement Unit (NEU) of Local Government funding coming to Vermont - \$58,788,245. Every city and town, and most villages in Vermont, are eligible for their own allocation of NEU funding, except Burlington and South Burlington. Burlington and South Burlington will receive a separate allocation directly from the federal Treasury.

- **County Funding Delayed**

An additional \$121,202,550 of Local Fiscal Recovery Funding for counties will also come to Vermont. Our Congressional Delegation and the Governor are working to ensure this funding is distributed to municipalities using the same formula used to allocate the NEU funding. This may take months to resolve. The Legislature may be involved in distributing the funding when it reconvenes next year.

- **Further Action May Be Needed**

You may need to enter to portal again if additional funding is available.

①

Accessing Your Community's Funding

- Every town, city and village in Vermont needs to access the Department of Finance and Management portal to request their share of Local Fiscal Recovery Funding.
- Access the portal at <https://finance.vermont.gov/covid-19-guidance>
- Visit vlct.org/arpa for helpful tips and to prepare to use the portal
- Communities have 30 days from the time the State requests funding from Treasury to enter the portal and certify. VLCT thinks the cutoff will be on or near July 23rd.

VERMONT
Department of Finance and Management

COVID-19 FINANCE RELATED GUIDANCE
COVID-19 - Cost Tracking, Purchasing and Contracts

Cost Tracking

- COVID-19 Cost Tracking - State & Local Cost Billing
- COVID-19 Cost Tracking - USA
- COVID-19 Cost Tracking - State - Cost Tracking
- COVID-19 Cost Tracking - US State
- COVID-19 Cost Tracking - Other Time Reporting State (to what is for 2021)
- COVID-19 Cost Tracking - Other Time Reporting State (to what is for 2021) - Other Time Reporting
- COVID-19 Cost Tracking - Other Time Reporting State (to what is for 2021) - Other Time Reporting

Funding Prioritization

- June 1, 2021 Verne COVID-19 Public Funding Prioritization Process

Purchasing and Contracts

- Statewide COVID-19 State Verne
- Request for Proposals - Contracts and Purchases of Products and Services - 2021 Process

American Rescue Plan - State and Local Fiscal Recovery Fund Guidance

- American Rescue Plan - 2021 Recovery State and Local Fiscal Recovery Fund for 2021 and 2022
- American Rescue Plan - 2021 Recovery State and Local Fiscal Recovery Fund for 2021 and 2022
- American Rescue Plan - 2021 Recovery State and Local Fiscal Recovery Fund for 2021 and 2022

Local Fiscal Recovery Funds

- Local Fiscal Recovery Funds
- Local Fiscal Recovery Funds
- Local Fiscal Recovery Funds

Coronavirus Relief Fund Guidance

- Coronavirus Relief Fund Guidance
- Coronavirus Relief Fund Guidance
- Coronavirus Relief Fund Guidance

7/13th

2

Before You Start...

<https://finance.vermont.gov/covid-19-guidance>

- **Do you Want this Money and the Responsibilities that Come with it?**

If your town does not regularly accept federal grants, you may wish to weigh cost benefit analysis of accepting this money.

- **Review the Requirements and Decide**

Selectboard/City Council will need to document decisions relevant to certification process, including agreeing to comply with:

1. U.S. Dept. of the Treasury Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions:
https://home.treasury.gov/system/files/136/NEU_Award_Terms_and_Conditions.pdf
2. Assurances of Compliance with Civil Rights Requirements (Title VI of the Civil Rights Act of 1964):
https://home.treasury.gov/system/files/136/Title_VI_Assurances.pdf

- **Prepare for Certification**

- **Review the Treasury Checklist**
https://home.treasury.gov/system/files/136/NEU_Checklist_for_Requesting_Initial_Payment.pdf
- **Get a “DUNS” Number** (<https://fedgov.dnb.com/webform/>)
- **Appoint an “Authorized Representative”**

Utilizing the Portal

<https://finance.vermont.gov/covid-19-guidance>



- **Question 2: “Authorized Representative”**

Done

Your Selectboard or City Council should discuss the Local Fiscal Recovery Funding and appoint an individual to act on the municipality's behalf. This could be a finance official, the Chair, a Town Administrator, etc. They should be formally appointed to act on the municipality's behalf. They will be committing the municipality to a legally binding contract.

- **Question 6: Accept or Reject Funds**

If your community rejects the funding, it will go back to the State and the State will redistribute to municipalities using the same formula used to distribute the other NEU funding.

General Information

1. Local Government Name *

Please select from the dropdown.

Enter your answer

2. Authorized Representative Name *

Please provide the full name of the individual authorized to represent your municipality.

Enter your answer

3. Authorized Representative Title *

Please provide the title of the individual authorized to represent your municipality.

Enter your answer

4. Authorized Representative Phone *

Please provide the phone number of the individual authorized to represent your municipality.

Enter your answer

5. Authorized Representative Email *

Please provide the email of the individual authorized to represent your municipality.

Enter your answer

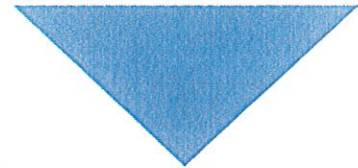
6. Please choose an option below: *

- We would like to accept and request our share of the funds.
- We would like to decline and transfer our share of the funds to the State of Vermont for grants redistribution.

4

Utilizing the Portal

<https://finance.vermont.gov/covid-19-guidance>



• Question 17: Terms and Conditions

Your municipality is certifying that it agrees to the Treasury Department's Terms and conditions. Your Authorized Representative should print them off (a copy is available at vlct.org/arpa under information and resources) and sign them. You will submit this document with your first report to Treasury, due October 31, 2021.

- Agree to use funds as prescribed by Treasury
- Agree to use funds between March 3, 2021, and December 31, 2024 (obligation requirement - funding may be actually disbursed through December 31, 2026)
- Agree to Treasury reporting requirements (VLCT can help you with this)
- Records retention and records access (5-year retention after funds spent)
- Pre-Award costs are ineligible
- Allows municipalities to use funding for administrative costs
- Clarifies that municipalities do not need to provide match to this funding
- Requires Conflict of Interest Policy (State Statute Required as of July 2019)

We have

!!!Question 17 and 18 Deserve Extra Attention!!!

Confirmation

To be eligible to receive Local Fiscal Recovery Funds, YOU MUST agree to the award terms and conditions and to comply with Title VI of the Civil Rights Act of 1964.

17. I have reviewed and agree to the award terms and conditions. *

Yes

18. I have reviewed and agree to comply with Title VI of the Civil Rights Act of 1964. *

Yes

19. Authorized Representative Signature *

To complete your certification, please provide the full name of an individual who is approved by the selectboard/city council to complete this certification on behalf of the municipality.

Enter your answer

Utilizing the Portal

<https://finance.vermont.gov/covid-19-guidance>



• Question 17: Terms and Conditions Continued

- Requires compliance with “all other applicable federal statutes...” and requires municipalities ensure any subrecipient complies with federal laws also.
- Follow Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. (If you expend more than \$750,000 in federal funds in a 12-month period, you’ll need to conduct a single audit).
- Generally applicable federal environmental laws and regulations.
- Anti-discrimination laws
- Attribution of funds on all projects
- Clawback provision for misuse of funds
- Whistleblower provisions
- Seat Belt and Texting While Driving
- Plus a long laundry list that VLCT will help you follow.

We have a Policy Draft Prepared; will Analyze

!!!Question 17 and 18 Deserve Extra Attention!!!

Confirmation

To be eligible to receive Local Fiscal Recovery Funds, YOU MUST agree to the award terms and conditions and to comply with Title VI of the Civil Rights Act of 1964.

17. I have reviewed and agree to the award terms and conditions. *

Yes

18. I have reviewed and agree to comply with Title VI of the Civil Rights Act of 1964. *

Yes

19. Authorized Representative Signature *

To complete your certification, please provide the full name of an individual who is approved by the select board/city council to complete this certification on behalf of the municipality.

Enter your answer



Utilizing the Portal

<https://finance.vermont.gov/covid-19-guidance>



• Question 18: Civil Rights Act of 1964

Your municipality is certifying that it will not discriminate and that any subrecipient will have the same responsibilities as your municipality. Print off the "Assurances of Compliance with Civil Rights Requirements" document available at vlct.org/arpa. Your authorized representative will need to sign and include with your October 31, 2021, report.

- "...prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin..."
- Consider language services for those with Limited English Proficiency
- Must maintain a log and inform Treasury of any complaints based on discrimination on the grounds of race, color, or national origin, and limited English proficiency.

!!!Question 17 and 18 Deserve Extra Attention!!!

Confirmation

To be eligible to receive Local Fiscal Recovery Funds, YOU MUST agree to the award terms and conditions and to comply with Title VI of the Civil Rights Act of 1964.

17. I have reviewed and agree to the award terms and conditions. *

Yes

18. I have reviewed and agree to comply with Title VI of the Civil Rights Act of 1964. *

Yes

19. Authorized Representative Signature *

To complete your certification, please provide the full name of an individual who is approved by the selectboard, city council to complete this certification on behalf of the municipality.

Enter your answer

Utilizing the Portal

<https://finance.vermont.gov/covid-19-guidance>



Question 20: Fund Disbursement

Your municipality should select how they'd like to receive the funding. Most communities already have a financial relationship with the State and are set up as a "vendor" in the state's financial system. This is the simplest way to receive the funds.

If you select either of the other options, expect to be contacted by someone from the Department of Finance and Administration.

You're Done!

Payment Information

In dispersing funds, the State prefers to use existing financial information on file in the State's VISION accounting system. In all cases, payment will be made electronically.

20. Please choose from an option below: *

if you choose option two or three, you will be contacted by email or phone to provide additional information.

We are a vendor in the State's financial system and would like payment to be made according to our current supplier preferences.

We are a vendor in the State's financial system and would like payment to be made differently.

We are NOT a vendor in the State's financial system and need to set up an account.

Confirmation

Please provide the full name of an individual who is approved by the selectboard/city council to complete this certification on behalf of the municipality.

21. Authorized Representative Signature *

Please type the full name of the Authorized Representative below.

Enter your answer

8

Amounts disbursed to the State of Vermont under the American Rescue Plan Act (ARPA) of 2021 will be redistributed to Vermont municipalities within 30 days of receipt by the State of Vermont. Payments will be made to the municipalities in 2021 and 2022 with additional guidance on the 2022 payment forthcoming from the Department of the Treasury. Certification by municipalities is required in order to receive State and Local Fiscal Recovery funds. More information is available at <https://finance.vermont.gov/covid-19-guidance>.

County and Town	Estimated 2021 Amount	Estimated 2022 Amount	Total Local Fiscal Recovery Amount
Washington County	\$ 3,057,354	\$ 3,057,354	\$ 6,114,707
Barre city	\$ 446,389	\$ 446,389	\$ 892,777
Barre town	\$ 404,095	\$ 404,095	\$ 808,189
Berlin town	\$ 145,569	\$ 145,569	\$ 291,137
Cabot town	\$ 75,009	\$ 75,009	\$ 150,018
Calais town	\$ 83,960	\$ 83,960	\$ 167,919
Duxbury town	\$ 68,309	\$ 68,309	\$ 136,618
East Montpelier town	\$ 133,529	\$ 133,529	\$ 267,058
Fayston town	\$ 69,618	\$ 69,618	\$ 139,235
Marshfield town	\$ 64,017	\$ 64,017	\$ 128,033
Marshfield village	\$ 13,086	\$ 13,086	\$ 26,172
Middlesex town	\$ 90,241	\$ 90,241	\$ 180,482
Montpelier city	\$ 385,879	\$ 385,879	\$ 771,758
Moretown town	\$ 87,153	\$ 87,153	\$ 174,305
Northfield town	\$ 341,387	\$ 341,387	\$ 682,774
Plainfield town	\$ 66,058	\$ 66,058	\$ 132,116
Roxbury town	\$ 37,112	\$ 37,112	\$ 74,224
Waitsfield town	\$ 88,618	\$ 88,618	\$ 177,236
Warren town	\$ 87,467	\$ 87,467	\$ 174,933
Waterbury town	\$ 269,833	\$ 269,833	\$ 539,665
Woodbury town	\$ 46,220	\$ 46,220	\$ 92,439
Worcester town	\$ 53,810	\$ 53,810	\$ 107,619
Grand Total	\$ 3,057,354	\$ 3,057,354	\$ 6,114,707

Chapter 2 -- ADMINISTRATION

Art. I. In General, Secs. 2-1-2-20

Art. II. City Council, Secs. 2-21--2-36

Art. III. Reserved, Secs. 2-37--2-42

Art. IV. City Manager, Secs. 2-43--2-58

Art. V. Administrative Departments, Secs. 2-59--2-200

Div. 1. Generally, Secs. 2-59--2-67

Div. 2. Permitting, Planning & Inspection-Assessing Services (Ord. No. 2010-04, 11/09/10),

Secs. 2-68--2-75

Div. 3. Cemeteries and Parks, Secs. 2-76--2-81

Div. 4. Fire, Secs. 2-82--2-93

Div. 5. Health, Secs. 2-94--2-102

Div. 6. Police, Secs. 2-103--2-116

Div. 7. Public Works, Secs. 2-117--2-127

Div. 8. Sewage Disposal, Secs. 2-128--2-138

Div. 9. Street, Secs. 2-139--2-148

Div. 10. Water, Secs. 2-149--2-158

Div. 11. Engineering, Secs. 2-159--2-168

Div. 12. Recreation, Secs. 2-169--2-182

Div. 13. General Services, Secs. 2-183--2-200

Art. VI. City Officers, Secs. 2-201--2-258

Div. 1. Generally, Secs. 2-201--2-210

Div. 2. City Attorney, Secs. 2-211--2-220

Div. 3. City Physician, Secs. 2-221--2-230

Div. 4. Superintendent of Fire Alarm System Secs. 2-231--2-240

Div. 5. Appointed Officers, Secs. 2-241--2-258

Art. VII. Citizens' Advisory Committee, Secs. 2-259--2-272

Art. VIII. Emergency Management Department, Secs. 2-273--2-281

ARTICLE I. IN GENERAL

Sec. 2-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

CITY OFFICER means:

- (1) -A person duly qualified who holds an elective office of the city under the charter.
- (2) -A personperson duly qualified who holds an office or position by virtue of appointment by the council or a city officer under the charter, the city ordinances or general law, including but not limited to the heads of departments, executive directors of agencies, members of an agency, board or commission of the city; provided, however, that a person

Commented [JS1]:
Commented [JS2R1]: Cleaned up spacing to use tabs for efficiency

Commented [JS3]: Aesthetically, this would look better having the paragraphs indented from the titles, so that the title stand out better, as a suggestion.

Commented [JS4]: Fixed indents

serving as a member of a board, commission, committee or other body whose functions are principally advisory shall not be deemed to be a city officer.

NEWS MEDIA means ~~an organization publishing a newspaper or magazine, a radio station or a television station,~~ any organization that delivers print media (newspapers, news magazines), the internet (online newspapers, news blogs, live news streaming, news videos), and broadcast news (radio and television).

Commented [CD5]: Should there be reference to digital or social media?

Commented [JS6]: Was thinking about all the versions of news, and how people can get it.

PUBLIC BODY means an agency, board, committee, commission or other body of the city government, whose members are appointed by the council or a city officer by virtue of provisions of the laws.

THE LAWS means the charter, general laws, provisions of this Code and city ordinances. (Ord. No. 1965-4, Sec. 2.1.01)

Sec. 2-2. Seal of the city adopted.

The seal, ~~impression of which follows,~~ is hereby adopted as the seal of the city: (Ord. No. 1974-3, 6-11-74)

Sec. 2-3. Flag of the city adopted; description.

The flag of the city shall be a green field with the ~~gold-white~~ seal of the city in the center. (Ord. No. 1965-9)

Commented [CD7]: Is it printed in gold (yellow) or is it in white?

Sec. 2-4. Government of city; composition

The government of the city shall consist of the council and the city officers. (Ord. No. 1965-4, Sec.1.1.01)

Sec. 2-5. Emergency interim successors to council and city; offices; appointment.

Emergency interim successors shall be appointed pursuant to provisions of Chapter 7 of Title 20 of VSA or other pertinent general law. (Ord. No. 1965-4, Sec. 1.1.02)

Commented [CD8]: Our charter controls replacement of councilors through ward caucus, not appointment.

Commented [LH9R8]: Provide suggested language

Sec. 2-6. Public ~~bodies~~Bodies Meetings.

Insofar as the following provisions are not in conflict with other provisions of law pertaining specifically to it, a public body shall observe the following with respect to all its meetings or sessions when there is a quorum of the body meeting, involved in a discussion or taking action, and the subject matter of the discussion is one over which the body has authority or responsibility. Please also see the Barre City Rules of Procedure for Public Bodies:

Commented [CD10]: Should this section be reduced to reference to statute so as to always be current?

(1) ~~(4)~~ For City Council, notice of regular meetings shall be posted on the city hall bulletin board and on the city website and at two other locations in the City as designated by Council, at least seven (threeseven (37) days in advance of the meeting, excluding

holidays, in such form as the council shall prescribe by resolution. The council may also require that notices shall be published in a newspaper.

~~(2)~~ (2) For all other public bodies, notice of regular meetings shall be posted on the city hall bulletin board and on the city website, and at two other locations in the City, and noticed at least forty-eight (48) hours in advance of the meeting.

~~(3)~~ (3) For City Council, notices of special meetings may be called at any time by the Mayor, or by the Clerk on a petition signed by a majority of the Council and filed with the Clerk. Notice shall be posted as required in the preceding subdivision (1), except that the mayor or ~~three (4) alderman-councilors~~ may reduce the time limited for posting to not less than ~~twenty-four (424)~~ hours, in which case the news media located in the city shall be notified at least ~~twenty-four (424)~~ hours before such meeting.

~~(4)~~ (4) For all other public bodies, notice of special meetings shall be posted on the city hall bulletin board and on the city website and at two other locations in the city, and be noticed at least twenty-four (24) hours in advance of the meeting.

~~(5)~~ (5) For City Council emergency meetings, they may be called at any time by the Mayor, or by the Clerk on a petition signed by a majority of the council and filed with the Clerk. Notice shall be posted as required in the preceding subdivision (1), except that the mayor or four (4) councilors may reduce the time limited for posting to not less than four (4) hours, in which case the news media located in the city shall be notified at least four (4) hours before such meeting.

~~(6)~~ (6) All notices shall set forth the agenda for the meeting, or an article or articles setting forth the purpose of the meeting.

~~(7)~~ (7) All meetings shall be held in city hall or by electronic means, unless otherwise specifically authorized to be held in another public place, open to the public, by resolution of the council.

~~(8)~~ (8) All public meetings must comply with the Americans with Disabilities Act (ADA) and Vermont's Public Accommodations Law. Meetings, as well as written materials, must be accessible to all persons with disabilities. This means the ability to enter a public building and meeting room, have use of a rest room, as well as the ability to view written materials readily and easily.

~~(9)~~ (9) Executive session shall be held pursuant to 1 VSA sections 311 through 314 and any amendments thereto.

~~(10)~~ (10) Minutes must be taken at every public meeting, and must give a true indication of the business of the meeting; the minutes need not be taken in executive session; but if they are, they are not subject to a public records request.

~~(11)~~ (11) Within three (3) days after a council meeting the clerk or secretary of the public body (which may or may not be the municipal clerk) shall furnish the municipal clerk a copy of the minutes of the meeting, together with a report on the subject matter considered in executive session, and must be posted to the city's official website. The clerk shall transmit a copy of such minutes and report to the council at its next regular meeting. (Ord. No. 1965-4, Sec. 2.3.01; Ord. No. 1980-6, 6-3-80; Ord. No. 1983-1, 1-13-83)

~~(12)~~ (12) For all other public bodies, minutes must be available for inspection five (5) calendar days after the meeting and posted to the city's official website 1 V.S.A. § 312(b)(2).

Commented [LH11]: Need to reflect actual process, which I believe is in policy, and meets Open Meeting Law compliance

Commented [JS12]: The Rules of Procedure are silent on the minutes. Statute says that Minutes must be available for inspection five calendar days after the meeting. 1 V.S.A. § 312(b)(2). In addition, minutes must be posted no later than five calendar days after the meeting to an official website, if one exists, that is maintained or has been designated as the official website of the public body.

Is the intent here that the Council minutes shall be done and ready within 3 days? Why wouldn't we follow statute as stated above?

Commented [LH13]: Secretary is included here, but we may need to review with Rules of Procedure Policy to ensure that position is providing minutes and subject matter for keeping as public record.

Formatted: Indent: Left: 0.25"

Sec. 2-7. Same-Regulations, bylaws and rules of procedure.

A public body authorized by law to issue regulations, to adopt bylaws or make rules for conduct of its meetings or affairs, shall upon taking such action furnish copies thereof to the council. It shall likewise furnish copies of any amendments subsequently made.

Commented [LH14]: I believe this applied to groups such as the Planning Commission, Development Review Board and Board of Civil Authority, correct? YES (JES)

Any other public body shall follow the Rules and Procedures Policy for conduct at meetings and may make additional rules for conduct of its meetings or affairs, which shall take effect when approved by the council. Such rules may be amended or repealed with the approval of the council.

Commented [CD15R14]: I would think so, but would city ordinance trump process as laid out in statute for such bodies?

Bylaws, rules and regulations of public bodies shall be published in a appendix to this Code on the city website at each public body's specific webpage, and be made available upon request. (Ord. No. 1965-4, Secs. 2.4.01-2.4.03)

Commented [LH16]: Is this performed currently?

~~Cross references Rules and regulations of the police department, App. C; rules and regulations of the fire department, App. D.~~

Commented [JS17]: I have never seen an appendix to this, and suggest removing this paragraph, and perhaps state that all public bodies' rules of procedure and conflict of interest policy if separate be posted to the city website under their designated webpage.

Sec. 2-8. Same--news media, petitions, conduct of meetings.

Commented [LH18]: Where are these documents?

(a) In the meeting room of a public body, representatives of the news media shall be allotted space and furnished with a table for their use.

Commented [CD19R18]: Not sure such a document exists.

(b) Electronic and photographic equipment and devices, such as but not limited to computers, cameras, tape recorders, broadcasting equipment and television equipment shall be permitted when used by representatives of the news media, but only in conformity with rules for the maintenance of good order, dignity and noninterference with proceedings, as may be prescribed by resolution of the council.

~~(c) Any equipment or device requiring connection with the city's electric service may be made only after securing a permit from the council and paying the estimated cost of electricity to be consumed or one dollar, whichever is the greater.~~

Commented [CD20]: I think this language should be deleted. But should there be reference to media or public access to wifi?

Commented [JS21]: In relation to a meeting? When have we expected a permit from someone for this? Should this stay or be deleted? When would this pertain?

The right to petition and to communicate with a public body is to be held inviolate and observed by all public bodies. A person present at a meeting may present a petition or communication to a public body, which, when so requested therein, shall be read at the meeting; provided, however, that if the communication or petition exceeds beyond three hundred (300) words, it need not be read, but copies furnished by the person submitting the same, shall be made available to members of the public body. Petitions and communications shall be presented to the presiding officer of the public body. (Ord. No. 1965-4, Sec. 2.5.03)

Commented [LH22]: Should the requirement be based on length of the document in words, or length of time in the delivery?

Commented [JS23]: This section alone is 230 words, absent of the title of the section, so 300 words might be a short letter or petition. I have been in a hearing where an attorney brought a 4-page document that was read in its entirety, so perhaps some limit could be put on the length or the content.

Sec. 2-9. Same--Addresses by outsiders, disturbances, etc.

(a) It shall be unlawful for any person, other than a member of the public body holding the meeting, to address or attempt to address any regular or special meeting of a public body, except upon consent of the presiding officer or a majority of the members present. Any infraction of this subsection may be excused for extenuating circumstances by a majority

vote of the public body, in which case no prosecution for the offense shall be brought.

(b) A person desiring to address a public body shall, unless invited to do so by the presiding officer, submit an oral or written request to the presiding officer.

Commented [CD24]: This doesn't seem to apply to the visitors & communications section of the council agenda.

(c) It shall be unlawful for a person not a member of the public body holding a meeting, to disturb or interrupt any meeting of a public body. Any person so offending may be summarily ejected from city hall or other public place, including videoconference meeting space, in which the meeting is held, on order of the presiding officer or a majority of the members of the public body present at the meeting. (Ord. No. 1965-4, Sec. 2.5.10)

Commented [JS25]: Given that we've had disturbances now via Zoom at the Council meetings, should verbiage be added regarding ejecting someone electronically as well?

Sec. 2-10. Same--Annual report.

The council may, by resolution, require a public body or public bodies to submit a report for inclusion in the annual municipal report. Such report shall be in the form and length prescribed by the council. (Ord. No. 1965-4, Sec. 2.7.01)

Commented [LH26]: Does this need to state resolution, or can it be by vote of the Council?

Sec. 2-11. Same--Duty to perform prescribed functions and duties and exercise prescribed powers.

Commented [CD27R26]: I don't think a resolution is necessary.

Public bodies of the city shall perform the functions and duties and have the powers prescribed for them by the laws or actions/resolutions of the council. (Ord. No. 1965-4, Sec. 18.1.01)

Commented [LH28]: Similar to above, Council has created bodies via Majority vote, not resolution. Suggestions?

Commented [CD29R28]: Perhaps change "resolutions" to "actions" of the council. Then something approved at a council meeting would serve as the prescribing action.

Secs. 2-12--2-20. Reserved.

ARTICLE II. CITY COUNCIL*

Commented [JS30]: What does this asterisk reference? The Editor's note? If so, then the asterisk should be added at this Article's Editor Note. If not, then what does it reference?

Commented [LH31R30]: Remove asterisk

Sec. 2-21. Meetings.

(a) Regular meetings of the council shall be held in the council chamber in city hall at 7:00 p.m. on the days set for regular meetings by the charter, unless otherwise authorized by law.

Commented [CD32]: The council changes dates and times frequently on their own action, not in accordance with any specific law. Perhaps reference the charter language that allows the council to establish meeting dates/times. Sec. 302 et seq.

(b) When the day set for a regular meeting falls on a holiday or an election day, a special meeting of the council shall be held on the day preceding such holiday or election day, at the same place and hour as is provided for a regular meeting. (Ord. No. 1965-4, Sec. 6.2.01)

Charter reference--Council to meet every Tues., Acts of 1955, No.304, Sec. 27.

Commented [CD33]: Need to update reference. It was last updated in 2006.

Sec. 2-22. Rules governing meetings.

All meetings of the city council, all annual or special meetings of the city, all school district meetings shall be conducted in accordance with most recent copy of the Robert's Rules of Order. (Ord. No. 1983-1, 1-13-83)

Sec. 2-23. Agenda.

The manager shall be responsible for preparation of the agenda for all meetings of the council, subject to its direction. (Ord. No. 1965-4, Sec. 6.4.03)

Sec. 2-24. Order of business.

The order of business of the council shall be:

- (a) Action on minutes of preceding meeting or meetings, if special meetings have been held between regular meetings;
- (b) Readings of warrants and action thereon;
- (c) Reports of officers;
- (~~e~~) Petitions and communications;
- (~~d~~) Reports of officers and public bodies;
- (e) Old business on agenda;
- (f) New business on agenda, including reports of public bodies;
- (g) Requests or comments of members of the council.

Commented [CD34]: These should be re-ordered to meet current practice.

Sec. 2-25. Reserved.

~~Editor's note Section 2-25, relative to Robert's Rules of Order, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section formerly derived from Ord. No. 1965-4, Sec. 6.3.02.~~

Sec. 2-26. Minutes of meetings; distribution; approval.

Minutes of the preceding regular meeting and all intervening special meetings shall be furnished to members of the council before each regular meeting. A motion is required to approve the minutes, with any If no corrections or amendments, following Robert's Rules of Order, are offered, the presiding officer shall declare the minutes approved as printed or typed. (Ord. No. 1965-4, Sec. 6.4.02)

Commented [LH35]: Currently motion is made to approve

Commented [CD36R35]: I suggest reviewing Robert's Rules on approval of minutes. I believe action is necessary.

Sec. 2-27. Resolutions; minutes; agenda.

All resolutions shall be presented to the council in writing. When adopted they shall be numbered by the clerk in the same manner as prescribed for in ordinances; for example, Resolution No. 1965-1.

All resolutions shall be recorded by the clerk in a book kept for the purpose, which shall be entitled: "Resolutions of the City Council of the City of Barre, Vermont." (Ord. No. 1965-4, Sec. 6.4.01)

Secs. 2-28--2-36. Reserved.

ARTICLE III. RESERVED*

Commented [JS37]: Asterisk has been used once already – should there be a different symbol so there is no confusion as to what is being referenced?

Commented [LH38R37]: Remove asterisk and editor's note.

Secs. 2-37--2-42. Reserved.

*Editor's note Art. III, Sec. 2-37, relative to the mayor, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said former provisions derived from Ord. No. 1965-4, Sec. 8.1.01.

ARTICLE IV. CITY MANAGER

Sec. 2-43. Reserved.

Editor's note Section 2-43, general provisions relative to the city manager, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section formerly derived from Ord. No. 1965-4, Sec. 10.1.01.

Sec. 2-44. Disability; appointment of acting manager.

(a) The manager shall be deemed disabled within the meaning of the charter when he-the manager is not physically or mentally able to attend to his-their duties. In such case he-the manager or the Council, mentally unable to, shall appoint an acting manager, and upon his-the failing to do so the council shall make such appointment.

(b) Appointment of an acting manager by the manager shall be in writing. The original shall immediately be filed with the clerk and copies sent to all members of the council by the clerk. Provided, however, if the appointment is for one day or less or over a weekend, the clerk need not notify the members of the council. (Ord. No. 1965-4, Sec. 10.1.02)

Secs. 2-45--2-58. Reserved.

ARTICLE V. ADMINISTRATIVE DEPARTMENTS

DIVISION 1. GENERALLY

Sec. 2-59. Created.

The following administrative departments are hereby created, through the instrumentality of which the council and the manager shall exercise such functions as by the laws are assigned to each department respectively:

- (a) Department of ~~permitting~~ planning, Permitting & Assessing Services ~~ermitting, planning and inspection services~~; (Ord. No. 2010-04, 11/09/10)
- (b) ~~Cemetery and parks department~~; Community and General Services, including the Cemetery and Parks Department;
- (c) Fire ~~d~~Department;
- (d) Department of health;
- (e) Police ~~d~~Department;

Commented [JS39]: I am assuming we are fixing all the pronouns now...

Commented [CD40R39]: Should any reference to disability be removed and have it just say the manager will appoint an acting manager when the manager is away or cannot perform his duties? Should there also be a section where the council can make that determination and appoint an acting manager as necessary? Say there's been an accident or the manager's been arrested or experienced mental instability.

Commented [LH41]: Should there be anything to address mentality?

Commented [CD42]: We don't follow this process. Is it necessary?

Commented [CD43]: Should this be re-named? Inspection services are through the fire department.

Commented [LH44]: Combine with Community and General Services?

Commented [LH45R44]: Carol's comment below notes that Cemetery and Parks included per Charter

Commented [LH46]: Remove?

- (f) Public ~~w~~Works ~~d~~Department;
- (g) Finance Department;
- (h) General services department. (Ord. No. 1965-4, Sec. 12.1.01; Ord. No. 1983-1, 1-13-83)

Commented [CD47]: Add Finance Department?

~~Editor's note Pursuant to Ord. No. 1983-1, all references to the department of housing or the department of welfare will be deleted from the Code as pages are pulled for supplementation.~~

Sec. 2-60. Director to head each department.

Each department shall be headed by a city officer to be known as a director, unless otherwise provided. ~~He~~~~They~~The Director shall be the chief administrative officer of the department and shall be responsible for its conduct. (Ord. No. 1965-4, Sec. 12.1.02)

Commented [JS48]: Fixing pronouns

Sec. 2-61. Reporting requirements.

The head of each department shall submit ~~monthly-weekly~~ reports to the council via the Council packet, which shall cover the activities of the department and other matters deemed pertinent. (Ord. No. 1965-4, Sec. 12.2.04)

Sec. 2-62. Additional functions and duties.

The functions and duties of a department provided for in this chapter shall not limit the department, which may be assigned additional functions and duties by ordinance or by resolution of the city manager and/or council. (Ord. No. 1965-4, Sec. 12.1.03)

Commented [LH49]: Per Charter, functions of another Department created in charter cannot be "reassigned"

Secs. 2-63--2-67. Reserved.

DIVISION 2. ~~PERMITTING, PLANNING & INSPECTION~~ PLANNING, PERMITTING & ASSESSING SERVICES (Ord. Rev. 11/09/10)

Commented [CD50]: Change from Inspections to Assessing? Throughout this section.

Sec. 2-68. Powers and duties.

The department of ~~permitting, planning & inspection~~ planning, permitting & assessing services is responsible for planning for the City, ~~and~~ for administering and enforcing the land-use regulations and related ordinances in effect, issuing zoning, building, electrical and flood hazard permits for the city, and providing assessing services including maintaining the grand list, and effectively evaluating city properties. The department shall ~~coordinate the inspection services and allied services of the city, and shall~~ provide proper and effective administration of the ~~building, electrical, fire prevention, zoning~~ flood hazard ~~and other~~ laws of the city. (Ord. No. 1965-4, Sec. 12.3.01)(Ord. No. 2010-04, 11/09/10)

Sec. 2-69. Building inspector designated as director.

The building inspector shall ex-officio be director of the department. (Ord. No. 1965-4, Sec. 12.3.03)

Commented [LH51]: Per charter discussion, it looks like this position will be kept. The discussion with the Manager did not look like this position would be the same as the Director. Thoughts?

Commented [JS52]: I advocate that the building inspector be the Chief of Code Enforcement, and I believe that would be the Fire Chief. With inspection services under the Fire Department, this should be changed.

Charter reference-Appointment of building inspector, Sec. 66.

Sec. 2-70. Officers designated.

The following officers shall be within the department and shall be under the general supervision of its director:

- (a) Assessor; Building inspector;
- (b) Electrical inspector;
- (c) Fire prevention inspectors;
- (d) Zoning administrator;
- (e) Flood hazard area administrator.
- (f) Vacant building administrator. (Ord. No. 1965-4, Sec. 12.3.02; Ord. No. 1983-1, 1-13-83)(Ord. No. 2010-04, 11/09/10)

Commented [LH53]: I do not believe that all of these positions are in Permitting, Planning, and Inspection. Are there those that need to be appointed, that we currently do not have in place?

Commented [JS54]: As the Fire Department, in charge of Code Enforcement, administers inspections, I have deleted and added what I think needs to be here.

Secs. 2-71--2-75. Reserved.

DIVISION 3. CEMETERIES AND PARKS

Sec. 2-76. Composition; director.

The cemetery and parks department shall include a board of cemetery and parks commissioners and director of cemeteries and parks, who shall be head of the department. (Ord. No. 1965-4, Sec. 12.4.01; Ord. No. 1983-1, 1-13-83)

Commented [CD55]: There are no "commissioners" anymore. That was a term specific to when the cemetery was a stand-alone department. They are now a committee.

Commented [LH56R55]: Review again later after discussion on if Charter revisions are warranted.

Sec. 2-77. Powers and duties.

The cemetery and parks department shall have charge of the cemeteries and parks of the city, and shall have all the powers and perform all the duties prescribed by the laws for operation of cemeteries and parks. (Ord. No. 1965-4, Sec. 12.3.02; Ord. No. 1983-1, 1-13-83)

Commented [LH57]: Include with Community and General Services?

Commented [CD58R57]: Charter sec. 502 says there will be a Department of Cemeteries and Parks.

Secs. 2-78--2-81. Reserved.

DIVISION 4. FIRE AND AMBULANCE

Sec. 2-82. Established; powers and duties; cooperation with other cities.

The fire and ambulance department is hereby established for the purpose of providing adequate fire-fighting protection, the prevention of fires and the provision of ambulance service/emergency medical services. It shall also perform such functions as are usually delegated to fire departments. Such duties shall include in sum or in part: health inspections, rental housing inspections, vacant building inspections, and code enforcement in support of city ordinances. It shall be the duty of the department to attend to all fires and emergencies to which it is called in the city, and to fulfill mutual aid agreements with other municipalities for the provision of emergency services. The fire department is hereby established for the purpose of providing adequate fire fighting protection and the prevention of fires. It shall also perform such functions as are usually delegated to fire departments. It shall be the duty of the department to attend to all

Commented [JS59]: Should consider adding Code Enforcement here, but I defer to the Fire Chief for this.

Commented [LH60]: EMT and other services?

~~fires to which it is called in the city, and to fulfill the city's contracts with other municipalities for fire fighting services. (Ord. No. 1965-4, Sec. 12.6.01)~~

Sec. 2-83. Fire chief designated director of department; acting director.

The fire chief shall be director of the department. In ~~his-the~~ absence or in case of ~~his-the physical or mental~~ disability, the highest ranking officer of the regular division on duty shall be the acting director of the department, until the city manager designates an acting director. (Ord. No. 1965-4, Sec. 12.6.03; Ord. No. 1983-7, 10-26-83)

Sec. 2-84. Reserved.

Editor's note--Ord. No. 1984-1, adopted Feb. 21, 1984, repealed Sec. 2-84. Said section, formerly relative to divisions of the fire department, derived from Ord. No. 1965-4, Sec. 12.6.02; Ord. No. 1976-2, adopted May 4, 1976; Ord. No. 1979-1, adopted Oct. 16, 1979, and Ord. No. 1983-1, adopted Jan. 13, 1983.

Sec. 2-85. Appointment and procedures.

Before appointment, an applicant for a position in the fire department shall successfully pass such written and oral examinations as the city manager shall cause to be prepared.

~~He-The applicant~~ shall be given a physical examination by a duly licensed physician designated by the city.

Applicants successfully passing such tests and examinations shall be interviewed by the fire chief and the city manager. The city manager shall make the appointment. (Ord. No. 1965-4, Sec. 12.6.04; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-7, 10-26-83)

Sec. 2-86. Suspension; removal; probation.

(a) An officer or member of the fire department may be suspended or removed in the same manner as is prescribed for police officers. (See 24 V.S.A.1932.) However, upon appointment a fireman shall serve a probationary period of one year, during which time ~~he-the fireman~~ may be removed by the city manager without hearing.

Commented [LH61]: Does this match current contract language?

(b) A member of the fire department who is appointed to an office in the department, of the rank of captain or higher, shall serve a probationary period of one year, during which time ~~he-the fireman~~ may be removed from the office by the city manager. (Ord. No. 1965-4, Sec. 12.6.05; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-7, 10-26-83)

Commented [LH62]: Does this match current contract language?

Sec. 2-87. Annual physical examination required.

After appointment, all firefighters shall be given a physical examination at least once a year by a duly licensed physician designated by the city. If certified unfit for duty due to a permanent disability, the member shall be given an opportunity of re-examination. (Ord. No. 1965-4, Sec.

12.6.06; Ord. No. 1983-1, 1-13-83)

Sec. 2-88. Regulations governing conduct; publication requirement.

The members of the fire department shall be governed by regulations of the department presently in force. Such regulations may be amended by the council. They shall be published in an appendix to this Code. (Ord. No. 1965-4, Sec. 12.6.07)

Secs. 2-89--2-93. Reserved.

Commented [LH63]: Remove per Chief Brent

DIVISION 5. HEALTH

Sec. 2-94. Created; powers and duties.

Commented [CD64]: This section should be cross-referenced with statute to see what we're actually required to have. May be able to do away with it.

The health department is hereby created. It shall coordinate the functions of the health officials of the city and provide an administrative office and a repository of records for these officials. (Ord. No. 1965-4, Sec. 12.8.01; Ord. No. 1983-1, 1-13-83)

Commented [LH65R64]: Will check for First reading and report back to Council.

Sec. 2-95. Reserved.

Editor's note--Pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983, Sec. 2-95, relative to the supervisor of welfare, has been deleted. Said provisions derived from Ord. No. 1965-4, Sec. 12.8.03.

Sec. 2-96. Division--Designated.

The health department shall consist of two (2) divisions:

- (a) The health division in which shall be the health officer and the board of health;
- (b) The city physician's division in which there shall be the city physician. Ord. No. 1965-4, Sec. 12.8.02; Ord. No. 1983-1, 1-13-83)

Commented [LH66]: Remove?

Sec. 2-97. Same--Powers and duties.

The divisions of the health department shall exercise the functions and perform the duties and have the powers assigned by the laws to the officers in the respective divisions. (Ord. No. 1965-4, Sec. 12.8.05)

Secs. 2-98--2-102. Reserved.

DIVISION 6. POLICE*

Sec. 2-103. Established; purpose; powers and duties.

The police department is hereby established for the purpose of providing for enforcement of the laws, apprehension of criminal offenders, guarding the public safety, preventing crime,

controlling vehicular traffic, and generally to carry out the functions and perform duties assigned to the police. (Ord. No. 1965-4, Sec. 12.10.01)

Sec. 2-104. Chief of police designated as director; acting director.

The Chief of police shall be director of the police department. In ~~his~~ the Chief's absence or in case of ~~his~~ the physical or mental disability, the highest ranking officer of the regular division on duty shall be the acting director of the department, unless the city manager designates an acting chief (Ord. No. 1965-4, Sec. 12.10.03; Ord. No. 1983-7, 10-26-83)

Sec. 2-105. Reserved.

~~Editor's note~~ Ord. No. 1984-1, adopted Feb. 21, 1984, repealed Sec. 2-105. Said former section, relative to divisions of the police department, derived Ord. No. 1965-4, Sec. 12.10.02; Ord. No. 1976-1, adopted May 4, 1976; Ord. No. 1977-2, adopted Aug. 23, 1977; Ord. No. 1978-2, adopted May 9, 1978; Ord. No. 1980-7, adopted July 15, 1980; Ord. No. 1983-1, adopted Jan. 13, 1983; and Ord. No. 1983-6, adopted June 21, 1983.

Sec. 2-106. Appointment procedures; annual examinations; required removal.

Members of the police department shall be appointed by the city manager following the same procedure as is prescribed for firemen. They shall be subject to the same annual examinations, and to the same effect with respect to removal, as is provided in this chapter. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Sec. 2-107. Probations.

No person shall be deemed to be a regular police officer or member of the regular division, until ~~he~~ that person has satisfactorily served a probationary period of six (6) months on duty with the regular division. An appointee, during the probationary period may be discharged without cause or hearing by the city manager. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Commented [LH67]: Does this match the current contract language?

Sec. 2-108. Eligibility for employment and promotion.

No person shall be eligible for appointment as a police officer or promotion in rank in the police department, unless ~~he~~ the person is a graduate of a high school or equivalent secondary school, or has been granted a high school equivalence certificate by the state board of education. Certified proof of such graduation or grant of an equivalence certificate shall be presented to the city manager before action is taken on appointment or promotion. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Sec. 2-109. Removal; suspension.

Members of the police department who are regular police officers in the regular division may be removed or suspended by the city manager, as provided by general law. (See 24 V.S.A.1932)

Members of all other divisions may be removed or suspended by the city manager without hearing. (Ord. No. 1965-4, Sec. 12.10.05; Ord. No. 1983-7, 10-26-83)

Sec. 2-110. Promotions.

(a) When a vacancy occurs in the regular division in the rank of sergeant or higher, no one shall be eligible to fill the vacancy, by promotion or otherwise, unless ~~he~~ the officer has been an official of a regular active police force for at least three (3) years immediately prior to the opening of a vacancy.

(b) Promotions in rank shall be made on basis of examination and other factors, in the same manner as members of the state police are promoted. Examinations and grading shall be conducted by an agency or organization not connected with the government of the city.

(c) A person appointed to the grade of sergeant or higher shall serve a probationary period of six (6) months during which time he may be demoted, reduced in rank or reduced to the grade of patrolman, by the city manager, without hearing.

(d) The provisions of this section notwithstanding, the city manager may appoint any member of the regular division to a temporary grade, but only for a period of not more than three (3) months, during which the vacancy shall be filled in accordance with other provisions of this section.

(e) The city council shall establish by resolution the appointment procedures for the office of chief of police separately from the regulations set forth for promotions to the grade of sergeant or higher. (Ord. No. 1965-4, Sec. 12.10.06; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-6, 6-21-83; Ord. No. 1983-7, 10-26-83)

Commented [LH68]: Should this be by Resolution, or majority vote or "action" of Council?

Sec. 2-111. Regulations governing conduct; publication requirement.

The members of the police department shall be governed by regulations of the department presently in force. Such regulations may be amended by the council. They shall be published in an appendix to this Code. (Ord. No. 1965-4, Sec. 12.10.07)

Secs. 2-112--2-116. Reserved.

Commented [LH69]: Remove these entire sections per Chief Bombardier "The rest of this is either governed by statute or the CBA and does not pertain"

DIVISION 7. PUBLIC WORKS

Commented [LH70]: DPW section to be reviewed at a later time.

Sec. 2-117. Created; purpose.

The Public works department is hereby created, for the purpose of integrating and coordinating the functions of the sub-departments within it, and to provide general administrative supervision. (Ord. No. 1965-4, Sec. 12.12.01)

Sec. 2-118. Director of public works designated as director; powers and duties.

There is hereby created the office of director of public works, who may be the head of one or more sub-departments. He shall be head of the public works department and shall have supervisory powers over the sub-departments and coordinate their activities. (Ord. No. 1965-4, Sec. 12.12.03)

Sec. 2-119. Sub-departments designated.

There shall be within the public works department, the following sub-departments:

- (a) Sewage disposal department;
- (b) Street department;
- (c) Water department
- (d) Engineering department. (Ord. No. 1965-4, Sec. 12.12.02)

Secs. 2-120--2-127. Reserved.

DIVISION 8. SEWAGE DISPOSAL

Sec. 2-128. Created; powers and duties.

The sewage disposal department is hereby created. It shall control, operate, and maintain the sanitary sewerage systems of the city, and the sewage disposal plant. (Ord. No. 1965-4, Sec. 12.12.10)

Sec. 2-129. Superintendent of sewage system; office created; designated as director; responsibilities.

There is hereby created the office of superintendent of the sewage system, who shall be the director of the sewage disposal department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.11)

Secs. 2-130--2-138. Reserved.

DIVISION 9. STREET

Sec. 2-139. Created; powers and duties.

There is hereby created the street department, whose function shall be to construct, repair, maintain and clear the public streets, including sidewalks and bridges, and control, operate and maintain the surface sewers and drains of the city. It shall also have charge of collection and disposal of wastes and the municipal disposal areas. (Ord. No. 1965-4, Sec. 12.12.15)

Sec. 2-140. Superintendent of streets designated as director; responsibilities.

The superintendent of streets shall be the director of the street department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.16)

Commented [LH71]: Who is this position?

Secs. 2-141--2-148. Reserved.

DIVISION 10. WATER

Sec. 2-149. Created; powers and duties.

There is hereby created the water department, whose function shall be to operate, repair, maintain and supervise the water system of the city and the waterworks of the city. It shall also have charge of the municipal forests outside the city and reservoirs and other sources of water owned by the city. (Ord. No. 1965-4, Sec. 12.12.20)

Sec. 2-150. Superintendent of waterworks designated as director; responsibilities.

The superintendent of waterworks shall be director of the water department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.21)

Commented [LH72]: Assuming Superintendent of Water and Sewer is the same person.

Secs. 2-151--2-158. Reserved.

DIVISION 11. ENGINEERING

Sec. 2-159. Created; powers and duties.

There is hereby created the engineering department, whose function shall be to make surveys requested by the council or a city officer, keep accurate maps, plats and records of all public works, land or property of the city, and advise the council, city officers and public bodies on all engineering matters. (Ord. No. 1965-4, Sec. 12.12.25)

Sec. 2-160. City engineer designated as director; responsibilities.

The city engineer shall be director of the engineering department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.26)

Commented [LH73]: Same as DPW Director

Secs. 2-161--2-168. Reserved.

DIVISION 12. RECREATION

Sec. 2-169. Created; powers and duties.

The recreation department is hereby created for the purpose of coordinating the functions and duties of the divisions within the department, and to provide a common administrative office for the divisions. (Ord. No. 1965-4, Sec. 12.14.01)

Commented [CD74]: There isn't a stand-alone recreation department anymore. It's part of Buildings and Community Services.

Sec. 2-170. Director of recreation--Office created; designated as director; powers and duties.

Commented [LH75R74]: Need to review with Charter change with Cemetery and Parks to see about name change and what needs to be kept.

There is hereby created the office of director of recreation. He shall be the director of the

department and shall have general supervision over its divisions. (Ord. No. 1965-4, Sec. 12.14.03)

Commented [LH76]: I believe this is currently an Assistant Director

Sec. 2-171. Same--Designated as director of recreation division; responsibilities; recreation board.

Within the recreation division shall be the recreation board and the director of recreation, who shall be head of the division and shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.14.10)

Sec. 2-172. Division designated.

The recreation department shall consist of three (3) divisions:

- (a) Recreation division;
- (b) Parks division;
- (c) Auditorium division. (Ord. No. 1965-4, Sec. 12.14.02)

Sec. 2-173. Recreation division; responsibilities.

The recreation division shall have charge of all recreational programs of the city, and shall have charge of all recreational facilities of the city, except the municipal auditorium and the parks. (Ord. No. 1965-4, Sec. 12.14.11)

Commented [JS77]: Division or department?

Commented [LH78R77]: Review with changes to Community and General Services

Sec. 2-174. Parks divisions--Composition; supervisor of parks designated as director; board of park commissioners; tree warden.

Within the parks division shall be the board of park commissioners, the supervisor of parks, and the tree warden. The supervisor of parks shall be head of the division and shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.14.15)

Commented [JS79]: Same – divisions, departments, it all gets confusing. If there are divisions within departments, then each should be better defined.

Commented [LH80R79]: Review with changes to Community and General Services

Sec. 2-175. Same--Powers and duties.

The parks division shall have charge of the parks of the city and shall carry out the functions and duties of the board of park commissioners as provided in the charter. In addition it shall assist the tree warden in performance of his statutory duties and functions. (Ord. No. 1965-4, Sec. 12.14.16)

Sec. 2-176. Auditorium division--Powers and duties.

The auditorium division shall have charge of the operation and maintenance of the municipal auditorium and its grounds, and other buildings on said grounds. (Ord. No. 1965-4, Sec. 12.14.20)

Commented [LH81]: Civic Center Complex?

Sec. 2-177. Same--Supervisor of municipal auditorium designated as head.

There is hereby created the office of supervisor of the municipal auditorium, who shall be head of the auditorium division. He shall be responsible for the management and conduct of the

division. (Ord. No. 1965-4, Sec. 12.14.21)

Sec. 2-178--2-182. Reserved.

DIVISION 13. GENERAL SERVICES

Sec. 2-183. Created; staff to constitute.

The general services department shall be the staff department of the city and shall oversee the administration of all departments, offices and public bodies of the city. (Ord. No. 1965-4, Sec. 12.16.01)

Sec. 2-184. Manager designated as director.

The manager shall be director of the general services department. (Ord. No. 1965-4, Sec. 12.16.02)

Sec. 2-185. Powers and duties.

Without limiting the generality of the function and duties of the department provided for in this division, the general services department shall:

- (a) Have charge and supervision of all city property not assigned to or under control of any other department, office, or public body;
- (b) Have supervision over all radio equipment owned or operated by the city;
- (c) Assign office space and meeting rooms to city officers and public bodies, other than the council, and elected officers, who shall be assigned space or rooms by the council;
- (d) Purchase all insurance carried by the city; and attend to all matters connected therewith;
- (e) Supervise the performance of the contract for lighting the city;
- (f) Inspect all premises owned by the city, wherever located, at least once annually, and report its findings to the council;
- (g) Collect all moneys due the city, for the collection of which no other department, city officer or public body is responsible;
- (h) Coordinate the operation of all other departments, offices and public bodies in order to avoid duplication of operations and to avoid waste, and may for this purpose form committees composed of members of departments, offices and public bodies, as it deems advisable;
- (i) Maintain a store or stores of supplies commonly used by departments, officers and public bodies;
- (j) Be responsible for all purchases made for the city or any department, officer, or public body, unless otherwise specifically provided by the laws;
- (k) In order to properly maintain city records, provide a repository for records of officers and public bodies, which otherwise would not have a place to deposit records in a building owned by the city;
- (l) Provide secretarial or clerical assistance to officers and public bodies, which do not have such employees assigned to carry on these duties and functions.
- (m) Have charge of all municipal parking lots;

Commented [LH82]: Are these duties all performed by the Community and General Services Department?

Commented [CD83R82]: Many of these duties seem to fall in the realm of the Buildings and Community Services Department. Especially those dealing with facilities.

- (n) Supervise and attend to matters connected with the workable program for community improvement.
- (o) Oversee the city's pension plan and all matters connected therewith. (Ord. No. 1965-4, Sec. 12.16.03)

Sec. 2-186. Duty to purchase for city.

It is hereby declared to be the policy of the city that unless otherwise specifically provided by the laws with respect to a public body, all purchases and contracts for services made for the city shall be made by the general services department. Unless other provisions are made by the laws with respect to it, when any department, office or public body is in need of materials, supplies or services it shall requisition therefore upon the director of the general services department, on a form or forms provided by the general services department. (Ord. No. 1965-4, Sec. 12.16.10)

Sec. 2-187. Same--Procedure.

Subject to provisions of the charter with respect to purchases requiring approval of the council, the director of the general services department shall purchase materials and supplies and contract for services either by advertising for bids or by letter of inquiry. The contract for purchases or for services shall be awarded to the person whose bid or quotation is in the best interests of the city. When authorized by the council, the director may purchase or contract without advertising for bids or sending letters of inquiry, if the proposed purchases or contract for services have already been priced by either of these methods or the best interests of the city will be best served by not using these methods. (Ord. No. 1965-4, Sec. 12.16.11)

Sec. 2-188. Purchases by others--Alternate procedure.

If any department, city officer, or public body believes that it is not, by law, required to make all or any part of its purchases or contracts for services through the general services department, as provided in sections 2-186 and 2-187, it shall notify the director of the general services department, who shall consult with the city attorney, who shall render his opinion in writing to the council, and to the director of the general services department. (Ord. No. 1965-4, Sec.12.16.12)

Sec. 2-189. Contracts by others void.

Any contract made by a department (other than the general services department), city officer, or public body, for purchases or services, on behalf of the city shall be null and void, unless such department, city officer, or public body is specifically authorized to make such contract by provisions of the laws. (Ord. No. 1965-4, Sec. 12.16.13)

Secs. 2-190--2-200. Reserved.

ARTICLE VI. CITY OFFICERS

DIVISION 1. GENERALLY

Commented [LH84]: Is this performed through the Manager's Office?

Commented [CD85R84]: Perhaps these sections should be replaced with reference to the procurement policy.

Secs. 2-201--2-210. Reserved.

DIVISION 2. CITY ATTORNEY

Sec. 2-211. Additional powers and duties.

- (a) In addition to the functions, powers and duties prescribed in the laws, the city attorney shall:
 - (1) Be a ~~sole~~ legal advisor of the city, and shall render advice on all legal questions affecting the city whenever requested by the council, a city officer or a public body of the city;
 - (2) Examine all written instruments and contracts to which the city may be a party, and report any objections thereto to the council;
 - (3) Appear before the general assembly or any committee thereof, and in behalf of the city represent and defend or advocate the interest and welfare of the city, on request of the council or the representatives to the general assembly elected in the city.
- (b) Upon being served with any process by a court, state agency or federal agency, involving the city, the clerk or any other officer of the city so served or notified, shall immediately notify the city attorney in writing, and report the service of such process or notice to the council at its next regular meeting. (Ord. No. 1965-4, Sec. 22.3.01)

Commented [CD86]: Not our sole legal advisor. We use others for union negotiations, and have used others for specific projects, etc.

Commented [LH87]: Do we have Attorney review on all contracts?

Secs. 2-212--2-220. Reserved.

DIVISION 3. CITY PHYSICIAN

Secs. 2-221. Additional powers and duties.

- In addition to the functions, powers and duties prescribed in the laws, the city physician shall:
- (a) Render his professional services to any member of the fire, police, street, sewage or water departments, who may be injured during the performance of their duties, when notified by the head of the department;
 - (b) Render medical aid at the police station in case of emergency, whenever requested by a member of the police department;
 - (c) Assist the city attorney, whenever the services of a qualified physician are required in connection with any matter involving the city or its officers or public bodies. (Ord. No. 1965-4, Sec. 22.3.01; Ord. No. 1983-1, 1-13-83)

Commented [LH88]: Remove?

Sec. 2-222--2-230. Reserved.

DIVISION 4. SUPERINTENDENT OF FIRE ALARM SYSTEM

Sec. 2-231. Duties.

The superintendent of the fire alarm system shall have charge and the care of the city's fire alarm system. He shall keep a record in the central fire station of his inspections and tests, on forms prescribed by the fire chief, and approved by the council. (Ord. No. 1965-4, Sec. 22.3.15)

Secs. 2-232--2-240. Reserved.

Commented [LH89]: ?

Commented [LH90]: Per Chief Brent, remove in full

DIVISION 5. APPOINTED OFFICERS

Sec. 2-241. Notice requirements; oath; qualification; commission.

Commented [LH91]: This process should be reviewed.

(a) Before a city officer is appointed, the appointing officer shall, in person, notify the council in executive session, naming the proposed appointee.

(b) Forthwith after making an appointment, the appointing officer shall notify the clerk of the appointment.

(c) The clerk shall give written notice of the appointment to the appointee, attaching thereto a copy of this article if one has not been furnished previously to the appointee.

Commented [CD92]: This has never been done. What's the point? If necessary, perhaps the appointing officer should do this.

(d) After taking the oath or affirmation prescribed by law, and leaving a signed copy thereof with the clerk, on a form furnished by the clerk, the appointee shall be qualified to enter upon his office.

Commented [CD93]: Are we saying all such appointees are to take some sort of oath?

(e) If an appointee does not qualify within ten (10) days, excluding holidays, after notice is given him by the clerk, his appointment may be rescinded by the appointing officer or by the council if the appointment is made by the council.

Commented [CD94]: How is the clerk deeming someone "qualified"?

(f) Upon qualifying, the city officer shall receive a commission signed by the appointing officer, or by the mayor if the appointment is made by the council. (Ord. No. 1965-4, Sec. 2.2.02)

Sec. 2-242. Term; continuation until successor appointed.

Unless otherwise provided, a city officer shall hold office for a term of one year from the first day of July~~April~~. All city officers shall hold office until their successors are appointed and have qualified. (Ord. No. 1965-4, Sec. 2.2.03)

Sec. 2-243. Compensation.

The compensation of city officers shall be fixed as prescribed by the laws. Before fixing or altering such compensation the city officer authorized to do so shall notify the council, in person, in executive session. (Ord. No. 1965-4, Sec. 2.2.04)

Sec. 2-244. Bonding requirements.

Each of the city officers required to give bond under provisions of the laws, shall give a bond with surety at the expense of the city, in such sum as the council shall prescribe by resolution. Other city officers shall, at the discretion of the council, be covered by a ~~blanked-blanket~~ bond, so-called, in such sum as the council shall determine by resolution. (Ord. No. 1965-4, Sec. 2.2.05)

Commented [CD95]: I'm not aware of any such resolution. Perhaps a question for PACIF - do they need a resolution from the council to issue the blanket bond?

Sec. 2-245. Conflicts of interest.

City officers shall refrain from acting in matters involving the city, which will involve them in a conflict of interest. With the consent of the council an officer who has disqualified himself from acting for the city may, in special cases, such as tax appeals, act adversely to the city. (Ord. No. 1965-4, Sec. 2.2.06)

Commented [LH96]: Refer to Conflict of Interest Policy?

Sec. 2-246. Reserved.

Editor's note--Section 2-246, "Other employment, gifts, etc., prohibited for certain officers," has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section derived from Ord. No. 1965-4, Sec. 2.2.07.

Secs. 2-248--258. Reserved.

ARTICLE VII. CITIZENS' ADVISORY COMMITTEE

Sec. 2-259--263 Reserved.

Editor's note--pursuant to Ord. 1990-6, adopted April 30, 1990, relating to creation of, purpose of, and procedure of a Citizen's Advisory Committee, has been deleted. Said section derived from Ord. No. 1965-4, Sec. 18.7.05.

Sec. 2-264--2-272. Reserved.

ARTICLE VIII. EMERGENCY MANAGEMENT DEPARTMENT*

Sec. 2-273. Short title.

This article shall be known and may be cited and referred to as the "Emergency Management Ordinance of the City of Barre". (Ord. 1985-7, 12-30-85)

Sec. 2-274. Intent and purpose.

(a) It is the intent and purpose of this article to establish a department that will insure the complete and efficient utilization of all of the facilities of the City of Barre to combat disasters resulting from natural, technological and attack related hazards as defined herein.

(b) The City of Barre Emergency Management Department will be the coordinating agency for all activity relating to emergency management and will be the instrument through which the mayor, city council and city manager may exercise the authority and discharge the responsibilities vested in Title 20, Section 6, VSA, as amended; and this article.

(c) This article will not relieve any city department of the normal responsibilities or authority

given to it in the city charter or by local ordinance, nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies. (Ord. No. 1985-7, 12-30-85)

Sec. 2-275. Definitions.

Commented [LH97]: Should this point to the Emergency Management Plan?

The following definitions shall apply in the interpretation of this article:

ATTACK shall mean a direct or indirect assault against Barre City, its government, its environs, or of the nation, by forces of a hostile nation or the agents thereof, including assault by bombing; radiological, chemical or biological warfare; or sabotage.

CHAIRMAN shall mean the mayor or his designated alternate duly appointed in accordance with Title 20,VSA, and this article.

DIRECTOR shall mean the Director of the Barre City Department of Emergency Management, appointed as prescribed in this article.

DISASTER includes, but is not limited to, actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic or other impending or actual emergency endangering or threatening to endanger health, life, property or constituted government.

EMERGENCY MANAGEMENT in its broad meaning is to carry out the basic government functions of maintaining the public peace, health and safety during an attack or disaster. This shall include plans and preparations for protection from, and relief, recovery and rehabilitation from, the effects of an attack on the city by the forces of an enemy nation or the agents thereof, and it shall also include such activity in connection with disasters as defined herein. It shall not, however, include any activity that is the primary responsibility of the military forces of the United States.

EMERGENCY MANAGEMENT FORCES shall mean the employees, equipment, and facilities of all city departments, boards, institutions, and commissions; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.

EMERGENCY MANAGEMENT VOLUNTEER shall mean any person duly registered, identified and appointed by the chairman of the emergency management agency and assigned to participate in the emergency management activity.

REGULATIONS shall include all plans, programs and other emergency procedures deemed essential to emergency management.

VOLUNTEER shall mean contributing a service, equipment or facilities to the emergency management organization without remuneration. (Ord. No. 1985-7, 12-30-85)

Sec. 2-276. Organization and appointment.

(a) The mayor is hereby authorized and directed to create an organization for emergency management utilizing to the fullest extent the existing departments within the City. The mayor, as executive head of the municipal government, shall be the chairman of the emergency management forces of this city and shall be responsible for their organization, administration, and operations.

- (b) The organizations shall consist of the following:
 - (1) An emergency management office under the administrative direction of the city manager. There shall be a head of the emergency management office, who shall be known as the City Director of Emergency Management, and such assistants as are deemed necessary for the proper functioning of the department.
 - (2) The employee, equipment and facilities of all city departments, boards, institutions and commissions will participate in the emergency management activity. Duties assigned to a city department shall be the same or similar to the normal duties of the department.
 - (3) Volunteer persons and agencies offering service to, and accepted by, the city.

(c) The mayor shall appoint the emergency management director who shall be responsible for coordination of the planning and preparation of the various departments which will operate to protect the public health, safety and welfare in the event of danger from enemy attack or disaster as defined in this article.

Commented [LH98]: I believe this is currently listed under appointments by the Manager?

(d) The emergency management director shall designate deputy directors to assume the emergency duties of the director in the event of his absence or inability to act, so that there will at all times be an emergency management director available in emergency situations. (Ord. No. 1985-7, 12-30-85)

Sec. 2-277. Emergency powers and duties.

MAYOR (CHAIRMAN):

(1) The emergency management ~~chairman-chair~~ may exercise the emergency power and authority necessary to fulfill ~~his-the~~ general powers and duties as defined in Vermont law and local ordinance. The judgment of the ~~chairman-chair~~ shall be the sole criteria necessary to invoke emergency powers provided in the Code of Ordinances and other appropriate authorities. The city council may convene to perform its legislative and administrative powers as the situation demands, and shall receive reports relative to emergency management activities. Nothing in this article shall be construed as abridging or curtailing the powers or restrictions of the city council as defined in state law and local ordinance.

(2) During any period when disaster threatens or when the city has been struck by disaster, within the definition of this article, the mayor may promulgate such regulations as ~~he deems are~~ deemed necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:

- a) Regulations prohibiting, restricting or rerouting the movement of vehicles in order to facilitate the work of emergency management forces, or to facilitate the mass movement of persons from critical areas within or with-out the city.

- b) Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.
- c) Such other regulations necessary to preserve public peace, health and safety.
- d) Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and uttered by newspaper and radio. These regulations will have the force of ordinance when duly filed with the city clerk and violations will be subject to the penalties provided in state law and local ordinance.

Commented [CD99]: Should there be a reference to social media?

(3) The ~~chairman~~ ~~chair~~ shall order emergency management forces to the aid of other communities when required in accordance with the statutes of the state, and ~~he~~ may request the state, or a political subdivision of the state, to send aid to the City of Barre in case of disaster when conditions in the city are beyond the control of the local emergency management forces.

(4) The ~~chairman~~ ~~chair~~ may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the city for the fair value thereof.

(5) The ~~chairman~~ ~~chair~~ may require emergency service of any city officers or employees. If regular city forces are determined inadequate, the ~~chairman~~ ~~chair~~ may require the services of such other personnel as ~~he~~ can ~~be obtained~~ ~~obtain~~ that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities as are provided by state law, and ordinances for regular city employees and other registered and identified emergency management and disaster workers.

(6) The emergency management ~~chairman~~ ~~chair~~ will exercise ~~his~~ ~~their~~ ordinary powers as mayor and all of the special powers conferred ~~upon him~~ by state law and local ordinance of the City of Barre, all powers conferred ~~upon him~~ by any statute, or any other lawful authority.

EMERGENCY MANAGEMENT DIRECTOR:

(1) The Barre City Emergency Management Director shall be responsible for all phases of the emergency management activity. Under the administrative supervision of the city manager, he shall be responsible for the planning, coordination and operation of the emergency management activity in the city. He shall maintain liaison with the state and federal authorities and the authorities of other nearby political subdivisions to insure the most effective use of the emergency operation plan. His duties shall include, but not be limited to, the following:

- a) Development and coordination of plans for the immediate use of all facilities, equipment, manpower and other resources of the city for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness, governmental services and public utilities necessary for the public health, safety and welfare.
- b) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the city for emergency management purposes.
- c) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings and other property for for emergency management purposes and designating suitable buildings as public shelters.
- d) Through public information programs, educating the civilian population as to actions

necessary and required for the protection of their persons and property in case of disaster, or enemy attack, as defined herein, either impending or present.

- e) Conducting public practice alerts to insure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures and operations.
- f) Coordinating the activity of all other public and private agencies engaged in any emergency management activity.
- g) Assuming such authority and conducting such activity as the chairman may direct to promote and execute the emergency operations plan. (Ord. No. 1985-7,12-30-85)

Sec. 2-278. Violation of article or regulations.

It shall be unlawful for any person to violate any of the provisions of this article or the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this article or any regulation or plan issued thereunder. (Ord. No. 1985-7, 12-30-85)

Sec. 2-279. Penalty.

Any person, firm, or corporation violating any provisions of this article or any regulation or plan formulated thereunder, upon conviction thereof, shall be punished pursuant to VSA, as amended. (Ord. No. 1985-7, 12-30-85)

Sec. 2-280. Severability.

Should any provisions of this article be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this article, as a whole; it being the legislative intent that in lieu of, the provisions of this article shall be severable and remain valid notwithstanding such declaration. (Ord. No. 1985-7, 12-30-85)

Sec. 2-281. Conflicting provisions.

At all times when the orders, rules and regulations made and promulgated pursuant to this article shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith. (Ord. No. 1985-7, 12-20-85)

~~EDITOR'S NOTE (Ord. No. 1985-7, enacted Dec. 30, 1985, amended Art. VIII, Secs. 2-273-2-281 to read as herein set out. Prior to amendment, Art. VIII, Secs. 2-273-2-275 pertained to civil defense and derived from Ord. No. 1965-4, Secs. 18.12.01 and Ord. No. 1983-1, adopted Jan. 13, 1983.~~



City of Barre, Vermont

“Granite Center of the World”

**ACTION ITEM BRIEFING MEMO
CITY COUNCIL AGENDA ITEM
CITY COUNCIL AGENDA: 06-29-21**

Discussion Item No. _9.D.i_

AGENDA ITEM DESCRIPTION: Discussion of Ordinance Review Process

SUBJECT: Administrative Ordinance

SUBMITTING DEPARTMENT or PERSON: Mayor, with review by City Clerk and Planning Director

STAFF RECCOMENDATION:

Mayor’s Recommendation is to review the items highlighted for Ordinance revision, noting that further review is needed in other sections of the Ordinance.

STRATEGIC OUTCOME/PRIOR ACTION:

Update the Ordinance based on current law and practices of the City of Barre

EXPENDITURE REQUIRED: N/A

FUNDING SOURCE(S): N/A

LEGAL AUTHORITY/REQUIREMENTS:

<https://legislature.vermont.gov/statutes/section/24APPENDIX/001/00105>

<https://legislature.vermont.gov/statutes/section/24APPENDIX/001/00106>

<https://legislature.vermont.gov/statutes/section/24APPENDIX/001/00107>

BACKGROUND/SUPPLEMENTAL INFORMATION:

In Scope of this conversation are as follows:

- All of Articles I, II, III, and IV.
- Article V
 - General
 - Planning, Permitting and Assessing
 - Fire and Ambulance
 - Police
- Article VI
 - General
 - City Attorney

- Superintendent of Fire Alarms (removal)
- Article VII - Citizens' Advisory Committee (removal)

Out of Scope for the current conversation:

- Article V
 - Cemetery and Parks Department is currently in Charter, but we operate the Community and General Services Department. Discussion will be needed on if there should be a Charter revision for review of the subsequent sections (Cemetery and Parks, Recreation, General Services).
 - Review of Statute is needed for the Department of Health, to see if this section is still needed
 - Public Works. This is named as a department, but also as a division. Subsequent sections (Sewage Disposal, Street, Water, Engineering) need further review.
- Article VI,
 - City Physician needs to be reviewed further on if this is needed
 - Appointed Officers process needs to be reviewed further
- Article VIII, Emergency Management Department. Needs to be reviewed along with content of Emergency Management Plan.

LINK(S):

ATTACHMENTS:

Ch. 02 Administration DRAFT 06.24.2021

INTERESTED/AFFECTED PARTIES:

**City Council
City Administration
City Attorney
Residents of the City of Barre**

RECOMMENDED ACTION/MOTION:

Discussion by Council to approve the scope of the items in the attachment as listed above, incorporating any questions brought forward by Councilors at the meeting. Have legal review on these sections and bring back any additional changes/comments to Council as part of the first reading.

Action for the items Out of Scope will be part of a second discussion on the Ordinance at a later time.

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ORDINANCES

Chapter 2 -- ADMINISTRATION

Art. I. In General, Secs. 2-1-2-20

Art. II. City Council, Secs. 2-21--2-36

Art. III. Reserved, Secs. 2-37--2-42

Art. IV. City Manager, Secs. 2-43--2-58

Art. V. Administrative Departments, Secs. 2-59--2-200

Div. 1. Generally, Secs. 2-59--2-67

Div. 2. Permitting, Planning & ~~Inspection-Assessing~~ Services (Ord. No. 2010-04, 11/09/10),

Secs. 2-68--2-75

Div. 3. Cemeteries and Parks, Secs. 2-76—2-81

Div. 4. Fire, Secs. 2-82--2-93

Div. 5. Health, Secs. 2-94--2-102

Div. 6. Police, Secs. 2-103--2-116

Div. 7. Public Works, Secs. 2-117--2-127

Div. 8. Sewage Disposal, Secs. 2-128--2-138

Div. 9. Street, Secs. 2-139--2-148

Div. 10. Water, Secs. 2-149--2-158

Div. 11. Engineering, Secs. 2-159--2-168

Div. 12. Recreation, Secs. 2-169--2-182

Div. 13. General Services, Secs. 2-183--2-200

Art. VI. City Officers, Secs. 2-201--2-258

Div. 1. Generally, Secs. 2-201--2-210

Div. 2. City Attorney, Secs. 2-211--2-220

Div. 3. City Physician, Secs. 2-221--2-230

Div. 4. Superintendent of Fire Alarm System Secs. 2-231--2-240

Div. 5. Appointed Officers, Secs. 2-241—2-258

Art. VII. Citizens' Advisory Committee, Secs. 2-259—2-272

Art. VIII. Emergency Management Department, Secs. 2-273—2-281

ARTICLE I. IN GENERAL

Sec. 2-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

CITY OFFICER means:

- (1) -A person duly qualified who holds an elective office of the city under the charter.
- (2) -A ~~person~~ person duly qualified who holds an office or position by virtue of appointment by the council or a city officer under the charter, the city ordinances or general law, including but not limited to the heads of departments, executive directors of agencies, members of an agency, board or commission of the city; provided, however, that a person

Commented [JS1]:
Commented [JS2R1]: Cleaned up spacing to use tabs for efficiency

Commented [JS3]: Aesthetically, this would look better having the paragraphs indented from the titles, so that the title stand out better, as a suggestion.

Commented [JS4]: Fixed indents

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...serving as a member of a board, commission, committee or other body whose functions are principally advisory shall not be deemed to be a city officer.

NEWS MEDIA means ~~an organization publishing a newspaper or magazine, a radio station or a television station,~~ any organization that delivers print media (newspapers, news magazines), the internet (online newspapers, news blogs, live news streaming, news videos), and broadcast news (radio and television).

Commented [CD5]: Should there be reference to digital or social media?
Commented [JS6]: Was thinking about all the versions of news, and how people can get it.

PUBLIC BODY means an agency, board, committee, commission or other body of the city government, whose members are appointed by the council or a city officer by virtue of provisions of the laws.

THE LAWS means the charter, general laws, provisions of this Code and city ordinances. (Ord. No. 1965-4, Sec. 2.1.01)

Sec. 2-2. Seal of the city adopted.

The seal, ~~impression of which follows,~~ is hereby adopted as the seal of the city: (Ord. No. 1974-3, 6-11-74)

Sec. 2-3. Flag of the city adopted; description.

The flag of the city shall be a green field with the ~~gold-white~~ seal of the city in the center. (Ord. No. 1965-9)

Commented [CD7]: Is it printed in gold (yellow) or is it in white?

Sec. 2-4. Government of city; composition

The government of the city shall consist of the council and the city officers. (Ord. No. 1965-4, Sec.1.1.01)

Sec. 2-5. Emergency interim successors to council and city; offices; appointment.

Emergency interim successors shall be appointed pursuant to provisions of Chapter 7 of Title 20 of VSA or other pertinent general law. (Ord. No. 1965-4, Sec. 1.1.02)

Commented [CD8]: Our charter controls replacement of councilors through ward caucus, not appointment.
Commented [LH9R8]: Provide suggested language
Commented [CD10]: Should this section be reduced to reference to statute so as to always be current?

Sec. 2-6. Public ~~bodies~~Bodies Meetings.

Insofar as the following provisions are not in conflict with other provisions of law pertaining specifically to it, a public body shall observe the following with respect to all its meetings or sessions when there is a quorum of the body meeting, involved in a discussion or taking action, and the subject matter of the discussion is one over which the body has authority or responsibility. Please also see the Barre City Rules of Procedure for Public Bodies:

(1) ~~(4)~~ For City Council, notice of regular meetings shall be posted on the city hall bulletin board and on the city website and at two other locations in the City as designated by Council, at least seven (threeseven (37) days in advance of the meeting, excluding

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holidays, in such form as the council shall prescribe by resolution. The council may also require that notices shall be published in a newspaper.

~~(2)~~ ~~(2)~~ For all other public bodies, notice of regular meetings shall be posted on the city hall bulletin board and on the city website, and at two other locations in the City, and noticed at least forty-eight (48) hours in advance of the meeting.

~~(3)~~ For City Council, notices of special meetings may be called at any time by the Mayor, or by the Clerk on a petition signed by a majority of the Council and filed with the Clerk. Notice shall be posted as required in the preceding subdivision (1), except that the mayor or ~~three (4) alderman-councilors~~ may reduce the time limited for posting to not less than ~~twenty-four (424)~~ hours, in which case the news media located in the city shall be notified at least ~~twenty-four (424)~~ hours before such meeting.

~~(3)~~ ~~(4)~~ For all other public bodies, notice of special meetings shall be posted on the city hall bulletin board and on the city website and at two other locations in the city, and be noticed at least twenty-four (24) hours in advance of the meeting.

~~(5)~~ For City Council emergency meetings, they may be called at any time by the Mayor, or by the Clerk on a petition signed by a majority of the council and filed with the Clerk. Notice shall be posted as required in the preceding subdivision (1), except that the mayor or four (4) councilors may reduce the time limited for posting to not less than four (4) hours, in which case the news media located in the city shall be notified at least four (4) hours before such meeting.

~~(3)~~ ~~(6)~~ All notices shall set forth the agenda for the meeting, or an article or articles setting forth the purpose of the meeting.

~~(4)~~ ~~(7)~~ All meetings shall be held in city hall or by electronic means, unless otherwise specifically authorized to be held in another public place, open to the public, by resolution of the council.

~~(5)~~ ~~(8)~~ All public meetings must comply with the Americans with Disabilities Act (ADA) and Vermont's Public Accommodations Law. Meetings, as well as written materials, must be accessible to all persons with disabilities. This means the ability to enter a public building and meeting room, have use of a rest room, as well as the ability to view written materials readily and easily.

~~(5)~~ ~~(9)~~ Executive session shall be held pursuant to 1 VSA sections 311 through 314 and any amendments thereto.

~~(6)~~ ~~(10)~~ Minutes must be taken at every public meeting, and must give a true indication of the business of the meeting; the minutes need not be taken in executive session; but if they are, they are not subject to a public records request.

~~(6)~~ ~~(11)~~ Within three (3) days after a council meeting the clerk or secretary of the public body (which may or may not be the municipal clerk) shall furnish the municipal clerk a copy of the minutes of the meeting, together with a report on the subject matter considered in executive session, and must be posted to the city's official website. The clerk shall transmit a copy of such minutes and report to the council at its next regular meeting. (Ord. No. 1965-4, Sec. 2.3.01; Ord. No. 1980-6, 6-3-80; Ord. No. 1983-1, 1-13-83)

~~(12)~~ For all other public bodies, minutes must be available for inspection five (5) calendar days after the meeting and posted to the city's official website 1 V.S.A. § 312(b)(2).

Commented [LH11]: Need to reflect actual process, which I believe is in policy, and meets Open Meeting Law compliance

Commented [JS12]: The Rules of Procedure are silent on the minutes. Statute says that Minutes must be available for inspection five calendar days after the meeting. 1 V.S.A. § 312(b)(2). In addition, minutes must be posted no later than five calendar days after the meeting to an official website, if one exists, that is maintained or has been designated as the official website of the public body.

Is the intent here that the Council minutes shall be done and ready within 3 days? Why wouldn't we follow statute as stated above?

Commented [LH13]: Secretary is included here, but we may need to review with Rules of Procedure Policy to ensure that position is providing minutes and subject matter for keeping as public record.

Formatted: Indent: Left: 0.25"

Sec. 2-7. Same-Regulations, bylaws and rules of procedure.

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A public body authorized by law to issue regulations, to adopt bylaws or make rules for conduct of its meetings or affairs, shall upon taking such action furnish copies thereof to the council. It shall likewise furnish copies of any amendments subsequently made.

Commented [LH14]: I believe this applied to groups such as the Planning Commission, Development Review Board and Board of Civil Authority, correct? YES (JES)

Any other public body shall follow the Rules and Procedures Policy for conduct at meetings and may make additional rules for conduct of its meetings or affairs, which shall take effect when approved by the council. Such rules may be amended or repealed with the approval of the council.

Commented [CD15R14]: I would think so, but would city ordinance trump process as laid out in statute for such bodies?

Bylaws, rules and regulations of public bodies shall be published in a appendix to this Code on the city website at each public body's specific webpage, and be made available upon request. (Ord. No. 1965-4, Secs. 2.4.01-2.4.03)

Commented [LH16]: Is this performed currently?

Cross references Rules and regulations of the police department, App. C; rules and regulations of the fire department, App. D.

Commented [JS17]: I have never seen an appendix to this, and suggest removing this paragraph, and perhaps state that all public bodies' rules of procedure and conflict of interest policy if separate be posted to the city website under their designated webpage.

Sec. 2-8. Same--news media, petitions, conduct of meetings.

Commented [LH18]: Where are these documents?

Commented [CD19R18]: Not sure such a document exists.

(a) In the meeting room of a public body, representatives of the news media shall be allotted space and furnished with a table for their use.

(b) Electronic and photographic equipment and devices, such as but not limited to computers, cameras, tape recorders, broadcasting equipment and television equipment shall be permitted when used by representatives of the news media, but only in conformity with rules for the maintenance of good order, dignity and noninterference with proceedings, as may be prescribed by resolution of the council.

(c) Any equipment or device requiring connection with the city's electric service may be made only after securing a permit from the council and paying the estimated cost of electricity to be consumed or one dollar, whichever is the greater.

Commented [CD20]: I think this language should be deleted. But should there be reference to media or public access to wifi?

Commented [JS21]: In relation to a meeting? When have we expected a permit from someone for this? Should this stay or be deleted? When would this pertain?

The right to petition and to communicate with a public body is to be held inviolate and observed by all public bodies. A person present at a meeting may present a petition or communication to a public body, which, when so requested therein, shall be read at the meeting; provided, however, that if the communication or petition exceeds beyond three hundred (300) words, it need not be read, but copies furnished by the person submitting the same, shall be made available to members of the public body. Petitions and communications shall be presented to the presiding officer of the public body. (Ord. No. 1965-4, Sec. 2.5.03)

Commented [LH22]: Should the requirement be based on length of the document in words, or length of time in the delivery?

Commented [JS23]: This section alone is 230 words, absent of the title of the section, so 300 words might be a short letter or petition. I have been in a hearing where an attorney brought a 4-page document that was read in its entirety, so perhaps some limit could be put on the length or the content.

Sec. 2-9. Same--Addresses by outsiders, disturbances, etc.

(a) It shall be unlawful for any person, other than a member of the public body holding the meeting, to address or attempt to address any regular or special meeting of a public body, except upon consent of the presiding officer or a majority of the members present. Any infraction of this subsection may be excused for extenuating circumstances by a majority

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vote of the public body, in which case no prosecution for the offense shall be brought.

(b) A person desiring to address a public body shall, unless invited to do so by the presiding officer, submit an oral or written request to the presiding officer.

Commented [CD24]: This doesn't seem to apply to the visitors & communications section of the council agenda.

(c) It shall be unlawful for a person not a member of the public body holding a meeting, to disturb or interrupt any meeting of a public body. Any person so offending may be summarily ejected from city hall or other public place, including videoconference meeting space, in which the meeting is held, on order of the presiding officer or a majority of the members of the public body present at the meeting. (Ord. No. 1965-4, Sec. 2.5.10)

Commented [JS25]: Given that we've had disturbances now via Zoom at the Council meetings, should verbiage be added regarding ejecting someone electronically as well?

Sec. 2-10. Same--Annual report.

The council may, by resolution, require a public body or public bodies to submit a report for inclusion in the annual municipal report. Such report shall be in the form and length prescribed by the council. (Ord. No. 1965-4, Sec. 2.7.01)

Commented [LH26]: Does this need to state resolution, or can it be by vote of the Council?

Sec. 2-11. Same--Duty to perform prescribed functions and duties and exercise prescribed powers.

Commented [CD27R26]: I don't think a resolution is necessary.

Public bodies of the city shall perform the functions and duties and have the powers prescribed for them by the laws or actions/resolutions of the council. (Ord. No. 1965-4, Sec. 18.1.01)

Commented [LH28]: Similar to above, Council has created bodies via Majority vote, not resolution. Suggestions?

Commented [CD29R28]: Perhaps change "resolutions" to "actions" of the council. Then something approved at a council meeting would serve as the prescribing action.

Secs. 2-12--2-20. Reserved.

ARTICLE II. CITY COUNCIL*

Commented [JS30]: What does this asterisk reference? The Editor's note? If so, then the asterisk should be added at this Article's Editor Note. If not, then what does it reference?

Commented [LH31R30]: Remove asterisk

Sec. 2-21. Meetings.

(a) Regular meetings of the council shall be held in the council chamber in city hall at 7:00 p.m. on the days set for regular meetings by the charter, unless otherwise authorized by law.

Commented [CD32]: The council changes dates and times frequently on their own action, not in accordance with any specific law. Perhaps reference the charter language that allows the council to establish meeting dates/times. Sec. 302 et seq.

(b) When the day set for a regular meeting falls on a holiday or an election day, a special meeting of the council shall be held on the day preceding such holiday or election day, at the same place and hour as is provided for a regular meeting. (Ord. No. 1965-4, Sec. 6.2.01)

Charter reference--Council to meet every Tues., Acts of 1955, No.304, Sec. 27.

Commented [CD33]: Need to update reference. It was last updated in 2006.

Sec. 2-22. Rules governing meetings.

All meetings of the city council, all annual or special meetings of the city, all school district meetings shall be conducted in accordance with most recent copy of the Robert's Rules of Order. (Ord. No. 1983-1, 1-13-83)

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Sec. 2-23. Agenda.

The manager shall be responsible for preparation of the agenda for all meetings of the council, subject to its direction. (Ord. No. 1965-4, Sec. 6.4.03)

Sec. 2-24. Order of business.

The order of business of the council shall be:

- (a) Action on minutes of preceding meeting or meetings, if special meetings have been held between regular meetings;
- (b) Readings of warrants and action thereon;
- (c) Reports of officers;
- (~~e~~) Petitions and communications;
- (~~d~~) ~~Reports of officers and public bodies;~~
- (e) Old business on agenda;
- (f) New business on agenda, including reports of public bodies;
- (g) Requests or comments of members of the council.

Commented [CD34]: These should be re-ordered to meet current practice.

Sec. 2-25. Reserved.

~~Editor's note Section 2-25, relative to Robert's Rules of Order, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section formerly derived from Ord. No. 1965-4, Sec. 6.3.02.~~

Sec. 2-26. Minutes of meetings; distribution; approval.

Minutes of the preceding regular meeting and all intervening special meetings shall be furnished to members of the council before each regular meeting. A motion is required to approve the minutes, with any If no corrections or amendments, following Robert's Rules of Order, are offered, the presiding officer shall declare the minutes approved as printed or typed. (Ord. No. 1965-4, Sec. 6.4.02)

Commented [LH35]: Currently motion is made to approve

Commented [CD36R35]: I suggest reviewing Robert's Rules on approval of minutes. I believe action is necessary.

Sec. 2-27. Resolutions; minutes; agenda.

All resolutions shall be presented to the council in writing. When adopted they shall be numbered by the clerk in the same manner as prescribed for in ordinances; for example, Resolution No. 1965-1.

All resolutions shall be recorded by the clerk in a book kept for the purpose, which shall be entitled: "Resolutions of the City Council of the City of Barre, Vermont." (Ord. No. 1965-4, Sec. 6.4.01)

Secs. 2-28--2-36. Reserved.

ARTICLE III. RESERVED*

Commented [JS37]: Asterisk has been used once already – should there be a different symbol so there is no confusion as to what is being referenced?

Commented [LH38R37]: Remove asterisk and editor's note.

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Secs. 2-37--2-42. Reserved.

~~*Editor's note— Art. III, Sec. 2-37, relative to the mayor, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said former provisions derived from Ord. No. 1965-4, Sec. 8.1.01.~~

ARTICLE IV. CITY MANAGER

Sec. 2-43. Reserved.

~~Editor's note Section 2-43, general provisions relative to the city manager, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section formerly derived from Ord. No. 1965-4, Sec. 10.1.01.~~

Sec. 2-44. Disability; appointment of acting manager.

(a) The manager shall be deemed disabled within the meaning of the charter when ~~he the manager~~ is not physically or mentally able to attend to ~~his-their~~ duties. In such case ~~he the manager or the Council, mentally unable to,~~ shall appoint an acting manager, and upon ~~his-the~~ failing to do so the council shall make such appointment.

(b) Appointment of an acting manager by the manager shall be in writing. The original shall immediately be filed with the clerk and copies sent to all members of the council by the clerk. ~~Provided, however, if the appointment is for one day or less or over a weekend, the clerk need not notify the members of the council. (Ord. No. 1965-4, Sec. 10.1.02)~~

Secs. 2-45--2-58. Reserved.

ARTICLE V. ADMINISTRATIVE DEPARTMENTS

DIVISION 1. GENERALLY

Sec. 2-59. Created.

The following administrative departments are hereby created, through the instrumentality of which the council and the manager shall exercise such functions as by the laws are assigned to each department respectively:

- (a) Department of ~~permitting, planning and inspection services~~ ~~permitting, planning and inspection services~~; (Ord. No. 2010-04, 11/09/10)
- (b) ~~Cemetery and parks department~~; ~~Community and General Services, including the Cemetery and Parks Department~~;
- (c) Fire ~~d~~Department;
- (d) Department of health;
- (e) Police ~~d~~Department;

Commented [JS39]: I am assuming we are fixing all the pronouns now...

Commented [CD40R39]: Should any reference to disability be removed and have it just say the manager will appoint an acting manager when the manager is away or cannot perform his duties? Should there also be a section where the council can make that determination and appoint an acting manager as necessary? Say there's been an accident or the manager's been arrested or experienced mental instability.

Commented [LH41]: Should there be anything to address mentality?

Commented [CD42]: We don't follow this process. Is it necessary?

Commented [CD43]: Should this be re-named? Inspection services are through the fire department.

Commented [LH44]: Combine with Community and General Services?

Commented [LH45R44]: Carol's comment below notes that Cemetery and Parks included per Charter

Commented [LH46]: Remove?

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- (f) Public ~~w~~Works ~~d~~Department;
- (g) Finance Department;
- (h) General services department. (Ord. No. 1965-4, Sec. 12.1.01; Ord. No. 1983-1, 1-13-83)

Commented [CD47]: Add Finance Department?

~~Editor's note Pursuant to Ord. No. 1983-1, all references to the department of housing or the department of welfare will be deleted from the Code as pages are pulled for supplementation.~~

Sec. 2-60. Director to head each department.

Each department shall be headed by a city officer to be known as a director, unless otherwise provided. ~~He-They~~The Director shall be the chief administrative officer of the department and shall be responsible for its conduct. (Ord. No. 1965-4, Sec. 12.1.02)

Commented [JS48]: Fixing pronouns

Sec. 2-61. Reporting requirements.

The head of each department shall submit ~~monthly-weekly~~ reports to the council ~~via the Council packet~~, which shall cover the activities of the department and other matters deemed pertinent. (Ord. No. 1965-4, Sec. 12.2.04)

Sec. 2-62. Additional functions and duties.

The functions and duties of a department provided for in this chapter shall not limit the department, which may be assigned additional functions and duties by ordinance or by resolution of the ~~city manager and/or~~ council. (Ord. No. 1965-4, Sec. 12.1.03)

Commented [LH49]: Per Charter, functions of another Department created in charter cannot be "reassigned"

Secs. 2-63--2-67. Reserved.

DIVISION 2. ~~PERMITTING, PLANNING & INSPECTION~~ PLANNING, PERMITTING & ASSESSING SERVICES (Ord. Rev. 11/09/10)

Commented [CD50]: Change from Inspections to Assessing? Throughout this section.

Sec. 2-68. Powers and duties.

The department of ~~permitting, planning & inspection~~ ~~planning, permitting & assessing~~ services is responsible for planning for the City, ~~and~~ for administering and enforcing the land-use regulations and related ordinances in effect, ~~issuing zoning, building, electrical and flood hazard permits for the city, and providing assessing services including maintaining the grand list, and effectively evaluating city properties.~~ The department shall ~~coordinate the inspection services and allied services of the city, and shall~~ provide proper and effective administration of the ~~building, electrical, fire prevention, zoning flood hazard and other~~ laws of the city. (Ord. No. 1965-4, Sec. 12.3.01)(Ord. No. 2010-04, 11/09/10)

Sec. 2-69. Building inspector designated as director.

The building inspector shall ex-officio be director of the department. (Ord. No. 1965-4, Sec. 12.3.03)

Commented [LH51]: Per charter discussion, it looks like this position will be kept. The discussion with the Manager did not look like this position would be the same as the Director. Thoughts?

Commented [JS52]: I advocate that the building inspector be the Chief of Code Enforcement, and I believe that would be the Fire Chief. With inspection services under the Fire Department, this should be changed.

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Charter reference-Appointment of building inspector, Sec. 66.

Sec. 2-70. Officers designated.

The following officers shall be within the department and shall be under the general supervision of its director:

- (a) ~~Assessor; Building inspector;~~
- (b) ~~Electrical inspector;~~
- (c) ~~Fire prevention inspectors;~~
- (d) Zoning administrator;
- (e) Flood hazard area administrator.
- (f) ~~Vacant building administrator.~~ (Ord. No. 1965-4, Sec. 12.3.02; Ord. No. 1983-1, 1-13-83)(Ord. No. 2010-04, 11/09/10)

Commented [LH53]: I do not believe that all of these positions are in Permitting, Planning, and Inspection. Are there those that need to be appointed, that we currently do not have in place?

Commented [JS54]: As the Fire Department, in charge of Code Enforcement, administers inspections, I have deleted and added what I think needs to be here.

Secs. 2-71--2-75. Reserved.

DIVISION 3. CEMETERIES AND PARKS

Sec. 2-76. Composition; director.

The cemetery and parks department shall include a board of cemetery and parks commissioners and director of cemeteries and parks, who shall be head of the department. (Ord. No. 1965-4, Sec. 12.4.01; Ord. No. 1983-1, 1-13-83)

Commented [CD55]: There are no "commissioners" anymore. That was a term specific to when the cemetery was a stand-alone department. They are now a committee.

Commented [LH56R55]: Review again later after discussion on if Charter revisions are warranted.

Sec. 2-77. Powers and duties.

The cemetery and parks department shall have charge of the cemeteries and parks of the city, and shall have all the powers and perform all the duties prescribed by the laws for operation of cemeteries and parks. (Ord. No. 1965-4, Sec. 12.3.02; Ord. No. 1983-1, 1-13-83)

Commented [LH57]: Include with Community and General Services?

Commented [CD58R57]: Charter sec. 502 says there will be a Department of Cemeteries and Parks.

Secs. 2-78--2-81. Reserved.

DIVISION 4. FIRE AND AMBULANCE

Sec. 2-82. Established; powers and duties; cooperation with other cities.

The fire and ambulance department is hereby established for the purpose of providing adequate fire-fighting protection, the prevention of fires and the provision of ambulance service/emergency medical services. It shall also perform such functions as are usually delegated to fire departments. Such duties shall include in sum or in part: health inspections, rental housing inspections, vacant building inspections, and code enforcement in support of city ordinances. It shall be the duty of the department to attend to all fires and emergencies to which it is called in the city, and to fulfill mutual aid agreements with other municipalities for the provision of emergency services.~~The fire department is hereby established for the purpose of providing adequate fire fighting protection and the prevention of fires. It shall also perform such functions as are usually delegated to fire departments. It shall be the duty of the department to attend to all~~

Commented [JS59]: Should consider adding Code Enforcement here, but I defer to the Fire Chief for this.

Commented [LH60]: EMT and other services?

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~~fires to which it is called in the city, and to fulfill the city's contracts with other municipalities for fire fighting services. (Ord. No. 1965-4, Sec. 12.6.01)~~

Sec. 2-83. Fire chief designated director of department; acting director.

The fire chief shall be director of the department. In ~~his~~the absence or in case of ~~his~~the ~~physical or mental~~ disability, the highest ranking officer of the regular division on duty shall be the acting director of the department, until the city manager designates an acting director. (Ord. No. 1965-4, Sec. 12.6.03; Ord. No. 1983-7, 10-26-83)

Sec. 2-84. Reserved.

Editor's note--Ord. No. 1984-1, adopted Feb. 21, 1984, repealed Sec. 2-84. Said section, formerly relative to divisions of the fire department, derived from Ord. No. 1965-4, Sec. 12.6.02; Ord. No. 1976-2, adopted May 4, 1976; Ord. No. 1979-1, adopted Oct. 16, 1979, and Ord. No. 1983-1, adopted Jan. 13, 1983.

Sec. 2-85. Appointment and procedures.

Before appointment, an applicant for a position in the fire department shall successfully pass such written and oral examinations as the city manager shall cause to be prepared.

~~He~~The applicant shall be given a physical examination by a duly licensed physician designated by the city.

Applicants successfully passing such tests and examinations shall be interviewed by the fire chief and the city manager. The city manager shall make the appointment. (Ord. No. 1965-4, Sec. 12.6.04; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-7, 10-26-83)

Sec. 2-86. Suspension; removal; probation.

(a) An officer or member of the fire department may be suspended or removed in the same manner as is prescribed for police officers. (See 24 V.S.A.1932.) However, upon appointment a fireman shall serve a probationary period of one year, during which time ~~he~~the fireman may be removed by the city manager without hearing.

Commented [LH61]: Does this match current contract language?

(b) A member of the fire department who is appointed to an office in the department, of the rank of captain or higher, shall serve a probationary period of one year, during which time ~~he~~the fireman may be removed from the office by the city manager. (Ord. No. 1965-4, Sec. 12.6.05; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-7, 10-26-83)

Commented [LH62]: Does this match current contract language?

Sec. 2-87. Annual physical examination required.

After appointment, all firefighters shall be given a physical examination at least once a year by a duly licensed physician designated by the city. If certified unfit for duty due to a permanent disability, the member shall be given an opportunity of re-examination. (Ord. No. 1965-4, Sec.

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12.6.06; Ord. No. 1983-1, 1-13-83)

Sec. 2-88. Regulations governing conduct; publication requirement.

The members of the fire department shall be governed by regulations of the department presently in force. Such regulations may be amended by the council. They shall be published in an appendix to this Code. (Ord. No. 1965-4, Sec. 12.6.07)

Secs. 2-89--2-93. Reserved.

Commented [LH63]: Remove per Chief Brent

DIVISION 5. HEALTH

Sec. 2-94. Created; powers and duties.

The health department is hereby created. It shall coordinate the functions of the health officials of the city and provide an administrative office and a repository of records for these officials. (Ord. No. 1965-4, Sec. 12.8.01; Ord. No. 1983-1, 1-13-83)

Commented [CD64]: This section should be cross-referenced with statute to see what we're actually required to have. May be able to do away with it.

Commented [LH65R64]: Will check for First reading and report back to Council.

Sec. 2-95. Reserved.

Editor's note--Pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983, Sec. 2-95, relative to the supervisor of welfare, has been deleted. Said provisions derived from Ord. No. 1965-4, Sec. 12.8.03.

Sec. 2-96. Division--Designated.

The health department shall consist of two (2) divisions:

- (a) The health division in which shall be the health officer and the board of health;
- (b) The city physician's division in which there shall be the city physician. Ord. No. 1965-4, Sec. 12.8.02; Ord. No. 1983-1, 1-13-83)

Commented [LH66]: Remove?

Sec. 2-97. Same--Powers and duties.

The divisions of the health department shall exercise the functions and perform the duties and have the powers assigned by the laws to the officers in the respective divisions. (Ord. No. 1965-4, Sec. 12.8.05)

Secs. 2-98--2-102. Reserved.

DIVISION 6. POLICE*

Sec. 2-103. Established; purpose; powers and duties.

The police department is hereby established for the purpose of providing for enforcement of the laws, apprehension of criminal offenders, guarding the public safety, preventing crime,

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controlling vehicular traffic, and generally to carry out the functions and perform duties assigned to the police. (Ord. No. 1965-4, Sec. 12.10.01)

Sec. 2-104. Chief of police designated as director; acting director.

The Chief of police shall be director of the police department. In ~~his~~ the Chief's absence or in case of ~~his~~ the physical or mental disability, the highest ranking officer of the regular division on duty shall be the acting director of the department, unless the city manager designates an acting chief (Ord. No. 1965-4, Sec. 12.10.03; Ord. No. 1983-7, 10-26-83)

Sec. 2-105. Reserved.

~~Editor's note~~ Ord. No. 1984-1, adopted Feb. 21, 1984, repealed Sec. 2-105. Said former section, relative to divisions of the police department, derived Ord. No. 1965-4, Sec. 12.10.02; Ord. No. 1976-1, adopted May 4, 1976; Ord. No. 1977-2, adopted Aug. 23, 1977; Ord. No. 1978-2, adopted May 9, 1978; Ord. No. 1980-7, adopted July 15, 1980; Ord. No. 1983-1, adopted Jan. 13, 1983; and Ord. No. 1983-6, adopted June 21, 1983.

Sec. 2-106. Appointment procedures; annual examinations; required removal.

Members of the police department shall be appointed by the city manager following the same procedure as is prescribed for firemen. They shall be subject to the same annual examinations, and to the same effect with respect to removal, as is provided in this chapter. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Sec. 2-107. Probations.

No person shall be deemed to be a regular police officer or member of the regular division, until ~~he~~ that person has satisfactorily served a probationary period of six (6) months on duty with the regular division. An appointee, during the probationary period may be discharged without cause or hearing by the city manager. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Commented [LH67]: Does this match the current contract language?

Sec. 2-108. Eligibility for employment and promotion.

No person shall be eligible for appointment as a police officer or promotion in rank in the police department, unless ~~he~~ the person is a graduate of a high school or equivalent secondary school, or has been granted a high school equivalence certificate by the state board of education. Certified proof of such graduation or grant of an equivalence certificate shall be presented to the city manager before action is taken on appointment or promotion. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Sec. 2-109. Removal; suspension.

Members of the police department who are regular police officers in the regular division may be removed or suspended by the city manager, as provided by general law. (See 24 V.S.A.1932)

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Members of all other divisions may be removed or suspended by the city manager without hearing. (Ord. No. 1965-4, Sec. 12.10.05; Ord. No. 1983-7, 10-26-83)

Sec. 2-110. Promotions.

(a) When a vacancy occurs in the regular division in the rank of sergeant or higher, no one shall be eligible to fill the vacancy, by promotion or otherwise, unless ~~he~~ the officer has been an official of a regular active police force for at least three (3) years immediately prior to the opening of a vacancy.

(b) Promotions in rank shall be made on basis of examination and other factors, in the same manner as members of the state police are promoted. Examinations and grading shall be conducted by an agency or organization not connected with the government of the city.

(c) A person appointed to the grade of sergeant or higher shall serve a probationary period of six (6) months during which time he may be demoted, reduced in rank or reduced to the grade of patrolman, by the city manager, without hearing.

(d) The provisions of this section notwithstanding, the city manager may appoint any member of the regular division to a temporary grade, but only for a period of not more than three (3) months, during which the vacancy shall be filled in accordance with other provisions of this section.

(e) The city council shall establish by resolution the appointment procedures for the office of chief of police separately ~~from the regulations set forth for promotions to the grade of sergeant or higher.~~ (Ord. No. 1965-4, Sec. 12.10.06; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-6, 6-21-83; Ord. No. 1983-7, 10-26-83)

Commented [LH68]: Should this be by Resolution, or majority vote or "action" of Council?

Sec. 2-111. Regulations governing conduct; publication requirement.

The members of the police department shall be governed by regulations of the department presently in force. Such regulations may be amended by the council. They shall be published in an appendix to this Code. (Ord. No. 1965-4, Sec. 12.10.07)

Secs. 2-112--2-116. Reserved.

Commented [LH69]: Remove these entire sections per Chief Bombardier "The rest of this is either governed by statute or the CBA and does not pertain"

DIVISION 7. PUBLIC WORKS

Commented [LH70]: DPW section to be reviewed at a later time.

Sec. 2-117. Created; purpose.

The Public works department is hereby created, for the purpose of integrating and coordinating the functions of the sub-departments within it, and to provide general administrative supervision. (Ord. No. 1965-4, Sec. 12.12.01)

Sec. 2-118. Director of public works designated as director; powers and duties.

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There is hereby created the office of director of public works, who may be the head of one or more sub-departments. He shall be head of the public works department and shall have supervisory powers over the sub-departments and coordinate their activities. (Ord. No. 1965-4, Sec. 12.12.03)

Sec. 2-119. Sub-departments designated.

There shall be within the public works department, the following sub-departments:

- (a) Sewage disposal department;
- (b) Street department;
- (c) Water department
- (d) Engineering department. (Ord. No. 1965-4, Sec. 12.12.02)

Secs. 2-120--2-127. Reserved.**DIVISION 8. SEWAGE DISPOSAL****Sec. 2-128. Created; powers and duties.**

The sewage disposal department is hereby created. It shall control, operate, and maintain the sanitary sewerage systems of the city, and the sewage disposal plant. (Ord. No. 1965-4, Sec. 12.12.10)

Sec. 2-129. Superintendent of sewage system; office created; designated as director; responsibilities.

There is hereby created the office of superintendent of the sewage system, who shall be the director of the sewage disposal department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.11)

Secs. 2-130--2-138. Reserved.**DIVISION 9. STREET****Sec. 2-139. Created; powers and duties.**

There is hereby created the street department, whose function shall be to construct, repair, maintain and clear the public streets, including sidewalks and bridges, and control, operate and maintain the surface sewers and drains of the city. It shall also have charge of collection and disposal of wastes and the municipal disposal areas. (Ord. No. 1965-4, Sec. 12.12.15)

Sec. 2-140. Superintendent of streets designated as director; responsibilities.

The superintendent of streets shall be the director of the street department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.16)

Commented [LH71]: Who is this position?

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Secs. 2-141--2-148. Reserved.

DIVISION 10. WATER

Sec. 2-149. Created; powers and duties.

There is hereby created the water department, whose function shall be to operate, repair, maintain and supervise the water system of the city and the waterworks of the city. It shall also have charge of the municipal forests outside the city and reservoirs and other sources of water owned by the city. (Ord. No. 1965-4, Sec. 12.12.20)

Sec. 2-150. Superintendent of waterworks designated as director; responsibilities.

The superintendent of waterworks shall be director of the water department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.21)

Commented [LH72]: Assuming Superintendent of Water and Sewer is the same person.

Secs. 2-151--2-158. Reserved.

DIVISION 11. ENGINEERING

Sec. 2-159. Created; powers and duties.

There is hereby created the engineering department, whose function shall be to make surveys requested by the council or a city officer, keep accurate maps, plats and records of all public works, land or property of the city, and advise the council, city officers and public bodies on all engineering matters. (Ord. No. 1965-4, Sec. 12.12.25)

Sec. 2-160. City engineer designated as director; responsibilities.

The city engineer shall be director of the engineering department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.26)

Commented [LH73]: Same as DPW Director

Secs. 2-161--2-168. Reserved.

DIVISION 12. RECREATION

Sec. 2-169. Created; powers and duties.

The recreation department is hereby created for the purpose of coordinating the functions and duties of the divisions within the department, and to provide a common administrative office for the divisions. (Ord. No. 1965-4, Sec. 12.14.01)

Commented [CD74]: There isn't a stand-alone recreation department anymore. It's part of Buildings and Community Services.

Sec. 2-170. Director of recreation--Office created; designated as director; powers and duties.

There is hereby created the office of director of recreation. He shall be the director of the

Commented [LH75R74]: Need to review with Charter change with Cemetery and Parks to see about name change and what needs to be kept.

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department and shall have general supervision over its divisions. (Ord. No. 1965-4, Sec. 12.14.03)

Commented [LH76]: I believe this is currently an Assistant Director

Sec. 2-171. Same--Designated as director of recreation division; responsibilities; recreation board.

Within the recreation division shall be the recreation board and the director of recreation, who shall be head of the division and shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.14.10)

Sec. 2-172. Division designated.

The recreation department shall consist of three (3) divisions:

- (a) Recreation division;
- (b) Parks division;
- (c) Auditorium division. (Ord. No. 1965-4, Sec. 12.14.02)

Sec. 2-173. Recreation division; responsibilities.

The recreation division shall have charge of all recreational programs of the city, and shall have charge of all recreational facilities of the city, except the municipal auditorium and the parks. (Ord. No. 1965-4, Sec. 12.14.11)

Commented [JS77]: Division or department?

Commented [LH78R77]: Review with changes to Community and General Services

Sec. 2-174. Parks divisions--Composition; supervisor of parks designated as director; board of park commissioners; tree warden.

Within the parks division shall be the board of park commissioners, the supervisor of parks, and the tree warden. The supervisor of parks shall be head of the division and shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.14.15)

Commented [JS79]: Same – divisions, departments, it all gets confusing. If there are divisions within departments, then each should be better defined.

Commented [LH80R79]: Review with changes to Community and General Services

Sec. 2-175. Same--Powers and duties.

The parks division shall have charge of the parks of the city and shall carry out the functions and duties of the board of park commissioners as provided in the charter. In addition it shall assist the tree warden in performance of his statutory duties and functions. (Ord. No. 1965-4, Sec. 12.14.16)

Sec. 2-176. Auditorium division--Powers and duties.

The auditorium division shall have charge of the operation and maintenance of the municipal auditorium and its grounds, and other buildings on said grounds. (Ord. No. 1965-4, Sec. 12.14.20)

Commented [LH81]: Civic Center Complex?

Sec. 2-177. Same--Supervisor of municipal auditorium designated as head.

There is hereby created the office of supervisor of the municipal auditorium, who shall be head of the auditorium division. He shall be responsible for the management and conduct of the

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division. (Ord. No. 1965-4, Sec. 12.14.21)

Sec. 2-178--2-182. Reserved.

DIVISION 13. GENERAL SERVICES

Sec. 2-183. Created; staff to constitute.

The general services department shall be the staff department of the city and shall oversee the administration of all departments, offices and public bodies of the city. (Ord. No. 1965-4, Sec. 12.16.01)

Sec. 2-184. Manager designated as director.

The manager shall be director of the general services department. (Ord. No. 1965-4, Sec. 12.16.02)

Sec. 2-185. Powers and duties.

Without limiting the generality of the function and duties of the department provided for in this division, the general services department shall:

- (a) Have charge and supervision of all city property not assigned to or under control of any other department, office, or public body;
- (b) Have supervision over all radio equipment owned or operated by the city;
- (c) Assign office space and meeting rooms to city officers and public bodies, other than the council, and elected officers, who shall be assigned space or rooms by the council;
- (d) Purchase all insurance carried by the city; and attend to all matters connected therewith;
- (e) Supervise the performance of the contract for lighting the city;
- (f) Inspect all premises owned by the city, wherever located, at least once annually, and report its findings to the council;
- (g) Collect all moneys due the city, for the collection of which no other department, city officer or public body is responsible;
- (h) Coordinate the operation of all other departments, offices and public bodies in order to avoid duplication of operations and to avoid waste, and may for this purpose form committees composed of members of departments, offices and public bodies, as it deems advisable;
- (i) Maintain a store or stores of supplies commonly used by departments, officers and public bodies;
- (j) Be responsible for all purchases made for the city or any department, officer, or public body, unless otherwise specifically provided by the laws;
- (k) In order to properly maintain city records, provide a repository for records of officers and public bodies, which otherwise would not have a place to deposit records in a building owned by the city;
- (l) Provide secretarial or clerical assistance to officers and public bodies, which do not have such employees assigned to carry on these duties and functions.
- (m) Have charge of all municipal parking lots;

Commented [LH82]: Are these duties all performed by the Community and General Services Department?

Commented [CD83R82]: Many of these duties seem to fall in the realm of the Buildings and Community Services Department. Especially those dealing with facilities.

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- (n) Supervise and attend to matters connected with the workable program for community improvement.
- (o) Oversee the city's pension plan and all matters connected therewith. (Ord. No. 1965-4, Sec. 12.16.03)

Sec. 2-186. Duty to purchase for city.

It is hereby declared to be the policy of the city that unless otherwise specifically provided by the laws with respect to a public body, all purchases and contracts for services made for the city shall be made by the general services department. Unless other provisions are made by the laws with respect to it, when any department, office or public body is in need of materials, supplies or services it shall requisition therefore upon the director of the general services department, on a form or forms provided by the general services department. (Ord. No. 1965-4, Sec. 12.16.10)

Sec. 2-187. Same--Procedure.

Subject to provisions of the charter with respect to purchases requiring approval of the council, the director of the general services department shall purchase materials and supplies and contract for services either by advertising for bids or by letter of inquiry. The contract for purchases or for services shall be awarded to the person whose bid or quotation is in the best interests of the city. When authorized by the council, the director may purchase or contract without advertising for bids or sending letters of inquiry, if the proposed purchases or contract for services have already been priced by either of these methods or the best interests of the city will be best served by not using these methods. (Ord. No. 1965-4, Sec. 12.16.11)

Sec. 2-188. Purchases by others--Alternate procedure.

If any department, city officer, or public body believes that it is not, by law, required to make all or any part of its purchases or contracts for services through the general services department, as provided in sections 2-186 and 2-187, it shall notify the director of the general services department, who shall consult with the city attorney, who shall render his opinion in writing to the council, and to the director of the general services department. (Ord. No. 1965-4, Sec.12.16.12)

Sec. 2-189. Contracts by others void.

Any contract made by a department (other than the general services department), city officer, or public body, for purchases or services, on behalf of the city shall be null and void, unless such department, city officer, or public body is specifically authorized to make such contract by provisions of the laws. (Ord. No. 1965-4, Sec. 12.16.13)

Secs. 2-190--2-200. Reserved.

ARTICLE VI. CITY OFFICERS

DIVISION 1. GENERALLY

Commented [LH84]: Is this performed through the Manager's Office?

Commented [CD85R84]: Perhaps these sections should be replaced with reference to the procurement policy.

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Secs. 2-201--2-210. Reserved.

DIVISION 2. CITY ATTORNEY

Sec. 2-211. Additional powers and duties.

- (a) In addition to the functions, powers and duties prescribed in the laws, the city attorney shall:
 - (1) Be a ~~sole~~ legal advisor of the city, and shall render advice on all legal questions affecting the city whenever requested by the council, a city officer or a public body of the city;
 - (2) Examine all written instruments and contracts to which the city may be a party, and report any objections thereto to the council;
 - (3) Appear before the general assembly or any committee thereof, and in behalf of the city represent and defend or advocate the interest and welfare of the city, on request of the council or the representatives to the general assembly elected in the city.
- (b) Upon being served with any process by a court, state agency or federal agency, involving the city, the clerk or any other officer of the city so served or notified, shall immediately notify the city attorney in writing, and report the service of such process or notice to the council at its next regular meeting. (Ord. No. 1965-4, Sec. 22.3.01)

Commented [CD86]: Not our sole legal advisor. We use others for union negotiations, and have used others for specific projects, etc.

Commented [LH87]: Do we have Attorney review on all contracts?

Secs. 2-212--2-220. Reserved.

DIVISION 3. CITY PHYSICIAN

Secs. 2-221. Additional powers and duties.

- In addition to the functions, powers and duties prescribed in the laws, the city physician shall:
- (a) Render his professional services to any member of the fire, police, street, sewage or water departments, who may be injured during the performance of their duties, when notified by the head of the department;
 - (b) Render medical aid at the police station in case of emergency, whenever requested by a member of the police department;
 - (c) Assist the city attorney, whenever the services of a qualified physician are required in connection with any matter involving the city or its officers or public bodies. (Ord. No. 1965-4, Sec. 22.3.01; Ord. No. 1983-1, 1-13-83)

Commented [LH88]: Remove?

Sec. 2-222--2-230. Reserved.

DIVISION 4. SUPERINTENDENT OF FIRE ALARM SYSTEM

Sec. 2-231. Duties.

The superintendent of the fire alarm system shall have charge and the care of the city's fire alarm system. He shall keep a record in the central fire station of his inspections and tests, on forms prescribed by the fire chief, and approved by the council. (Ord. No. 1965-4, Sec. 22.3.15)

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Secs. 2-232--2-240. Reserved.

Commented [LH89]: ?

Commented [LH90]: Per Chief Brent, remove in full

DIVISION 5. APPOINTED OFFICERS

Sec. 2-241. Notice requirements; oath; qualification; commission.

Commented [LH91]: This process should be reviewed.

(a) Before a city officer is appointed, the appointing officer shall, in person, notify the council in executive session, naming the proposed appointee.

(b) Forthwith after making an appointment, the appointing officer shall notify the clerk of the appointment.

(c) The clerk shall give written notice of the appointment to the appointee, attaching thereto a copy of this article if one has not been furnished previously to the appointee.

Commented [CD92]: This has never been done. What's the point? If necessary, perhaps the appointing officer should do this.

(d) After taking the oath or affirmation prescribed by law, and leaving a signed copy thereof with the clerk, on a form furnished by the clerk, the appointee shall be qualified to enter upon his office.

Commented [CD93]: Are we saying all such appointees are to take some sort of oath?

(e) If an appointee does not qualify within ten (10) days, excluding holidays, after notice is given him by the clerk, his appointment may be rescinded by the appointing officer or by the council if the appointment is made by the council.

Commented [CD94]: How is the clerk deeming someone "qualified"?

(f) Upon qualifying, the city officer shall receive a commission signed by the appointing officer, or by the mayor if the appointment is made by the council. (Ord. No. 1965-4, Sec. 2.2.02)

Sec. 2-242. Term; continuation until successor appointed.

Unless otherwise provided, a city officer shall hold office for a term of one year from the first day of July~~April~~. All city officers shall hold office until their successors are appointed and have qualified. (Ord. No. 1965-4, Sec. 2.2.03)

Sec. 2-243. Compensation.

The compensation of city officers shall be fixed as prescribed by the laws. Before fixing or altering such compensation the city officer authorized to do so shall notify the council, in person, in executive session. (Ord. No. 1965-4, Sec. 2.2.04)

Sec. 2-244. Bonding requirements.

Each of the city officers required to give bond under provisions of the laws, shall give a bond with surety at the expense of the city, in such sum as the council shall prescribe by resolution. Other city officers shall, at the discretion of the council, be covered by a ~~blanked-blanket~~ bond, so-called, in such sum as the council shall determine by resolution. (Ord. No. 1965-4, Sec. 2.2.05)

Commented [CD95]: I'm not aware of any such resolution. Perhaps a question for PACIF - do they need a resolution from the council to issue the blanket bond?

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Sec. 2-245. Conflicts of interest.

City officers shall refrain from acting in matters involving the city, which will involve them in a conflict of interest. With the consent of the council an officer who has disqualified himself from acting for the city may, in special cases, such as tax appeals, act adversely to the city. (Ord. No. 1965-4, Sec. 2.2.06)

Commented [LH96]: Refer to Conflict of Interest Policy?

Sec. 2-246. Reserved.

Editor's note--Section 2-246, "Other employment, gifts, etc., prohibited for certain officers," has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section derived from Ord. No. 1965-4, Sec. 2.2.07.

Secs. 2-248--258. Reserved.

ARTICLE VII. CITIZENS' ADVISORY COMMITTEE

Sec. 2-259--263 Reserved.

Editor's note--pursuant to Ord. 1990-6, adopted April 30, 1990, relating to creation of, purpose of, and procedure of a Citizen's Advisory Committee, has been deleted. Said section derived from Ord. No. 1965-4, Sec. 18.7.05.

Sec. 2-264--2-272. Reserved.

ARTICLE VIII. EMERGENCY MANAGEMENT DEPARTMENT*

Sec. 2-273. Short title.

This article shall be known and may be cited and referred to as the "Emergency Management Ordinance of the City of Barre". (Ord. 1985-7, 12-30-85)

Sec. 2-274. Intent and purpose.

(a) It is the intent and purpose of this article to establish a department that will insure the complete and efficient utilization of all of the facilities of the City of Barre to combat disasters resulting from natural, technological and attack related hazards as defined herein.

(b) The City of Barre Emergency Management Department will be the coordinating agency for all activity relating to emergency management and will be the instrument through which the mayor, city council and city manager may exercise the authority and discharge the responsibilities vested in Title 20, Section 6, VSA, as amended; and this article.

(c) This article will not relieve any city department of the normal responsibilities or authority

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given to it in the city charter or by local ordinance, nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies. (Ord. No. 1985-7, 12-30-85)

Sec. 2-275. Definitions.

Commented [LH97]: Should this point to the Emergency Management Plan?

The following definitions shall apply in the interpretation of this article:

ATTACK shall mean a direct or indirect assault against Barre City, its government, its environs, or of the nation, by forces of a hostile nation or the agents thereof, including assault by bombing; radiological, chemical or biological warfare; or sabotage.

CHAIRMAN shall mean the mayor or his designated alternate duly appointed in accordance with Title 20,VSA, and this article.

DIRECTOR shall mean the Director of the Barre City Department of Emergency Management, appointed as prescribed in this article.

DISASTER includes, but is not limited to, actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic or other impending or actual emergency endangering or threatening to endanger health, life, property or constituted government.

EMERGENCY MANAGEMENT in its broad meaning is to carry out the basic government functions of maintaining the public peace, health and safety during an attack or disaster. This shall include plans and preparations for protection from, and relief, recovery and rehabilitation from, the effects of an attack on the city by the forces of an enemy nation or the agents thereof, and it shall also include such activity in connection with disasters as defined herein. It shall not, however, include any activity that is the primary responsibility of the military forces of the United States.

EMERGENCY MANAGEMENT FORCES shall mean the employees, equipment, and facilities of all city departments, boards, institutions, and commissions; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.

EMERGENCY MANAGEMENT VOLUNTEER shall mean any person duly registered, identified and appointed by the chairman of the emergency management agency and assigned to participate in the emergency management activity.

REGULATIONS shall include all plans, programs and other emergency procedures deemed essential to emergency management.

VOLUNTEER shall mean contributing a service, equipment or facilities to the emergency management organization without remuneration. (Ord. No. 1985-7, 12-30-85)

Sec. 2-276. Organization and appointment.

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- (a) The mayor is hereby authorized and directed to create an organization for emergency management utilizing to the fullest extent the existing departments within the City. The mayor, as executive head of the municipal government, shall be the chairman of the emergency management forces of this city and shall be responsible for their organization, administration, and operations.
- (b) The organizations shall consist of the following:
- (1) An emergency management office under the administrative direction of the city manager. There shall be a head of the emergency management office, who shall be known as the City Director of Emergency Management, and such assistants as are deemed necessary for the proper functioning of the department.
 - (2) The employee, equipment and facilities of all city departments, boards, institutions and commissions will participate in the emergency management activity. Duties assigned to a city department shall be the same or similar to the normal duties of the department.
 - (3) Volunteer persons and agencies offering service to, and accepted by, the city.
- (c) The mayor shall appoint the emergency management director who shall be responsible for coordination of the planning and preparation of the various departments which will operate to protect the public health, safety and welfare in the event of danger from enemy attack or disaster as defined in this article.
- (d) The emergency management director shall designate deputy directors to assume the emergency duties of the director in the event of his absence or inability to act, so that there will at all times be an emergency management director available in emergency situations. (Ord. No. 1985-7, 12-30-85)

Commented [LH98]: I believe this is currently listed under appointments by the Manager?

Sec. 2-277. Emergency powers and duties.**MAYOR (CHAIRMAN):**

- (1) The emergency management ~~chairman-chair~~ may exercise the emergency power and authority necessary to fulfill ~~his-the~~ general powers and duties as defined in Vermont law and local ordinance. The judgment of the ~~chairman-chair~~ shall be the sole criteria necessary to invoke emergency powers provided in the Code of Ordinances and other appropriate authorities. The city council may convene to perform its legislative and administrative powers as the situation demands, and shall receive reports relative to emergency management activities. Nothing in this article shall be construed as abridging or curtailing the powers or restrictions of the city council as defined in state law and local ordinance.
- (2) During any period when disaster threatens or when the city has been struck by disaster, within the definition of this article, the mayor may promulgate such regulations as ~~he deems are~~ deemed necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:
- a) Regulations prohibiting, restricting or rerouting the movement of vehicles in order to facilitate the work of emergency management forces, or to facilitate the mass movement of persons from critical areas within or with-out the city.

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- b) Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.
- c) Such other regulations necessary to preserve public peace, health and safety.
- d) Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and uttered by newspaper and radio. These regulations will have the force of ordinance when duly filed with the city clerk and violations will be subject to the penalties provided in state law and local ordinance.

Commented [CD99]: Should there be a reference to social media?

(3) The ~~chairman~~ ~~chair~~ shall order emergency management forces to the aid of other communities when required in accordance with the statutes of the state, and ~~he~~ may request the state, or a political subdivision of the state, to send aid to the City of Barre in case of disaster when conditions in the city are beyond the control of the local emergency management forces.

(4) The ~~chairman~~ ~~chair~~ may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the city for the fair value thereof.

(5) The ~~chairman~~ ~~chair~~ may require emergency service of any city officers or employees. If regular city forces are determined inadequate, the ~~chairman~~ ~~chair~~ may require the services of such other personnel as ~~he~~ can ~~be obtained~~ ~~obtain~~ that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities as are provided by state law, and ordinances for regular city employees and other registered and identified emergency management and disaster workers.

(6) The emergency management ~~chairman~~ ~~chair~~ will exercise ~~his~~ ~~their~~ ordinary powers as mayor and all of the special powers conferred ~~upon him~~ by state law and local ordinance of the City of Barre, all powers conferred ~~upon him~~ by any statute, or any other lawful authority.

EMERGENCY MANAGEMENT DIRECTOR:

(1) The Barre City Emergency Management Director shall be responsible for all phases of the emergency management activity. Under the administrative supervision of the city manager, he shall be responsible for the planning, coordination and operation of the emergency management activity in the city. He shall maintain liaison with the state and federal authorities and the authorities of other nearby political subdivisions to insure the most effective use of the emergency operation plan. His duties shall include, but not be limited to, the following:

- a) Development and coordination of plans for the immediate use of all facilities, equipment, manpower and other resources of the city for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness, governmental services and public utilities necessary for the public health, safety and welfare.
- b) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the city for emergency management purposes.
- c) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings and other property for for emergency management purposes and designating suitable buildings as public shelters.
- d) Through public information programs, educating the civilian population as to actions

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- necessary and required for the protection of their persons and property in case of disaster, or enemy attack, as defined herein, either impending or present.
- e) Conducting public practice alerts to insure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures and operations.
 - f) Coordinating the activity of all other public and private agencies engaged in any emergency management activity.
 - g) Assuming such authority and conducting such activity as the chairman may direct to promote and execute the emergency operations plan. (Ord. No. 1985-7, 12-30-85)

Sec. 2-278. Violation of article or regulations.

It shall be unlawful for any person to violate any of the provisions of this article or the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this article or any regulation or plan issued thereunder. (Ord. No. 1985-7, 12-30-85)

Sec. 2-279. Penalty.

Any person, firm, or corporation violating any provisions of this article or any regulation or plan formulated thereunder, upon conviction thereof, shall be punished pursuant to VSA, as amended. (Ord. No. 1985-7, 12-30-85)

Sec. 2-280. Severability.

Should any provisions of this article be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this article, as a whole; it being the legislative intent that in lieu of, the provisions of this article shall be severable and remain valid notwithstanding such declaration. (Ord. No. 1985-7, 12-30-85)

Sec. 2-281. Conflicting provisions.

At all times when the orders, rules and regulations made and promulgated pursuant to this article shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith. (Ord. No. 1985-7, 12-20-85)

~~**EDITOR'S NOTE** (Ord. No. 1985-7, enacted Dec. 30, 1985, amended Art. VIII, Secs. 2-273-2-281 to read as herein set out. Prior to amendment, Art. VIII, Secs. 2-273-2-275 pertained to civil defense and derived from Ord. No. 1965-4, Secs. 18.12.01 and Ord. No. 1983-1, adopted Jan. 13, 1983.~~

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Chapter 2 -- ADMINISTRATION

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Art. IV. City Manager, Secs. 2-43--2-58

Art. V. Administrative Departments, Secs. 2-59--2-200

Div. 1. Generally, Secs. 2-59--2-67

Div. 2. Permitting, Planning & ~~Inspection~~-Assessing Services (Ord. No. 2010-04, 11/09/10),

Secs. 2-68--2-75

Div. 3. Cemeteries and Parks, Secs. 2-76—2-81

Div. 4. Fire, Secs. 2-82--2-93

Div. 5. Health, Secs. 2-94--2-102

Div. 6. Police, Secs. 2-103--2-116

Div. 7. Public Works, Secs. 2-117--2-127

Div. 8. Sewage Disposal, Secs. 2-128--2-138

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Div. 11. Engineering, Secs. 2-159--2-168

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Div. 13. General Services, Secs. 2-183--2-200

Art. VI. City Officers, Secs. 2-201--2-258

Div. 1. Generally, Secs. 2-201--2-210

Div. 2. City Attorney, Secs. 2-211--2-220

Div. 3. City Physician, Secs. 2-221--2-230

Div. 4. Superintendent of Fire Alarm System Secs. 2-231--2-240

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Art. VIII. Emergency Management Department, Secs. 2-273—2-281

ARTICLE I. IN GENERAL

Sec. 2-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

CITY OFFICER means:

- (1) -A person duly qualified who holds an elective office of the city under the charter.
- (2) -A ~~person~~person duly qualified who holds an office or position by virtue of appointment by the council or a city officer under the charter, the city ordinances or general law, including but not limited to the heads of departments, executive directors of agencies, members of an agency, board or commission of the city; provided, however, that a person

Commented [JS1]:
Commented [JS2R1]: Cleaned up spacing to use tabs for efficiency

Commented [JS3]: Aesthetically, this would look better having the paragraphs indented from the titles, so that the title stand out better, as a suggestion.

Commented [JS4]: Fixed indents

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... serving as a member of a board, commission, committee or other body whose functions are principally advisory shall not be deemed to be a city officer.

NEWS MEDIA means ~~an organization publishing a newspaper or magazine, a radio station or a television station,~~ any organization that delivers print media (newspapers, news magazines), the internet (online newspapers, news blogs, live news streaming, news videos), and broadcast news (radio and television).

Commented [CD5]: Should there be reference to digital or social media?
Commented [JS6]: Was thinking about all the versions of news, and how people can get it.

PUBLIC BODY means an agency, board, committee, commission or other body of the city government, whose members are appointed by the council or a city officer by virtue of provisions of the laws.

THE LAWS means the charter, general laws, provisions of this Code and city ordinances. (Ord. No. 1965-4, Sec. 2.1.01)

Sec. 2-2. Seal of the city adopted.

The seal, ~~impression of which follows,~~ is hereby adopted as the seal of the city: (Ord. No. 1974-3, 6-11-74)

Sec. 2-3. Flag of the city adopted; description.

The flag of the city shall be a green field with the ~~gold-white~~ seal of the city in the center. (Ord. No. 1965-9)

Commented [CD7]: Is it printed in gold (yellow) or is it in white?

Sec. 2-4. Government of city; composition

The government of the city shall consist of the council and the city officers. (Ord. No. 1965-4, Sec.1.1.01)

Sec. 2-5. Emergency interim successors to council and city; offices; appointment.

Emergency interim successors shall be appointed pursuant to provisions of Chapter 7 of Title 20 of VSA or other pertinent general law. (Ord. No. 1965-4, Sec. 1.1.02)

Commented [CD8]: Our charter controls replacement of councilors through ward caucus, not appointment.

Commented [LH9R8]: Provide suggested language

Sec. 2-6. Public ~~bodies~~Bodies Meetings.

Insofar as the following provisions are not in conflict with other provisions of law pertaining specifically to it, a public body shall observe the following with respect to all its meetings or sessions when there is a quorum of the body meeting, involved in a discussion or taking action, and the subject matter of the discussion is one over which the body has authority or responsibility. Please also see the Barre City Rules of Procedure for Public Bodies:

Commented [CD10]: Should this section be reduced to reference to statute so as to always be current?

(1) ~~(4)~~ For City Council, notice of regular meetings shall be posted on the city hall bulletin board and on the city website and at two other locations in the City as designated by Council, at least seven (threeseven (37) days in advance of the meeting, excluding

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holidays, in such form as the council shall prescribe by resolution. The council may also require that notices shall be published in a newspaper.

~~(2)~~ ~~(2)~~ For all other public bodies, notice of regular meetings shall be posted on the city hall bulletin board and on the city website, and at two other locations in the City, and noticed at least forty-eight (48) hours in advance of the meeting.

~~(3)~~ For City Council, notices of special meetings may be called at any time by the Mayor, or by the Clerk on a petition signed by a majority of the Council and filed with the Clerk. Notice shall be posted as required in the preceding subdivision (1), except that the mayor or ~~three (4) alderman-councilors~~ may reduce the time limited for posting to not less than ~~twenty-four (424)~~ hours, in which case the news media located in the city shall be notified at least ~~twenty-four (424)~~ hours before such meeting.

~~(3)~~ ~~(4)~~ For all other public bodies, notice of special meetings shall be posted on the city hall bulletin board and on the city website and at two other locations in the city, and be noticed at least twenty-four (24) hours in advance of the meeting.

~~(5)~~ For City Council emergency meetings, they may be called at any time by the Mayor, or by the Clerk on a petition signed by a majority of the council and filed with the Clerk. Notice shall be posted as required in the preceding subdivision (1), except that the mayor or four (4) councilors may reduce the time limited for posting to not less than four (4) hours, in which case the news media located in the city shall be notified at least four (4) hours before such meeting.

~~(3)~~ ~~(6)~~ All notices shall set forth the agenda for the meeting, or an article or articles setting forth the purpose of the meeting.

~~(4)~~ ~~(7)~~ All meetings shall be held in city hall or by electronic means, unless otherwise specifically authorized to be held in another public place, open to the public, by resolution of the council.

~~(5)~~ ~~(8)~~ All public meetings must comply with the Americans with Disabilities Act (ADA) and Vermont's Public Accommodations Law. Meetings, as well as written materials, must be accessible to all persons with disabilities. This means the ability to enter a public building and meeting room, have use of a rest room, as well as the ability to view written materials readily and easily.

~~(5)~~ ~~(9)~~ Executive session shall be held pursuant to 1 VSA sections 311 through 314 and any amendments thereto.

~~(6)~~ ~~(10)~~ Minutes must be taken at every public meeting, and must give a true indication of the business of the meeting; the minutes need not be taken in executive session; but if they are, they are not subject to a public records request.

~~(6)~~ ~~(11)~~ Within three (3) days after a council meeting the clerk or secretary of the public body (which may or may not be the municipal clerk) shall furnish the municipal clerk a copy of the minutes of the meeting, together with a report on the subject matter considered in executive session, and must be posted to the city's official website. The clerk shall transmit a copy of such minutes and report to the council at its next regular meeting. (Ord. No. 1965-4, Sec. 2.3.01; Ord. No. 1980-6, 6-3-80; Ord. No. 1983-1, 1-13-83)

~~(12)~~ For all other public bodies, minutes must be available for inspection five (5) calendar days after the meeting and posted to the city's official website 1 V.S.A. § 312(b)(2).

Commented [LH11]: Need to reflect actual process, which I believe is in policy, and meets Open Meeting Law compliance

Commented [JS12]: The Rules of Procedure are silent on the minutes. Statute says that Minutes must be available for inspection five calendar days after the meeting. 1 V.S.A. § 312(b)(2). In addition, minutes must be posted no later than five calendar days after the meeting to an official website, if one exists, that is maintained or has been designated as the official website of the public body.

Is the intent here that the Council minutes shall be done and ready within 3 days? Why wouldn't we follow statute as stated above?

Commented [LH13]: Secretary is included here, but we may need to review with Rules of Procedure Policy to ensure that position is providing minutes and subject matter for keeping as public record.

Formatted: Indent: Left: 0.25"

Sec. 2-7. Same-Regulations, bylaws and rules of procedure.

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A public body authorized by law to issue regulations, to adopt bylaws or make rules for conduct of its meetings or affairs, shall upon taking such action furnish copies thereof to the council. It shall likewise furnish copies of any amendments subsequently made.

Commented [LH14]: I believe this applied to groups such as the Planning Commission, Development Review Board and Board of Civil Authority, correct? YES (JES)

Any other public body shall follow the Rules and Procedures Policy for conduct at meetings and may make additional rules for conduct of its meetings or affairs, which shall take effect when approved by the council. Such rules may be amended or repealed with the approval of the council.

Commented [CD15R14]: I would think so, but would city ordinance trump process as laid out in statute for such bodies?

Bylaws, rules and regulations of public bodies shall be published in a appendix to this Code on the city website at each public body's specific webpage, and be made available upon request. (Ord. No. 1965-4, Secs. 2.4.01-2.4.03)

Commented [LH16]: Is this performed currently?

Cross references Rules and regulations of the police department, App. C; rules and regulations of the fire department, App. D.

Commented [JS17]: I have never seen an appendix to this, and suggest removing this paragraph, and perhaps state that all public bodies' rules of procedure and conflict of interest policy if separate be posted to the city website under their designated webpage.

Sec. 2-8. Same--news media, petitions, conduct of meetings.

Commented [LH18]: Where are these documents?

Commented [CD19R18]: Not sure such a document exists.

(a) In the meeting room of a public body, representatives of the news media shall be allotted space and furnished with a table for their use.

(b) Electronic and photographic equipment and devices, such as but not limited to computers, cameras, tape recorders, broadcasting equipment and television equipment shall be permitted when used by representatives of the news media, but only in conformity with rules for the maintenance of good order, dignity and noninterference with proceedings, as may be prescribed by resolution of the council.

(c) Any equipment or device requiring connection with the city's electric service may be made only after securing a permit from the council and paying the estimated cost of electricity to be consumed or one dollar, whichever is the greater.

Commented [CD20]: I think this language should be deleted. But should there be reference to media or public access to wifi?

Commented [JS21]: In relation to a meeting? When have we expected a permit from someone for this? Should this stay or be deleted? When would this pertain?

The right to petition and to communicate with a public body is to be held inviolate and observed by all public bodies. A person present at a meeting may present a petition or communication to a public body, which, when so requested therein, shall be read at the meeting; provided, however, that if the communication or petition exceeds beyond three hundred (300) words, it need not be read, but copies furnished by the person submitting the same, shall be made available to members of the public body. Petitions and communications shall be presented to the presiding officer of the public body. (Ord. No. 1965-4, Sec. 2.5.03)

Commented [LH22]: Should the requirement be based on length of the document in words, or length of time in the delivery?

Commented [JS23]: This section alone is 230 words, absent of the title of the section, so 300 words might be a short letter or petition. I have been in a hearing where an attorney brought a 4-page document that was read in its entirety, so perhaps some limit could be put on the length or the content.

Sec. 2-9. Same--Addresses by outsiders, disturbances, etc.

(a) It shall be unlawful for any person, other than a member of the public body holding the meeting, to address or attempt to address any regular or special meeting of a public body, except upon consent of the presiding officer or a majority of the members present. Any infraction of this subsection may be excused for extenuating circumstances by a majority

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vote of the public body, in which case no prosecution for the offense shall be brought.

(b) A person desiring to address a public body shall, unless invited to do so by the presiding officer, submit an oral or written request to the presiding officer.

Commented [CD24]: This doesn't seem to apply to the visitors & communications section of the council agenda.

(c) It shall be unlawful for a person not a member of the public body holding a meeting, to disturb or interrupt any meeting of a public body. Any person so offending may be summarily ejected from city hall or other public place, including videoconference meeting space, in which the meeting is held, on order of the presiding officer or a majority of the members of the public body present at the meeting. (Ord. No. 1965-4, Sec. 2.5.10)

Commented [JS25]: Given that we've had disturbances now via Zoom at the Council meetings, should verbiage be added regarding ejecting someone electronically as well?

Sec. 2-10. Same--Annual report.

The council may, by resolution, require a public body or public bodies to submit a report for inclusion in the annual municipal report. Such report shall be in the form and length prescribed by the council. (Ord. No. 1965-4, Sec. 2.7.01)

Commented [LH26]: Does this need to state resolution, or can it be by vote of the Council?

Sec. 2-11. Same--Duty to perform prescribed functions and duties and exercise prescribed powers.

Commented [CD27R26]: I don't think a resolution is necessary.

Public bodies of the city shall perform the functions and duties and have the powers prescribed for them by the laws or actions/resolutions of the council. (Ord. No. 1965-4, Sec. 18.1.01)

Commented [LH28]: Similar to above, Council has created bodies via Majority vote, not resolution. Suggestions?

Commented [CD29R28]: Perhaps change "resolutions" to "actions" of the council. Then something approved at a council meeting would serve as the prescribing action.

Secs. 2-12--2-20. Reserved.

ARTICLE II. CITY COUNCIL*

Commented [JS30]: What does this asterisk reference? The Editor's note? If so, then the asterisk should be added at this Article's Editor Note. If not, then what does it reference?

Commented [LH31R30]: Remove asterisk

Sec. 2-21. Meetings.

(a) Regular meetings of the council shall be held in the council chamber in city hall at 7:00 p.m. on the days set for regular meetings by the charter, unless otherwise authorized by law.

Commented [CD32]: The council changes dates and times frequently on their own action, not in accordance with any specific law. Perhaps reference the charter language that allows the council to establish meeting dates/times. Sec. 302 et seq.

(b) When the day set for a regular meeting falls on a holiday or an election day, a special meeting of the council shall be held on the day preceding such holiday or election day, at the same place and hour as is provided for a regular meeting. (Ord. No. 1965-4, Sec. 6.2.01)

Charter reference--Council to meet every Tues., Acts of 1955, No.304, Sec. 27.

Commented [CD33]: Need to update reference. It was last updated in 2006.

Sec. 2-22. Rules governing meetings.

All meetings of the city council, all annual or special meetings of the city, all school district meetings shall be conducted in accordance with most recent copy of the Robert's Rules of Order. (Ord. No. 1983-1, 1-13-83)

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Sec. 2-23. Agenda.

The manager shall be responsible for preparation of the agenda for all meetings of the council, subject to its direction. (Ord. No. 1965-4, Sec. 6.4.03)

Sec. 2-24. Order of business.

The order of business of the council shall be:

- (a) Action on minutes of preceding meeting or meetings, if special meetings have been held between regular meetings;
- (b) Readings of warrants and action thereon;
- (c) Reports of officers;
- (~~e~~) Petitions and communications;
- (~~d~~) ~~Reports of officers and public bodies;~~
- (e) Old business on agenda;
- (f) New business on agenda, including reports of public bodies;
- (g) Requests or comments of members of the council.

Commented [CD34]: These should be re-ordered to meet current practice.

Sec. 2-25. Reserved.

~~Editor's note Section 2-25, relative to Robert's Rules of Order, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section formerly derived from Ord. No. 1965-4, Sec. 6.3.02.~~

Sec. 2-26. Minutes of meetings; distribution; approval.

Minutes of the preceding regular meeting and all intervening special meetings shall be furnished to members of the council before each regular meeting. A motion is required to approve the minutes, with any If no corrections or amendments, following Robert's Rules of Order, are offered, the presiding officer shall declare the minutes approved as printed or typed. (Ord. No. 1965-4, Sec. 6.4.02)

Commented [LH35]: Currently motion is made to approve

Commented [CD36R35]: I suggest reviewing Robert's Rules on approval of minutes. I believe action is necessary.

Sec. 2-27. Resolutions; minutes; agenda.

All resolutions shall be presented to the council in writing. When adopted they shall be numbered by the clerk in the same manner as prescribed for in ordinances; for example, Resolution No. 1965-1.

All resolutions shall be recorded by the clerk in a book kept for the purpose, which shall be entitled: "Resolutions of the City Council of the City of Barre, Vermont." (Ord. No. 1965-4, Sec. 6.4.01)

Secs. 2-28--2-36. Reserved.

ARTICLE III. RESERVED*

Commented [JS37]: Asterisk has been used once already – should there be a different symbol so there is no confusion as to what is being referenced?

Commented [LH38R37]: Remove asterisk and editor's note.

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Secs. 2-37--2-42. Reserved.

~~*Editor's note— Art. III, Sec. 2-37, relative to the mayor, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said former provisions derived from Ord. No. 1965-4, Sec. 8.1.01.~~

ARTICLE IV. CITY MANAGER

Sec. 2-43. Reserved.

~~Editor's note Section 2-43, general provisions relative to the city manager, has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section formerly derived from Ord. No. 1965-4, Sec. 10.1.01.~~

Sec. 2-44. Disability; appointment of acting manager.

(a) The manager shall be deemed disabled within the meaning of the charter when ~~he the manager~~ is not physically or mentally able to attend to ~~his-their~~ duties. In such case ~~he the manager or the Council, mentally unable to,~~ shall appoint an acting manager, and upon ~~his-the~~ failing to do so the council shall make such appointment.

(b) Appointment of an acting manager by the manager shall be in writing. The original shall immediately be filed with the clerk and copies sent to all members of the council by the clerk. ~~Provided, however, if the appointment is for one day or less or over a weekend, the clerk need not notify the members of the council. (Ord. No. 1965-4, Sec. 10.1.02)~~

Secs. 2-45--2-58. Reserved.

ARTICLE V. ADMINISTRATIVE DEPARTMENTS

DIVISION 1. GENERALLY

Sec. 2-59. Created.

The following administrative departments are hereby created, through the instrumentality of which the council and the manager shall exercise such functions as by the laws are assigned to each department respectively:

- (a) Department of ~~permitting, planning and inspection services~~ ~~permitting, planning and inspection services~~; (Ord. No. 2010-04, 11/09/10)
- (b) ~~Cemetery and parks department~~; ~~Community and General Services, including the Cemetery and Parks Department~~;
- (c) Fire ~~d~~Department;
- (d) Department of health;
- (e) Police ~~d~~Department;

Commented [JS39]: I am assuming we are fixing all the pronouns now...

Commented [CD40R39]: Should any reference to disability be removed and have it just say the manager will appoint an acting manager when the manager is away or cannot perform his duties? Should there also be a section where the council can make that determination and appoint an acting manager as necessary? Say there's been an accident or the manager's been arrested or experienced mental instability.

Commented [LH41]: Should there be anything to address mentality?

Commented [CD42]: We don't follow this process. Is it necessary?

Commented [CD43]: Should this be re-named? Inspection services are through the fire department.

Commented [LH44]: Combine with Community and General Services?

Commented [LH45R44]: Carol's comment below notes that Cemetery and Parks included per Charter

Commented [LH46]: Remove?

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- (f) Public ~~w~~Works ~~d~~Department;
- (g) Finance Department;
- (h) General services department. (Ord. No. 1965-4, Sec. 12.1.01; Ord. No. 1983-1, 1-13-83)

Commented [CD47]: Add Finance Department?

~~Editor's note Pursuant to Ord. No. 1983-1, all references to the department of housing or the department of welfare will be deleted from the Code as pages are pulled for supplementation.~~

Sec. 2-60. Director to head each department.

Each department shall be headed by a city officer to be known as a director, unless otherwise provided. ~~He-They~~The Director shall be the chief administrative officer of the department and shall be responsible for its conduct. (Ord. No. 1965-4, Sec. 12.1.02)

Commented [JS48]: Fixing pronouns

Sec. 2-61. Reporting requirements.

The head of each department shall submit ~~monthly-weekly~~ reports to the council ~~via the Council packet~~, which shall cover the activities of the department and other matters deemed pertinent. (Ord. No. 1965-4, Sec. 12.2.04)

Sec. 2-62. Additional functions and duties.

The functions and duties of a department provided for in this chapter shall not limit the department, which may be assigned additional functions and duties by ordinance or by resolution of the ~~city manager and/or~~ council. (Ord. No. 1965-4, Sec. 12.1.03)

Commented [LH49]: Per Charter, functions of another Department created in charter cannot be "reassigned"

Secs. 2-63--2-67. Reserved.

DIVISION 2. ~~PERMITTING, PLANNING & INSPECTION~~ PLANNING, PERMITTING & ASSESSING SERVICES (Ord. Rev. 11/09/10)

Commented [CD50]: Change from Inspections to Assessing? Throughout this section.

Sec. 2-68. Powers and duties.

The department of ~~permitting, planning & inspection~~ ~~planning, permitting & assessing~~ services is responsible for planning for the City, ~~and~~ for administering and enforcing the land-use regulations and related ordinances in effect, ~~issuing zoning, building, electrical and flood hazard permits for the city, and providing assessing services including maintaining the grand list, and effectively evaluating city properties.~~ The department shall ~~coordinate the inspection services and allied services of the city, and shall~~ provide proper and effective administration of the ~~building, electrical, fire prevention, zoning flood hazard and other~~ laws of the city. (Ord. No. 1965-4, Sec. 12.3.01)(Ord. No. 2010-04, 11/09/10)

Sec. 2-69. Building inspector designated as director.

The building inspector shall ex-officio be director of the department. (Ord. No. 1965-4, Sec. 12.3.03)

Commented [LH51]: Per charter discussion, it looks like this position will be kept. The discussion with the Manager did not look like this position would be the same as the Director. Thoughts?

Commented [JS52]: I advocate that the building inspector be the Chief of Code Enforcement, and I believe that would be the Fire Chief. With inspection services under the Fire Department, this should be changed.

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Charter reference-Appointment of building inspector, Sec. 66.

Sec. 2-70. Officers designated.

The following officers shall be within the department and shall be under the general supervision of its director:

- (a) ~~Assessor; Building inspector;~~
- (b) ~~Electrical inspector;~~
- (c) ~~Fire prevention inspectors;~~
- (d) Zoning administrator;
- (e) Flood hazard area administrator.
- (f) ~~Vacant building administrator.~~ (Ord. No. 1965-4, Sec. 12.3.02; Ord. No. 1983-1, 1-13-83)(Ord. No. 2010-04, 11/09/10)

Commented [LH53]: I do not believe that all of these positions are in Permitting, Planning, and Inspection. Are there those that need to be appointed, that we currently do not have in place?

Commented [JS54]: As the Fire Department, in charge of Code Enforcement, administers inspections, I have deleted and added what I think needs to be here.

Secs. 2-71--2-75. Reserved.

DIVISION 3. CEMETERIES AND PARKS

Sec. 2-76. Composition; director.

The cemetery and parks department shall include a board of cemetery and parks commissioners and director of cemeteries and parks, who shall be head of the department. (Ord. No. 1965-4, Sec. 12.4.01; Ord. No. 1983-1, 1-13-83)

Commented [CD55]: There are no "commissioners" anymore. That was a term specific to when the cemetery was a stand-alone department. They are now a committee.

Commented [LH56R55]: Review again later after discussion on if Charter revisions are warranted.

Sec. 2-77. Powers and duties.

The cemetery and parks department shall have charge of the cemeteries and parks of the city, and shall have all the powers and perform all the duties prescribed by the laws for operation of cemeteries and parks. (Ord. No. 1965-4, Sec. 12.3.02; Ord. No. 1983-1, 1-13-83)

Commented [LH57]: Include with Community and General Services?

Commented [CD58R57]: Charter sec. 502 says there will be a Department of Cemeteries and Parks.

Secs. 2-78--2-81. Reserved.

DIVISION 4. FIRE AND AMBULANCE

Sec. 2-82. Established; powers and duties; cooperation with other cities.

~~The fire and ambulance department is hereby established for the purpose of providing adequate fire-fighting protection, the prevention of fires and the provision of ambulance service/emergency medical services. It shall also perform such functions as are usually delegated to fire departments. Such duties shall include in sum or in part: health inspections, rental housing inspections, vacant building inspections, and code enforcement in support of city ordinances. It shall be the duty of the department to attend to all fires and emergencies to which it is called in the city, and to fulfill mutual aid agreements with other municipalities for the provision of emergency services.~~
The fire department is hereby established for the purpose of providing adequate fire fighting protection and the prevention of fires. It shall also perform such functions as are usually delegated to fire departments. It shall be the duty of the department to attend to all

Commented [JS59]: Should consider adding Code Enforcement here, but I defer to the Fire Chief for this.

Commented [LH60]: EMT and other services?

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~~fires to which it is called in the city, and to fulfill the city's contracts with other municipalities for fire fighting services. (Ord. No. 1965-4, Sec. 12.6.01)~~

Sec. 2-83. Fire chief designated director of department; acting director.

The fire chief shall be director of the department. In ~~his~~the absence or in case of ~~his~~the physical or mental disability, the highest ranking officer of the regular division on duty shall be the acting director of the department, until the city manager designates an acting director. (Ord. No. 1965-4, Sec. 12.6.03; Ord. No. 1983-7, 10-26-83)

Sec. 2-84. Reserved.

Editor's note--Ord. No. 1984-1, adopted Feb. 21, 1984, repealed Sec. 2-84. Said section, formerly relative to divisions of the fire department, derived from Ord. No. 1965-4, Sec. 12.6.02; Ord. No. 1976-2, adopted May 4, 1976; Ord. No. 1979-1, adopted Oct. 16, 1979, and Ord. No. 1983-1, adopted Jan. 13, 1983.

Sec. 2-85. Appointment and procedures.

Before appointment, an applicant for a position in the fire department shall successfully pass such written and oral examinations as the city manager shall cause to be prepared.

~~He~~The applicant shall be given a physical examination by a duly licensed physician designated by the city.

Applicants successfully passing such tests and examinations shall be interviewed by the fire chief and the city manager. The city manager shall make the appointment. (Ord. No. 1965-4, Sec. 12.6.04; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-7, 10-26-83)

Sec. 2-86. Suspension; removal; probation.

(a) An officer or member of the fire department may be suspended or removed in the same manner as is prescribed for police officers. (See 24 V.S.A.1932.) However, upon appointment a fireman shall serve a probationary period of one year, during which time ~~he~~the fireman may be removed by the city manager without hearing.

Commented [LH61]: Does this match current contract language?

(b) A member of the fire department who is appointed to an office in the department, of the rank of captain or higher, shall serve a probationary period of one year, during which time ~~he~~the fireman may be removed from the office by the city manager. (Ord. No. 1965-4, Sec. 12.6.05; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-7, 10-26-83)

Commented [LH62]: Does this match current contract language?

Sec. 2-87. Annual physical examination required.

After appointment, all firefighters shall be given a physical examination at least once a year by a duly licensed physician designated by the city. If certified unfit for duty due to a permanent disability, the member shall be given an opportunity of re-examination. (Ord. No. 1965-4, Sec.

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12.6.06; Ord. No. 1983-1, 1-13-83)

Sec. 2-88. Regulations governing conduct; publication requirement.

The members of the fire department shall be governed by regulations of the department presently in force. Such regulations may be amended by the council. They shall be published in an appendix to this Code. (Ord. No. 1965-4, Sec. 12.6.07)

Secs. 2-89--2-93. Reserved.

Commented [LH63]: Remove per Chief Brent

DIVISION 5. HEALTH

Sec. 2-94. Created; powers and duties.

Commented [CD64]: This section should be cross-referenced with statute to see what we're actually required to have. May be able to do away with it.

The health department is hereby created. It shall coordinate the functions of the health officials of the city and provide an administrative office and a repository of records for these officials. (Ord. No. 1965-4, Sec. 12.8.01; Ord. No. 1983-1, 1-13-83)

Commented [LH65R64]: Will check for First reading and report back to Council.

Sec. 2-95. Reserved.

Editor's note--Pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983, Sec. 2-95, relative to the supervisor of welfare, has been deleted. Said provisions derived from Ord. No. 1965-4, Sec. 12.8.03.

Sec. 2-96. Division--Designated.

The health department shall consist of two (2) divisions:

- (a) The health division in which shall be the health officer and the board of health;
- (b) The city physician's division in which there shall be the city physician. Ord. No. 1965-4, Sec. 12.8.02; Ord. No. 1983-1, 1-13-83)

Commented [LH66]: Remove?

Sec. 2-97. Same--Powers and duties.

The divisions of the health department shall exercise the functions and perform the duties and have the powers assigned by the laws to the officers in the respective divisions. (Ord. No. 1965-4, Sec. 12.8.05)

Secs. 2-98--2-102. Reserved.

DIVISION 6. POLICE*

Sec. 2-103. Established; purpose; powers and duties.

The police department is hereby established for the purpose of providing for enforcement of the laws, apprehension of criminal offenders, guarding the public safety, preventing crime,

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controlling vehicular traffic, and generally to carry out the functions and perform duties assigned to the police. (Ord. No. 1965-4, Sec. 12.10.01)

Sec. 2-104. Chief of police designated as director; acting director.

The Chief of police shall be director of the police department. In ~~his~~ the Chief's absence or in case of ~~his~~ the physical or mental disability, the highest ranking officer of the regular division on duty shall be the acting director of the department, unless the city manager designates an acting chief (Ord. No. 1965-4, Sec. 12.10.03; Ord. No. 1983-7, 10-26-83)

Sec. 2-105. Reserved.

~~Editor's note~~ Ord. No. 1984-1, adopted Feb. 21, 1984, repealed Sec. 2-105. Said former section, relative to divisions of the police department, derived Ord. No. 1965-4, Sec. 12.10.02; Ord. No. 1976-1, adopted May 4, 1976; Ord. No. 1977-2, adopted Aug. 23, 1977; Ord. No. 1978-2, adopted May 9, 1978; Ord. No. 1980-7, adopted July 15, 1980; Ord. No. 1983-1, adopted Jan. 13, 1983; and Ord. No. 1983-6, adopted June 21, 1983.

Sec. 2-106. Appointment procedures; annual examinations; required removal.

Members of the police department shall be appointed by the city manager following the same procedure as is prescribed for firemen. They shall be subject to the same annual examinations, and to the same effect with respect to removal, as is provided in this chapter. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Sec. 2-107. Probations.

No person shall be deemed to be a regular police officer or member of the regular division, until ~~he~~ that person has satisfactorily served a probationary period of six (6) months on duty with the regular division. An appointee, during the probationary period may be discharged without cause or hearing by the city manager. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Commented [LH67]: Does this match the current contract language?

Sec. 2-108. Eligibility for employment and promotion.

No person shall be eligible for appointment as a police officer or promotion in rank in the police department, unless ~~he~~ the person is a graduate of a high school or equivalent secondary school, or has been granted a high school equivalence certificate by the state board of education. Certified proof of such graduation or grant of an equivalence certificate shall be presented to the city manager before action is taken on appointment or promotion. (Ord. No. 1965-4, Sec. 12.10.04; Ord. No. 1983-7, 10-26-83)

Sec. 2-109. Removal; suspension.

Members of the police department who are regular police officers in the regular division may be removed or suspended by the city manager, as provided by general law. (See 24 V.S.A.1932)

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Members of all other divisions may be removed or suspended by the city manager without hearing. (Ord. No. 1965-4, Sec. 12.10.05; Ord. No. 1983-7, 10-26-83)

Sec. 2-110. Promotions.

(a) When a vacancy occurs in the regular division in the rank of sergeant or higher, no one shall be eligible to fill the vacancy, by promotion or otherwise, unless ~~he~~ the officer has been an official of a regular active police force for at least three (3) years immediately prior to the opening of a vacancy.

(b) Promotions in rank shall be made on basis of examination and other factors, in the same manner as members of the state police are promoted. Examinations and grading shall be conducted by an agency or organization not connected with the government of the city.

(c) A person appointed to the grade of sergeant or higher shall serve a probationary period of six (6) months during which time he may be demoted, reduced in rank or reduced to the grade of patrolman, by the city manager, without hearing.

(d) The provisions of this section notwithstanding, the city manager may appoint any member of the regular division to a temporary grade, but only for a period of not more than three (3) months, during which the vacancy shall be filled in accordance with other provisions of this section.

(e) The city council shall establish by resolution the appointment procedures for the office of chief of police separately ~~from the regulations set forth for promotions to the grade of sergeant or higher.~~ (Ord. No. 1965-4, Sec. 12.10.06; Ord. No. 1983-1, 1-13-83; Ord. No. 1983-6, 6-21-83; Ord. No. 1983-7, 10-26-83)

Commented [LH68]: Should this be by Resolution, or majority vote or "action" of Council?

Sec. 2-111. Regulations governing conduct; publication requirement.

The members of the police department shall be governed by regulations of the department presently in force. Such regulations may be amended by the council. They shall be published in an appendix to this Code. (Ord. No. 1965-4, Sec. 12.10.07)

Secs. 2-112--2-116. Reserved.

Commented [LH69]: Remove these entire sections per Chief Bombardier "The rest of this is either governed by statute or the CBA and does not pertain"

DIVISION 7. PUBLIC WORKS

Commented [LH70]: DPW section to be reviewed at a later time.

Sec. 2-117. Created; purpose.

The Public works department is hereby created, for the purpose of integrating and coordinating the functions of the sub-departments within it, and to provide general administrative supervision. (Ord. No. 1965-4, Sec. 12.12.01)

Sec. 2-118. Director of public works designated as director; powers and duties.

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There is hereby created the office of director of public works, who may be the head of one or more sub-departments. He shall be head of the public works department and shall have supervisory powers over the sub-departments and coordinate their activities. (Ord. No. 1965-4, Sec. 12.12.03)

Sec. 2-119. Sub-departments designated.

There shall be within the public works department, the following sub-departments:

- (a) Sewage disposal department;
- (b) Street department;
- (c) Water department
- (d) Engineering department. (Ord. No. 1965-4, Sec. 12.12.02)

Secs. 2-120--2-127. Reserved.**DIVISION 8. SEWAGE DISPOSAL****Sec. 2-128. Created; powers and duties.**

The sewage disposal department is hereby created. It shall control, operate, and maintain the sanitary sewerage systems of the city, and the sewage disposal plant. (Ord. No. 1965-4, Sec. 12.12.10)

Sec. 2-129. Superintendent of sewage system; office created; designated as director; responsibilities.

There is hereby created the office of superintendent of the sewage system, who shall be the director of the sewage disposal department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.11)

Secs. 2-130--2-138. Reserved.**DIVISION 9. STREET****Sec. 2-139. Created; powers and duties.**

There is hereby created the street department, whose function shall be to construct, repair, maintain and clear the public streets, including sidewalks and bridges, and control, operate and maintain the surface sewers and drains of the city. It shall also have charge of collection and disposal of wastes and the municipal disposal areas. (Ord. No. 1965-4, Sec. 12.12.15)

Sec. 2-140. Superintendent of streets designated as director; responsibilities.

The superintendent of streets shall be the director of the street department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.16)

Commented [LH71]: Who is this position?

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Secs. 2-141--2-148. Reserved.

DIVISION 10. WATER

Sec. 2-149. Created; powers and duties.

There is hereby created the water department, whose function shall be to operate, repair, maintain and supervise the water system of the city and the waterworks of the city. It shall also have charge of the municipal forests outside the city and reservoirs and other sources of water owned by the city. (Ord. No. 1965-4, Sec. 12.12.20)

Sec. 2-150. Superintendent of waterworks designated as director; responsibilities.

The superintendent of waterworks shall be director of the water department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.21)

Commented [LH72]: Assuming Superintendent of Water and Sewer is the same person.

Secs. 2-151--2-158. Reserved.

DIVISION 11. ENGINEERING

Sec. 2-159. Created; powers and duties.

There is hereby created the engineering department, whose function shall be to make surveys requested by the council or a city officer, keep accurate maps, plats and records of all public works, land or property of the city, and advise the council, city officers and public bodies on all engineering matters. (Ord. No. 1965-4, Sec. 12.12.25)

Sec. 2-160. City engineer designated as director; responsibilities.

The city engineer shall be director of the engineering department. He shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.12.26)

Commented [LH73]: Same as DPW Director

Secs. 2-161--2-168. Reserved.

DIVISION 12. RECREATION

Sec. 2-169. Created; powers and duties.

The recreation department is hereby created for the purpose of coordinating the functions and duties of the divisions within the department, and to provide a common administrative office for the divisions. (Ord. No. 1965-4, Sec. 12.14.01)

Commented [CD74]: There isn't a stand-alone recreation department anymore. It's part of Buildings and Community Services.

Sec. 2-170. Director of recreation--Office created; designated as director; powers and duties.

Commented [LH75R74]: Need to review with Charter change with Cemetery and Parks to see about name change and what needs to be kept.

There is hereby created the office of director of recreation. He shall be the director of the

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department and shall have general supervision over its divisions. (Ord. No. 1965-4, Sec. 12.14.03)

Commented [LH76]: I believe this is currently an Assistant Director

Sec. 2-171. Same--Designated as director of recreation division; responsibilities; recreation board.

Within the recreation division shall be the recreation board and the director of recreation, who shall be head of the division and shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.14.10)

Sec. 2-172. Division designated.

The recreation department shall consist of three (3) divisions:

- (a) Recreation division;
- (b) Parks division;
- (c) Auditorium division. (Ord. No. 1965-4, Sec. 12.14.02)

Sec. 2-173. Recreation division; responsibilities.

The recreation division shall have charge of all recreational programs of the city, and shall have charge of all recreational facilities of the city, except the municipal auditorium and the parks. (Ord. No. 1965-4, Sec. 12.14.11)

Commented [JS77]: Division or department?

Commented [LH78R77]: Review with changes to Community and General Services

Sec. 2-174. Parks divisions --Composition; supervisor of parks designated as director; board of park commissioners; tree warden.

Within the parks division shall be the board of park commissioners, the supervisor of parks, and the tree warden. The supervisor of parks shall be head of the division and shall be responsible for its management and conduct. (Ord. No. 1965-4, Sec. 12.14.15)

Commented [JS79]: Same – divisions, departments, it all gets confusing. If there are divisions within departments, then each should be better defined.

Commented [LH80R79]: Review with changes to Community and General Services

Sec. 2-175. Same--Powers and duties.

The parks division shall have charge of the parks of the city and shall carry out the functions and duties of the board of park commissioners as provided in the charter. In addition it shall assist the tree warden in performance of his statutory duties and functions. (Ord. No. 1965-4, Sec. 12.14.16)

Sec. 2-176. Auditorium division--Powers and duties.

The auditorium division shall have charge of the operation and maintenance of the municipal auditorium and its grounds, and other buildings on said grounds. (Ord. No. 1965-4, Sec. 12.14.20)

Commented [LH81]: Civic Center Complex?

Sec. 2-177. Same--Supervisor of municipal auditorium designated as head.

There is hereby created the office of supervisor of the municipal auditorium, who shall be head of the auditorium division. He shall be responsible for the management and conduct of the

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division. (Ord. No. 1965-4, Sec. 12.14.21)

Sec. 2-178--2-182. Reserved.

DIVISION 13. GENERAL SERVICES

Sec. 2-183. Created; staff to constitute.

The general services department shall be the staff department of the city and shall oversee the administration of all departments, offices and public bodies of the city. (Ord. No. 1965-4, Sec. 12.16.01)

Sec. 2-184. Manager designated as director.

The manager shall be director of the general services department. (Ord. No. 1965-4, Sec. 12.16.02)

Sec. 2-185. Powers and duties.

Without limiting the generality of the function and duties of the department provided for in this division, the general services department shall:

- (a) Have charge and supervision of all city property not assigned to or under control of any other department, office, or public body;
- (b) Have supervision over all radio equipment owned or operated by the city;
- (c) Assign office space and meeting rooms to city officers and public bodies, other than the council, and elected officers, who shall be assigned space or rooms by the council;
- (d) Purchase all insurance carried by the city; and attend to all matters connected therewith;
- (e) Supervise the performance of the contract for lighting the city;
- (f) Inspect all premises owned by the city, wherever located, at least once annually, and report its findings to the council;
- (g) Collect all moneys due the city, for the collection of which no other department, city officer or public body is responsible;
- (h) Coordinate the operation of all other departments, offices and public bodies in order to avoid duplication of operations and to avoid waste, and may for this purpose form committees composed of members of departments, offices and public bodies, as it deems advisable;
- (i) Maintain a store or stores of supplies commonly used by departments, officers and public bodies;
- (j) Be responsible for all purchases made for the city or any department, officer, or public body, unless otherwise specifically provided by the laws;
- (k) In order to properly maintain city records, provide a repository for records of officers and public bodies, which otherwise would not have a place to deposit records in a building owned by the city;
- (l) Provide secretarial or clerical assistance to officers and public bodies, which do not have such employees assigned to carry on these duties and functions.
- (m) Have charge of all municipal parking lots;

Commented [LH82]: Are these duties all performed by the Community and General Services Department?

Commented [CD83R82]: Many of these duties seem to fall in the realm of the Buildings and Community Services Department. Especially those dealing with facilities.

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- (n) Supervise and attend to matters connected with the workable program for community improvement.
- (o) Oversee the city's pension plan and all matters connected therewith. (Ord. No. 1965-4, Sec. 12.16.03)

Sec. 2-186. Duty to purchase for city.

It is hereby declared to be the policy of the city that unless otherwise specifically provided by the laws with respect to a public body, all purchases and contracts for services made for the city shall be made by the general services department. Unless other provisions are made by the laws with respect to it, when any department, office or public body is in need of materials, supplies or services it shall requisition therefore upon the director of the general services department, on a form or forms provided by the general services department. (Ord. No. 1965-4, Sec. 12.16.10)

Sec. 2-187. Same--Procedure.

Subject to provisions of the charter with respect to purchases requiring approval of the council, the director of the general services department shall purchase materials and supplies and contract for services either by advertising for bids or by letter of inquiry. The contract for purchases or for services shall be awarded to the person whose bid or quotation is in the best interests of the city. When authorized by the council, the director may purchase or contract without advertising for bids or sending letters of inquiry, if the proposed purchases or contract for services have already been priced by either of these methods or the best interests of the city will be best served by not using these methods. (Ord. No. 1965-4, Sec. 12.16.11)

Sec. 2-188. Purchases by others--Alternate procedure.

If any department, city officer, or public body believes that it is not, by law, required to make all or any part of its purchases or contracts for services through the general services department, as provided in sections 2-186 and 2-187, it shall notify the director of the general services department, who shall consult with the city attorney, who shall render his opinion in writing to the council, and to the director of the general services department. (Ord. No. 1965-4, Sec.12.16.12)

Sec. 2-189. Contracts by others void.

Any contract made by a department (other than the general services department), city officer, or public body, for purchases or services, on behalf of the city shall be null and void, unless such department, city officer, or public body is specifically authorized to make such contract by provisions of the laws. (Ord. No. 1965-4, Sec. 12.16.13)

Secs. 2-190--2-200. Reserved.**ARTICLE VI. CITY OFFICERS****DIVISION 1. GENERALLY**

Commented [LH84]: Is this performed through the Manager's Office?

Commented [CD85R84]: Perhaps these sections should be replaced with reference to the procurement policy.

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Secs. 2-201--2-210. Reserved.

DIVISION 2. CITY ATTORNEY

Sec. 2-211. Additional powers and duties.

(a) In addition to the functions, powers and duties prescribed in the laws, the city attorney shall:

- (1) Be a ~~sole~~ legal advisor of the city, and shall render advice on all legal questions affecting the city whenever requested by the council, a city officer or a public body of the city;
- (2) Examine all written instruments and contracts to which the city may be a party, and report any objections thereto to the council;
- (3) Appear before the general assembly or any committee thereof, and in behalf of the city represent and defend or advocate the interest and welfare of the city, on request of the council or the representatives to the general assembly elected in the city.

(b) Upon being served with any process by a court, state agency or federal agency, involving the city, the clerk or any other officer of the city so served or notified, shall immediately notify the city attorney in writing, and report the service of such process or notice to the council at its next regular meeting. (Ord. No. 1965-4, Sec. 22.3.01)

Commented [CD86]: Not our sole legal advisor. We use others for union negotiations, and have used others for specific projects, etc.

Commented [LH87]: Do we have Attorney review on all contracts?

Secs. 2-212--2-220. Reserved.

DIVISION 3. CITY PHYSICIAN

Secs. 2-221. Additional powers and duties.

In addition to the functions, powers and duties prescribed in the laws, the city physician shall:

- (a) Render his professional services to any member of the fire, police, street, sewage or water departments, who may be injured during the performance of their duties, when notified by the head of the department;
- (b) Render medical aid at the police station in case of emergency, whenever requested by a member of the police department;
- (c) Assist the city attorney, whenever the services of a qualified physician are required in connection with any matter involving the city or its officers or public bodies. (Ord. No. 1965-4, Sec. 22.3.01; Ord. No. 1983-1, 1-13-83)

Commented [LH88]: Remove?

Sec. 2-222--2-230. Reserved.

DIVISION 4. SUPERINTENDENT OF FIRE ALARM SYSTEM

Sec. 2-231. Duties.

The superintendent of the fire alarm system shall have charge and the care of the city's fire alarm system. He shall keep a record in the central fire station of his inspections and tests, on forms prescribed by the fire chief, and approved by the council. (Ord. No. 1965-4, Sec. 22.3.15)

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Secs. 2-232--2-240. Reserved.

Commented [LH89]: ?

Commented [LH90]: Per Chief Brent, remove in full

DIVISION 5. APPOINTED OFFICERS

Sec. 2-241. Notice requirements; oath; qualification; commission.

Commented [LH91]: This process should be reviewed.

(a) Before a city officer is appointed, the appointing officer shall, in person, notify the council in executive session, naming the proposed appointee.

(b) Forthwith after making an appointment, the appointing officer shall notify the clerk of the appointment.

(c) The clerk shall give written notice of the appointment to the appointee, attaching thereto a copy of this article if one has not been furnished previously to the appointee.

Commented [CD92]: This has never been done. What's the point? If necessary, perhaps the appointing officer should do this.

(d) After taking the oath or affirmation prescribed by law, and leaving a signed copy thereof with the clerk, on a form furnished by the clerk, the appointee shall be qualified to enter upon his office.

Commented [CD93]: Are we saying all such appointees are to take some sort of oath?

(e) If an appointee does not qualify within ten (10) days, excluding holidays, after notice is given him by the clerk, his appointment may be rescinded by the appointing officer or by the council if the appointment is made by the council.

Commented [CD94]: How is the clerk deeming someone "qualified"?

(f) Upon qualifying, the city officer shall receive a commission signed by the appointing officer, or by the mayor if the appointment is made by the council. (Ord. No. 1965-4, Sec. 2.2.02)

Sec. 2-242. Term; continuation until successor appointed.

Unless otherwise provided, a city officer shall hold office for a term of one year from the first day of July~~April~~. All city officers shall hold office until their successors are appointed and have qualified. (Ord. No. 1965-4, Sec. 2.2.03)

Sec. 2-243. Compensation.

The compensation of city officers shall be fixed as prescribed by the laws. Before fixing or altering such compensation the city officer authorized to do so shall notify the council, in person, in executive session. (Ord. No. 1965-4, Sec. 2.2.04)

Sec. 2-244. Bonding requirements.

Each of the city officers required to give bond under provisions of the laws, shall give a bond with surety at the expense of the city, in such sum as the council shall prescribe by resolution. Other city officers shall, at the discretion of the council, be covered by a ~~blanked-blanket~~ bond, so-called, in such sum as the council shall determine by resolution. (Ord. No. 1965-4, Sec. 2.2.05)

Commented [CD95]: I'm not aware of any such resolution. Perhaps a question for PACIF - do they need a resolution from the council to issue the blanket bond?

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Sec. 2-245. Conflicts of interest.

City officers shall refrain from acting in matters involving the city, which will involve them in a conflict of interest. With the consent of the council an officer who has disqualified himself from acting for the city may, in special cases, such as tax appeals, act adversely to the city. (Ord. No. 1965-4, Sec. 2.2.06)

Commented [LH96]: Refer to Conflict of Interest Policy?

Sec. 2-246. Reserved.

Editor's note--Section 2-246, "Other employment, gifts, etc., prohibited for certain officers," has been deleted pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983. Said section derived from Ord. No. 1965-4, Sec. 2.2.07.

Secs. 2-248--258. Reserved.

ARTICLE VII. CITIZENS' ADVISORY COMMITTEE

Sec. 2-259--263 Reserved.

Editor's note--pursuant to Ord. 1990-6, adopted April 30, 1990, relating to creation of, purpose of, and procedure of a Citizen's Advisory Committee, has been deleted. Said section derived from Ord. No. 1965-4, Sec. 18.7.05.

Sec. 2-264--2-272. Reserved.

ARTICLE VIII. EMERGENCY MANAGEMENT DEPARTMENT*

Sec. 2-273. Short title.

This article shall be known and may be cited and referred to as the "Emergency Management Ordinance of the City of Barre". (Ord. 1985-7, 12-30-85)

Sec. 2-274. Intent and purpose.

(a) It is the intent and purpose of this article to establish a department that will insure the complete and efficient utilization of all of the facilities of the City of Barre to combat disasters resulting from natural, technological and attack related hazards as defined herein.

(b) The City of Barre Emergency Management Department will be the coordinating agency for all activity relating to emergency management and will be the instrument through which the mayor, city council and city manager may exercise the authority and discharge the responsibilities vested in Title 20, Section 6, VSA, as amended; and this article.

(c) This article will not relieve any city department of the normal responsibilities or authority

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given to it in the city charter or by local ordinance, nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies. (Ord. No. 1985-7, 12-30-85)

Sec. 2-275. Definitions.

The following definitions shall apply in the interpretation of this article:

ATTACK shall mean a direct or indirect assault against Barre City, its government, its environs, or of the nation, by forces of a hostile nation or the agents thereof, including assault by bombing; radiological, chemical or biological warfare; or sabotage.

CHAIRMAN shall mean the mayor or his designated alternate duly appointed in accordance with Title 20, VSA, and this article.

DIRECTOR shall mean the Director of the Barre City Department of Emergency Management, appointed as prescribed in this article.

DISASTER includes, but is not limited to, actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic or other impending or actual emergency endangering or threatening to endanger health, life, property or constituted government.

EMERGENCY MANAGEMENT in its broad meaning is to carry out the basic government functions of maintaining the public peace, health and safety during an attack or disaster. This shall include plans and preparations for protection from, and relief, recovery and rehabilitation from, the effects of an attack on the city by the forces of an enemy nation or the agents thereof, and it shall also include such activity in connection with disasters as defined herein. It shall not, however, include any activity that is the primary responsibility of the military forces of the United States.

EMERGENCY MANAGEMENT FORCES shall mean the employees, equipment, and facilities of all city departments, boards, institutions, and commissions; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.

EMERGENCY MANAGEMENT VOLUNTEER shall mean any person duly registered, identified and appointed by the chairman of the emergency management agency and assigned to participate in the emergency management activity.

REGULATIONS shall include all plans, programs and other emergency procedures deemed essential to emergency management.

VOLUNTEER shall mean contributing a service, equipment or facilities to the emergency management organization without remuneration. (Ord. No. 1985-7, 12-30-85)

Sec. 2-276. Organization and appointment.

Commented [LH97]: Should this point to the Emergency Management Plan?

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- (a) The mayor is hereby authorized and directed to create an organization for emergency management utilizing to the fullest extent the existing departments within the City. The mayor, as executive head of the municipal government, shall be the chairman of the emergency management forces of this city and shall be responsible for their organization, administration, and operations.
- (b) The organizations shall consist of the following:
- (1) An emergency management office under the administrative direction of the city manager. There shall be a head of the emergency management office, who shall be known as the City Director of Emergency Management, and such assistants as are deemed necessary for the proper functioning of the department.
 - (2) The employee, equipment and facilities of all city departments, boards, institutions and commissions will participate in the emergency management activity. Duties assigned to a city department shall be the same or similar to the normal duties of the department.
 - (3) Volunteer persons and agencies offering service to, and accepted by, the city.
- (c) The mayor shall appoint the emergency management director who shall be responsible for coordination of the planning and preparation of the various departments which will operate to protect the public health, safety and welfare in the event of danger from enemy attack or disaster as defined in this article.
- (d) The emergency management director shall designate deputy directors to assume the emergency duties of the director in the event of his absence or inability to act, so that there will at all times be an emergency management director available in emergency situations. (Ord. No. 1985-7, 12-30-85)

Commented [LH98]: I believe this is currently listed under appointments by the Manager?

Sec. 2-277. Emergency powers and duties.**MAYOR (CHAIRMAN):**

- (1) The emergency management ~~chairman-chair~~ may exercise the emergency power and authority necessary to fulfill ~~his-the~~ general powers and duties as defined in Vermont law and local ordinance. The judgment of the ~~chairman-chair~~ shall be the sole criteria necessary to invoke emergency powers provided in the Code of Ordinances and other appropriate authorities. The city council may convene to perform its legislative and administrative powers as the situation demands, and shall receive reports relative to emergency management activities. Nothing in this article shall be construed as abridging or curtailing the powers or restrictions of the city council as defined in state law and local ordinance.
- (2) During any period when disaster threatens or when the city has been struck by disaster, within the definition of this article, the mayor may promulgate such regulations as ~~he deems are~~ deemed necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:
- a) Regulations prohibiting, restricting or rerouting the movement of vehicles in order to facilitate the work of emergency management forces, or to facilitate the mass movement of persons from critical areas within or with-out the city.

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- b) Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.
- c) Such other regulations necessary to preserve public peace, health and safety.
- d) Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and uttered by newspaper and radio. These regulations will have the force of ordinance when duly filed with the city clerk and violations will be subject to the penalties provided in state law and local ordinance.

Commented [CD99]: Should there be a reference to social media?

(3) The ~~chairman~~ ~~chair~~ shall order emergency management forces to the aid of other communities when required in accordance with the statutes of the state, and ~~he~~ may request the state, or a political subdivision of the state, to send aid to the City of Barre in case of disaster when conditions in the city are beyond the control of the local emergency management forces.

(4) The ~~chairman~~ ~~chair~~ may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the city for the fair value thereof.

(5) The ~~chairman~~ ~~chair~~ may require emergency service of any city officers or employees. If regular city forces are determined inadequate, the ~~chairman~~ ~~chair~~ may require the services of such other personnel as ~~he~~ can ~~be obtained~~ ~~obtain~~ that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities as are provided by state law, and ordinances for regular city employees and other registered and identified emergency management and disaster workers.

(6) The emergency management ~~chairman~~ ~~chair~~ will exercise ~~his~~ ~~their~~ ordinary powers as mayor and all of the special powers conferred ~~upon him~~ by state law and local ordinance of the City of Barre, all powers conferred ~~upon him~~ by any statute, or any other lawful authority.

EMERGENCY MANAGEMENT DIRECTOR:

(1) The Barre City Emergency Management Director shall be responsible for all phases of the emergency management activity. Under the administrative supervision of the city manager, he shall be responsible for the planning, coordination and operation of the emergency management activity in the city. He shall maintain liaison with the state and federal authorities and the authorities of other nearby political subdivisions to insure the most effective use of the emergency operation plan. His duties shall include, but not be limited to, the following:

- a) Development and coordination of plans for the immediate use of all facilities, equipment, manpower and other resources of the city for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness, governmental services and public utilities necessary for the public health, safety and welfare.
- b) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the city for emergency management purposes.
- c) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings and other property for for emergency management purposes and designating suitable buildings as public shelters.
- d) Through public information programs, educating the civilian population as to actions

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- necessary and required for the protection of their persons and property in case of disaster, or enemy attack, as defined herein, either impending or present.
- e) Conducting public practice alerts to insure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures and operations.
 - f) Coordinating the activity of all other public and private agencies engaged in any emergency management activity.
 - g) Assuming such authority and conducting such activity as the chairman may direct to promote and execute the emergency operations plan. (Ord. No. 1985-7, 12-30-85)

Sec. 2-278. Violation of article or regulations.

It shall be unlawful for any person to violate any of the provisions of this article or the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this article or any regulation or plan issued thereunder. (Ord. No. 1985-7, 12-30-85)

Sec. 2-279. Penalty.

Any person, firm, or corporation violating any provisions of this article or any regulation or plan formulated thereunder, upon conviction thereof, shall be punished pursuant to VSA, as amended. (Ord. No. 1985-7, 12-30-85)

Sec. 2-280. Severability.

Should any provisions of this article be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this article, as a whole; it being the legislative intent that in lieu of, the provisions of this article shall be severable and remain valid notwithstanding such declaration. (Ord. No. 1985-7, 12-30-85)

Sec. 2-281. Conflicting provisions.

At all times when the orders, rules and regulations made and promulgated pursuant to this article shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith. (Ord. No. 1985-7, 12-20-85)

~~**EDITOR'S NOTE** (Ord. No. 1985-7, enacted Dec. 30, 1985, amended Art. VIII, Secs. 2-273-2-281 to read as herein set out. Prior to amendment, Art. VIII, Secs. 2-273-2-275 pertained to civil defense and derived from Ord. No. 1965-4, Secs. 18.12.01 and Ord. No. 1983-1, adopted Jan. 13, 1983.~~

FY2022 Council Priorities

Version: 6/18/2021

Council To-Do's:

- Department Head Meetings with Council (Priorities, Recruit/Retain, Completed List):
 - Listing of work/priorities you are already working on
 - Department Promotion of City (Examples of Department Achievements/Awards are Heart Safe Community. In process items like ISO #3 Follow up with Dept Chief Aldsworth. New items like Arbor Day Foundation Designation)
 - Recruitment and retention (**Department Heads**)
 - Vacancies and vulnerabilities and succession planning (i.e. Assessor)
 - Staff retention, demographics, reliability, and overtime
 - Culture (what needs to be changed, how is morale?)
 - Additional positions needs/wants
 - Analysis of gender pay equity across dept. Heads. (Rikk)
 - Use Department of Labor information for range comparison
 - Volunteer Programs
 - Painting programs (Hydrants, street sign posts), Tree Trimming, Pressure washing
- Potential Department Meeting Dates with Council
 - Police (**August 10th**)
 - DPW (**August 24th**)
 - Excavate Entrance to Railroad Bed (Bill)
 - Acorns?
 - New Road to support Housing Development off from Colby
 - Fire (**September 14th**)
 - Planning, Permitting and Assessing (**September 28th**)
 - BCS/Recreation (**October 12th**)
 - Wheelock Building Usage Agreements
 - Usage of Wheelock Building – (Mayor)(**Carry to FY22**)
 - Status of Grant Applications (USDA) (Outreach on 1/24/2021)
 - City Wastewater Permit (POSTPONED UNTIL GRANT APPLICATION RECIEPT)
 - *Added: Sale/Alternative program*
 - Finance (**October 26th**)
 - Include budget process at this time
 - Reminder for Final Overview meeting with all budget items in December
- Citywide Trash/Recycle/Compost RFP (Organics Diversion Committee)(June 22nd)
- Planning Commission Recommendations (June 22nd)
 - At an upcoming agenda, we will gather information to send to the Planning Commission for recommended changes. Please review the Municipal Master Plan Implementation Table from today's packet for any items that you may want to include as part of that list (but feel free to include additional items as necessary).
 - Capital Infrastructure Plan (**Staff**)(**Prior to Budget discussions**)(September)

- Suggested review of Inventory of all lands owned by the City, Infrastructure liabilities , Value-per-acre analysis, Road condition assessment, Pipe condition assessment, Network distribution methodology for pricing some items, Full inventory of city lands, easements, infrastructure, facilities, Inclusion of all items in STIP
 - Community Rating System (**January**)
 - Neighborhood Development Area (**February**)
- Events
 - Tire Disposal Day (**July 24th**)
 - 1-3 tires will be picked up, more than that responsibility of resident
 - Friends of the Winooski Day (**Sept 19th**)
 - Fall Festival Sept 30th (Barre Partnership)
 - Community Visit (VCRD)
 - Mailing for VCRD – Collection process with Barre Partnership for businesses/nonprofits (Jenna, Renita, Mayor, Manager)
 - Steering Committee Regroup (**July 20th**)(Alumni Hall)
 - Community Visit Day (**August 25th**)(Aud)
 - Community Resource Day (**September 15th**)(Aud)
 - Final Report (**October 20th**)(Aud)
- Charter Work Group (**Councilors Reil and Stockwell**) (Town Meeting Day)
 - Expansion on Local Options Tax
 - Warn Opt-in Sales of Retail Cannabis (7 V.S.A. – 863)
 - Pending Legislation to Mandate this
 - Parking Ban – November to April
 - **New: Cemetery and Parks as listed in Charter**
- Ordinance Work Group (**Councilors Boutin and Waszazak, outreach to staff and committees**)
 - Ordinance Review Process Discussion (Council)(6/29/2021)
 - Add Carol to the conversation for each Ordinance for proper formatting
 - Use of Memo to go with each Ordinance
 - Administrative (Public Bodies) – Meetings (Lucas) (**Dates**)
 - Removal of items not needed (**July**); then
 - Manager review of staff jurisdictions, detail (**September**)
 - **Chapter 20 Tree Ordinance** (Jeff, Tree Stewardship Committee)(**August**)
 - **Chapter 5 Electricity** (Bill and Chief Brent) (**October**)
 - **Chapter 6 Fire Protection and Prevention** (Chief Brent)(**November**)
 - **Chapter 13 Signs** (Bill, Jeff) (**December**)
 - **Chapter 15 Swimming Pools** (Bill, Jeff) (**January, 2022**)
 - Follow up from Animal and Fowl Work Group (They recommend)

Policy (work group will be more coordinating reviews – Mayor)	Last Reviewed	Last Adopted
FY22		
<u>Locker Searches & Inspection Policy (HR Director)(September)</u>	6/20/2006	6/20/2006
<u>Revised Tax Stabilization Policy (Planning, BADC)(October)</u>	8/6/2013	8/6/2013
<u>Temporary 24 Hour Parking Permit Policy (Parking Work Group)(Nov)</u>	1/3/2011	1/3/2011
<u>Use of Force Taser Policy (Police Advisory)(July)</u>	8/18/2009	8/18/2009

Cemetery Investment Policy (Clerk/Finance Director)(August)

6/21/2016

6/21/2016

Public Record Inspection Copying and Transmission (December)

- Public Records (City Clerk) (TBD) Discuss more after digitization process complete

Food Vendor Policy (Janet)(December)

- **Food Vending Ordinance, instead of Policy** my intent is to start work on it the beginning of April, as I want to reach out to some of our food vendors to see what they might have experienced in other communities, and get a sense of their review. Writing this ordinance should come with some form of endorsement of our food vendors, so that Food Truck Thursdays and anything else similar is doable. I think early May for review back in front of Council is doable.

Parking Permit Policies (April, 2022)

12/19/2017

12/19/2017

Flag Policy (follow up after Legislative action on Charter change) (May, 2022)

11/24/2020

11/24/2020

- Administrative Policy Signing (Rikk) (September)
 - Add to policy Area? Workplace antagonism/bullying
- New items:
 - Volunteering Policy (TBD)
 - Volunteer Recruitment Form on website/discuss composition on committees
 - Rolling appointments of Board vacancies with EEOE-type statement about a commitment to diversity (Currently Annual Appointments/fill vacancies/have a statement that can be reviewed by Diversity and Equity Committee)
 - Research appointment history for recognition when stepping down (July)
 - Rikk to provide current statements to Council (August)
 - Create online recruitment form (September)
 - Limit new appointees to Barre City residents only?
 - Limit Number of bodies to serve on?
 - Water/Sewer Connection Policies: Review water/wastewater connection policies (in plans and ordinances) with an eye towards connections beyond the city boundary and the lifecycle maintenance costs. (DPW Director)(January)
 - Accepted Gift Policy (check against Asset Naming Policy if anything else is needed)(February)

Council priorities - Manager (and other staff) Support Required:

- ARPA Funding allocations (All)(?)
 - Follow up on Manager's suggestions once guidance is provided
- Tax Increment Financing (TIF) Plan, including Bond Implementation (Consultant)
- Review Capital, Streets, Sidewalks plan with (TAC, PRT and ADA Committees)(August)
- Merchant's Row Master Plan (Manager)(October)
- Planning/Grant Coordination Position, IT position, other (Budget)(October)
- Manager's Transition Plan (Rikk, Committee)(October)
 - Community Survey, Review Job Description, Committee and Consultant Support

- Year-Round Yard waste program in Barre City (**Jeff and Bill**)(November)
 - Disposal of Tree Trimming from City Property and in right-of-way
 - Reallocate funds from program with Barre Town to purchase a chipper
 - Work with CVSWMD on siting
- Infrastructure:
 - Changes to layout at City Hall – (**Bill/Steve/Rikk**)(September)
 - Interim “compression” and reallocation
 - Historic renovations (**Historic Grant?**)
 - Address bathroom and other A.D.A. compliance issues and staff safety issues
- Onboarding (November)
 - Expand information to include different bodies of the city?
 - Include glossary of terms (Alphabet Soup)(Ericka)
 - Opportunities for Volunteering - List local organizations that people can be involved in, with organization input and contact information(**Councilor Reil – FY22**)
 - Add links of volunteer organizations to the City website
 - Creation of a “flyer” to hand out with next round of Neighborhood Watch meeting information/Community Visit.
- Other:
 - Legislative Report (January)
 - Housing Programs (TBD)
 - 2-Lot Subdivision, SFDU Program – Starter/Downsizing Home Program (Infill Housing Initiative)(TBD)
 - Private housing/assistance program

Staff Items

Complete Streets/Smart Streets Plan (TAC and PC Input)(Bill for timeline)

Staff feel this would be better served being done by a consultant. If you review Montpelier’s Complete Streets Plan, it’s much more complicated than just putting ideas down in a plan, as there are requirements that would come out of the plan, and some analyses would have to go with this plan. A complete streets plan requires compliance with Act 34 by the municipality and writing a plan.

- See Municipal Plan for their prioritization
 - Designated truck routes -- consideration of gross weight limits on non-trucking routes **Summer Street? (TBD)** (**Discussion 2/23 with Traffic Enforcement**)
 - Gross weight limits on streets. Overweight permits. Funding source.
 - Certification needs? License people or equipment? (Chief)
 - DPW Comprehensive Streets Ordinance on Roadway Improvement
 - Public Outreach Communication
 - Standards (See Complete Streets in FY22)
- Process, Acceptance of Streets, Hierarchical classification of streets (DPW Director) (**started with Stowe Street**)
- Traffic Calming Corridor Plan, 10-12 busiest routes. Staff pursuit of grants for Corridor Planning, match with budget/ARP funding, create of a long term plan. (**Position/consultant**)

- Parking, in coordination with Traffic changes (**Bill Ahearn**)
 - Review Pilot Parking Program
 - Round 2 – Granite Street Markings; One-way on Lower Camp, Charles, River, and Glenwood/Elmore; Crossings by Southend Cumbies and Barre Manor

Hazard Mitigation Plan Chapter on Communicable Disease (10/01/2022) (Chief Brent) Planning Director wrote and had approved the Hazard Mitigation Plan in 2017, it is due to expire at the end 2022, so the recommendation is to start updating this beginning about a year from now, as we are required to have a large amount of public input (stakeholder meetings, gatherings, etc.). Stephanie Smith, the State Hazard Mitigation Officer's response was that it's not worth the trouble to edit the plan at this stage, because of the layers of review and approval that are needed. If we edited or added a chapter now, by the time FEMA approves the revision, we will be in the midst of the required 5-year update next year, so just wait until next year when we work on the update. Planning Director has asked for FEMA funding to update our plan next year, and have asked for \$10,150 which the \$2700 match will come out of the Permitting and Planning budget.

Barre Town Water/Sewer Agreements, Water Sewer Budget, Water/Sewer Rate (?)

- Barre City Team to develop an action plan
 - Steve/Steve/Bill/Mayor and/or Councilor Cambel
 - Barre Town Water and Sewer Agreements Rev.
 - 10-year Water and Sewer Budget
 - to include water system improvements
 - Rate adjustments

FY2023 and After Council Priorities

- Evaluate PILOT for revenues (**Councilor Boutin**)
 - The evaluation of PILOT revenues was the conversation started by Peter Anthony on properties that currently do not pay property taxes.
 - Info on payments from BHA and Downstreet
- Management Reports – Standardize comparative data, format, and cover memos (**Anything else needed?**)
- Cornerstone Field (Mayor, Rich McSheffrey)(Spring, 2022)
- Ordinance Work Group (**Councilors Boutin and Waszazak, outreach to staff and committees**)
 - And for these to be reviewed after July 1st of 2022:
 - [Chapter 8 Industrial Safety](#) (?)(August, 2022)
 - [Chapter 14 Streets and Sidewalks](#) (Bill)(September 2022)
 - [Chapter 18 Trash](#) (?)(April, 2022)
 - [Chapter 19 Water & Sewer Services](#) (Bill, Chief Brent)(February 2022)
 - [Chapter 22 Fire/EMS Service Reimbursement](#) (Chief Brent) (May 2022)
 - And then finalizing all of this after July 1st, 2023 with the following:
 - [Ordinance Table of Contents](#) (Steve, Carol, Janet)
 - [Chapter 1 General Provisions](#) (Steve, Carol, Janet)
 - Any other Ordinance revisions that are needed due to changes in Legislation that come up

Remove:

- **Specific-Area Downtown & (Rivers) Corridor Physical Master Plan** Planning Director started work on River Corridor bylaws 2 years ago with the CVRPC, which we would need to adopt a river corridors bylaw in conjunction with any **master plan**, so either a separate set of bylaws, or incorporate into and revise our current Flood Hazard regulations. If the City adopts river corridor bylaws, it will significantly reduce the ability to develop or redevelop most of the north end, and a significant portion of the downtown, and at the time, CVRPC said that adopting river corridor bylaws might not be a good thing for us. Planning Director believes whatever this type of plan is being thought of should be consultant led. We have a **Stormwater Master Plan** with projects and guidance that hasn't been reviewed since it was written, with five projects 30% designed. There are stormwater and other projects within the Hazard Mitigation Plan that haven't been addressed for over 10 years now. And, there is the Winooski River Basin Plan that contains a ton of information and planning that even I haven't absorbed it all yet. And at some point we should probably update the **April 2010 Merchant's Row Master Plan** or at least revisit it once we figure out what we are doing with the TIF funds. And the **March 2012 North Main to Summer Street Master Plan**? Should we turn our attention to updating these first? (REMOVE)
- Traffic - Automated speed ticketing to fund street improvements/special detail/contracted Sherriff — program until street design can address this. (REMOVE)



**Central Vermont
Chamber of Commerce**
Proudly Presents



The Third Annual Vermont ATHENA Leadership Award®

The ATHENA Leadership Award® was inspired by the goddess of Greek mythology known for her strength, courage, wisdom and enlightenment—qualities embodied in the ATHENA Model. The Award is unique in both scope—local, national and international—and the ATHENA mission upon which it is based. The ATHENA Leadership Award® is a nationwide program designed to honor those who are mentoring women in business and helping them strive to attain their highest level of accomplishment and leadership.

Call for Nominations

The ATHENA Leadership Award® is a very prestigious recognition presented to a person who provides significant mentoring and direction to women professionals. This award honors individuals who strive toward the highest levels of personal and professional accomplishment, who excel in their chosen field, devote time and energy to their community in a meaningful way, and forge paths of leadership for women to follow.

To receive the ATHENA Leadership Award®, the nominee must meet the following criteria:

- Demonstrates excellence, creativity and initiative in their business or profession
- Provides valuable service by contributing time and energy to improve the quality of life for others in their community
- Actively assists others, particularly women, in realizing their full leadership potential

The Process

ATHENA Leadership Award® nominees must work in Vermont. Prior recipients are not eligible.

A panel of prominent business leaders from across Vermont will review all nomination forms and select three ATHENA Leadership Award® finalists. All ATHENA nominees will be recognized at the ATHENA Award® Gala on Saturday, November 6th, 5:30 p.m. at Capital Plaza, Montpelier, Vermont and the 2021 Vermont ATHENA Leadership Award® recipient will be announced. An evening of dinner and dancing will honor the recipient and the ATHENA Model. The recipient must be present to accept their award and can attend virtually.

Completed nomination forms must be submitted to Central Vermont Chamber of Commerce by 5 p.m. on September 1, 2021.

SPONSORS





A T H E N A
INTERNATIONAL

ATHENA Leadership Award® Nomination Form Page 1

COMPLETING THE FORM

- Nominations for the ATHENA Leadership Award® must be submitted using this nomination form and format
- To access the electronic version of this form, please visit www.centralvt.com
- Additional documentation is limited to one page (e.g. résumé)
- Links to social media will not be accepted
- You are encouraged to work closely with your nominee to complete their nomination

WAIT!! Is your nominee under 40 years old? If so, you may want to consider the ATHENA Young Professional Award nomination form instead of this one!

Did you verify the nominee is able to attend the virtual ATHENA Award® Gala on November 6th?

Yes No

RETURN COMPLETED FORM BY 5PM ON SEPTEMBER 1, 2021 TO:

Central Vermont Chamber of Commerce
Attn: ATHENA
33 Stewart Road
PO Box 336
Barre, VT 05641

PREFERRED
Athena@centralvt.com
Questions? Contact Tonya at (802) 229-5711

DATE OF APPLICATION: _____

NOMINEE

Name: _____

Preferred Address: _____

City/State/Zip: _____

Phone: _____ Email: _____

Company/Organization (if applicable): _____

Title or Position: _____

NOMINATOR

Name: _____

Company/Organization (if applicable): _____

Title or Position: _____

Business Address: _____

City/State/Zip: _____

Phone: _____ Email: _____





ATHENA Leadership Award® Nomination Form Page 2

When answering the following, please provide quantitative information regarding how the nominee meets the award criteria.

I. PROFESSIONAL LEADERSHIP: The nominee shall have a demonstrable history of fostering innovative ideas in an industry or in various industries. They clearly contribute to constant development, initiative and creativity. List and describe the significant contributions the nominee has made to their organization. Address specific contribution areas such as quality of the organization's products and/or services, increased customer and/or employee satisfaction, etc. Include impact on growth or financial growth. Also, list special recognitions, projects and achievements. Include business-related affiliations, directorships, trusteeship or other designations. (limit to 250 words)

II. COMMUNITY LEADERSHIP: The nominee must provide valuable service to improve the quality of life for others within their community. Please list local, county and state level participation, length of service and offices held in civic and service organizations, charitable activities, political pursuits, religious groups, chambers of commerce, merchants' associations, etc. (limit to 250 words)

A T H E N A
I N T E R N A T I O N A L

ATHENA Leadership AWARD® Nomination Form Page 3

III. PERSONAL LEADERSHIP: Nominees shall encourage growth in others by assisting them to set and achieve goals and advocating for professional and personal achievements. Please provide specific examples of how the nominee has demonstrated support for the advancement and leadership development of business and professional women beyond daily/regular job responsibilities. (limit to 250 words)

IV. ADDITIONAL INFORMATION PERTAINING TO CRITERIA: Include any additional information you feel is important for consideration of your nominee. List awards, honors received, publications or articles supporting service to their profession, industry or community. (limit to 250 words)



**Central Vermont
Chamber of Commerce**
Proudly Presents



**The Third Annual Vermont
ATHENA Young Professional Leadership Award®**

The ATHENA Young Professional Leadership Award® program was founded in 2007 by ATHENA International to honor emerging women leaders who demonstrate excellence, creativity and initiative in their business or profession. Recipients must also demonstrate their commitment to service by contributing time and energy to improve the quality of life for others in their community while serving as a role model for young women personally and professionally.

Call for Nominations

The ATHENA Young Professional Leadership Award® recognizes women 40 years old and younger who meet each of the following criteria:

- Demonstrates excellence, creativity, and initiative in their business or profession
- Provides valuable service by contributing time and energy to improve the quality of life for others in the community
- Clearly serves as a role model for young women personally and professionally

The Process

You may nominate yourself or others using the above criteria, and you may also submit nominations for multiple nominees.

ATHENA Young Professional Leadership Award® nominees must work in Vermont, be 40 years old or younger at the nomination submission deadline and have a minimum of five years professional experience. Prior recipients are not eligible.

A panel of prominent business leaders from across Vermont will review all nomination forms and select the ATHENA Young Professional Leadership Award® recipient. All ATHENA nominees will be recognized at the ATHENA Award® Gala on Saturday, November 6th, 5:30 p.m. at Capital Plaza, Montpelier, Vermont, or virtually. An evening of dinner and dancing will honor the recipient and the ATHENA Model. The recipient must be present to accept their award and can attend virtually.

Completed nomination forms must be submitted to Central Vermont Chamber of Commerce by 5 p.m. on September 1, 2021.

SPONSORS





A T H E N A
INTERNATIONAL

ATHENA Leadership Award® Nomination Form Page 1

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Yes No

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Phone: _____ Email: _____

Company/Organization (if applicable): _____

Title or Position: _____

NOMINATOR

Name: _____

Company/Organization (if applicable): _____

Title or Position: _____

Business Address: _____

City/State/Zip: _____

Phone: _____ Email: _____



A T H E N A
I N T E R N A T I O N A L

ATHENA Leadership Award® Nomination Form Page 2

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A T H E N A
I N T E R N A T I O N A LATHENA Leadership AWARD[®] Nomination Form Page 3

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IV. ADDITIONAL INFORMATION PERTAINING TO CRITERIA: Include any additional information you feel is important for consideration of your nominee. List awards, honors received, publications or articles supporting service to their profession, industry or community. (limit to 250 words)



Steven E. Mackenzie, P.E.
City Manager

● *City of Barre, Vermont*

“Granite Center of the World”

6 N. Main St., Suite 2
Barre, VT 05641
Telephone (802) 476-0240
FAX (802) 476-0264
manager@barrecity.org

To: Mayor Lucas Herring and the Barre City Council

From: Steven Mackenzie, P.E., City Manager

Re: Department Head Reports

Report Date: June 25, 2021

In order to keep you informed of the Department activities of the office, I'm forwarding this report of activities of the City staff for the previous Friday - Thursday. If there are any additional questions please do not hesitate to ask.

1. CLERK/TREASURER'S OFFICE:

- COVID REPORT: City Hall reopened to the public as of Monday, June 21st.
- Working on management response to State Auditor's TIF audit. City's response is due to the SAO by Tuesday, June 29th.
- We have received a number of abatement requests since our last hearing in February 2020. Now that the Governor's emergency order has expired and we can hold in-person meetings again, we'll schedule the hearings in the near future. Working with BCA chair to set the schedule.
- The abstract grand list was lodged in the Clerk's office on June 24th, as is required by statute. Grievance hearings begin on July 8th. At the completion of the grievance hearings, decisions will be mailed out, and the final grand list will be lodged, after which the municipal tax rate can be calculated. It is anticipated the Council will approve the tax rate at the July 27th meeting.
- The main hearing for the Brian Judd election challenge is scheduled for June 29th, and is expected to conclude the case. It will be conducted electronically.
- The utility arrearage assistance program is being offered again to help customers with delinquent water/sewer bills, however it is only available to residential renters who pay their water/sewer bills directly to the City. This will significantly limit the number of qualifying customers. Information about the program has been shared on FB, the website, and Front Porch Forum.
- The City has posted information on Front Porch Forum and the website about the mortgage assistance program being offered by the state with COVID relief funds.

2. BUILDING AND COMMUNITY SERVICES:

- This was the first week of an eight-week day care/summer camp being held in the AUD basement. This is a privately run camp for which we are collecting a fee.
- The Aldrich Library held their “Story Hour” event on Monday morning in Currier Park.
- There was a Yoga Class in Currier Park on Monday evening.
- On Tuesday evening there was a summer high school league game in the AUD.
- The Montpelier Police conducted a physical training program on Tuesday and Wednesday evenings in the BOR.
- The DMV held CDL testing on Wednesday in the Civic Center parking lot.
- The BCPD conducted an interview on Wednesday afternoon in the Alumni Hall conference room.
- The Red cross held a blood draw on Wednesday in Alumni Hall.
- I attended the pool filtration system operations training on Thursday.
- On Thursday, the Aldrich Library held two “theatre workshops” in Currier Park, one in the morning and a second in the afternoon.
- The VeggieVanGo food distribution event was held on Friday in the Civic Center parking lot.
- I spent the entire week working at the pool to ensure everything was completed in time for the ribbon cutting on Sunday the 27th.
- The cemeteries crew continued mowing and trimming operations at the cemeteries. We also poured four foundations for monuments and one cremation inurnment.
- The facilities staff spent the entire week at the pool preparing for the ribbon cutting.

2a. RECREATION:

- Attended Department Head meeting
- Attended pool filtration training
- Conducted registrations for Wicked Cool For Kids summer camps with the grant price reduction. Emails / phone calls returned pertaining to this and other programs.
- Worked on pool season pass information.
- Worked with new pool Cashier on register operations and recording.
- Met at pool with Director / Assistant working on chair placement, EAP, etc.
- Rotary Park reservations processed.
- The bulk of the week has been preparing forms, flyers, signage information needed for the opening of the swimming pool. Time was also spend at the pool getting equipment in place, sweeping, cleaning, etc.
- Updated social media and barrecity.org with pool information
- Appealing on social media again as we are in need of more Lifeguards. We will do everything we can to be open all hours, however safety needs to be number the priority. There may be times when only the zero entry and 1st section of the pool are open until we are able to locate more Lifeguards. Discussions with neighboring communities – everyone is having the same challenge. It also appears to be across the state and country.

3. DEPARTMENT OF PERMITTING, PLANNING AND ASSESSING:

Planning – Janet:

- Attended department head meeting Tuesday morning;
- Attended city Council executive and regular meeting Tuesday evening;
- Participated in internal TIF call with the Manager and White+Burke Thursday morning;
- Participated in hybrid Planning Commission meeting Thursday evening;
- Participated in internal TIF call with the Manager, Clerk and White+Burke Friday morning;
- Reviewed the TIF audit management response authored by the Clerk so she could get that sent in;
- Finalized the Energy Committee’s Monday evening meeting agenda and sent out;
- Answering questions, phone calls, assisted fellow staff, timesheets, weekly report write-up, etc.

Permitting – Heather:

- Issued 2 electrical permits;
- Issued 2 zoning permits;
- Processed incoming rental registry invoices;
- Sent out non-compliance zoning letters in regard to signage;
- Assisted Director with the change of appraisal mailings;
- Phone calls and emails continue with applicants, answering questions, etc.;
- Updated both zoning and the fire department’s software for address changes, permit copies, etc.

Assessing Clerk – Kathryn:

- Regular office tasks: permit copies from Heather into databases, address changes, mapping updates, filing, checking Grand List items, Street numbers, corrections, e-mail messages, phone calls, etc.;
- Processed 13 PTTR’s (property transfer return) for updating all property records in NEMRC, ProVal, and mapping software;
- Sent out 6 map copies and 17 lister cards as requested via email or by telephone;
- Downloaded 17 homestead filings for a total of 1,703 to date;
- Continue working on the 2020 Sales Study from the data sent by the State (out late);
- Continue cleaning up discrepancies between the now updated Assessing software and NEMRC, for missing inactive or otherwise parcels, span # discrepancies, etc.;
- Finished updating the Veteran status on properties from the Veterans Department for the upcoming grand list;
- Finalized any NEMRC updates for filing the abstract, and assisted the Interim Assessor/Department Director with completing.

Assessor-Janet:

- Completed and issued the Abstract (preliminary) grand list, sent out the change of appraisal notices, and posted the notices around the city – included finalizing any revisions in the NEMRC software, printing 2 abstracts, one for the clerk’s office – took the oath administered by the Clerk and finished paperwork with her, and one for the Assessing office; stuffed envelopes with all the changes of appraisal, mailed with the proper certificate of mailing;
- Updated the Assessing webpage with more user-friendly information;
- Department Director checks email and phone inquiries;

- Department Director has also sent out lister cards upon inquiry by realtors, etc.

4. DEPARTMENT OF PUBLIC WORKS:

06-17 Water Bring water samples to Endyne Lab Co., and pick up urgent samples, Perry Street water line recommissioning

Sewer Pump Station, Water line on Perry St., Sewer backup 23 Berlin St., Camera maintenance, Sewer maintenance and shop maintenance

Street Finish Pool poles and fencing, Flag traffic on Hill St. for Perry St. water line, paperwork, municipal pool fence, sidewalk on Perry St., maintenance on Bob Cat#2 and sewer vacuum truck

- **06-18 Water** West Hill Tank, meter install Fecteau Development, Water Sample and Perry Street water line recommissioning

Sewer Pump Station, Run to Williston with Water Sample and back, Locate Sewer line on Perry St., Shop maintenance

Street Municipal Pool fencing put together chairs completion, repair basketball court and pick up steel with Bob Cat and clean up area and haul back to DPW garage, pick up signs at Worksafe in Berlin, Perry Street reconstruction grading and sidewalk, Trash pickup on Main Street and downtown, Patch and pave holes and other repairs that need hot mix on Foss St., Berlin St. and Country Way, paperwork, check on issues, dig safe signs, Sign placement on Vine Street completed. Clean trucks and put away, maintenance of sewer vacuum truck, truck #17, and hot box maintenance and water generator

- **06-21 Water** West Hill Tank, Remote installation 32 Rudd Farm Drive, Locate Main Line on E Cobble Hill Road, maintenance &

services. Perry Street Main Line Water Project, paperwork and Merchant Street TV Sewer line

Sewer Pump Station, check sewer lines maintenance, TV Harrington Avenue, TV Wellington Street, Shop office maintenance and vehicle maintenance

Street Pour cement on Perry Street sidewalk reconstruction, Locate and turn on Water to customers on Perry Street, Repair sign on Brook Street, Cut catch basin at 12 Cassie Street for repair, sign posts and fencing at Municipal Pool, clean Kermit machine and chain saws and fuel up, paperwork, check issues from call ins, Sewer Camel repairs, Fire Dept. # 30 maintenance, Cemetery New Holland tractor repairs

✓ **06-22-21 Water** E Cobble Hill locate Main Line, Scampini Square sewer maintenance, Hydrant Flush prep for Municipal Pool, Maintenance and services, Perry Street Main Line water

Sewer Pump Station, Hydrant Flushing, Scampini Square Sewer Maintenance, E Cobble Hill locate Main Line water and sewer maintenance

Street Perry Street main line water, Perry Street reconstruction of manholes, remove metal shield telephone pole, Perry Street sidewalk replacement, paperwork, work planning, check complaints, repairs to Cemetery Dept. Tractor

✓ **06-23-21 Water** West Hill Tank, Maintenance and services, municipal pool prep and fill with Water overnight, Perry Street Main Line Water Project, City Hall meeting

Sewer Pump Station, 28 East Street sewer, Mark out surface drain with Dig Safe, Sewer maintenance, Surface sewer maintenance, Municipal Pool Main Line cleaning

Street Perry Street reconstruction install catch basin, Perry Street Main Line Water, Perry Street sidewalk rebuilding, paperwork, work planning, skunk pickup, Police Dept. Ford Fusion, Cemetery Tractor, meeting at City Hall

5. FINANCE DIRECTOR:

- FD out sick (Monday)
- Attended DH meeting in person
- Worked on FY22 department goals and objectives
- Reviewed VLCT's ARPA slides from June 16th webinar
- Worked on FY21 Schedule of Expenditures of Federal Awards (SEFA) which is required for audit
- Reviewed AP Invoices
- Reconciled employee benefit withholdings in preparation for the fiscal year end
- Watched the recorded webinar from National League of Cities on Normalizing Racial Equity in Local Government
- Worked on reconciling prepaid rental property registration against permitting records
- FD –vacation day (Friday)

6. DEPARTMENT OF PUBLIC SAFETY:**6a. FIRE DEPARTMENT:**

Weekly Fire Activity Report to follow this memo.

6b. POLICE

Police Media Logs to follow this memo.