1	Introduced by Representatives Hooper of Montpelier and Kitzmiller of
2	Montpelier
3	Referred to Committee on
4	Date:
5	Subject: Municipal and county government; municipal charters; City of
6	Montpelier; amendments
7	Statement of purpose of bill as introduced: This bill proposes to approve
8	amendments to the charter of the City of Montpelier.
9 10	An act relating to approval of amendments to the charter of the City of Montpelier
11	It is hereby enacted by the General Assembly of the State of Vermont:
12	Sec. 1. CHARTER AMENDMENT APPROVAL
13	The General Assembly approves the amendments to the charter of the City
14	of Montpelier as set forth in this act. Voters approved the proposals of
15	amendment on March 6, 2018.
16	Sec. 2. 24 App. V.S.A. chapter 5 is amended to read:
17	CHAPTER 5. CITY OF MONTPELIER

18 Subchapter 1. Incorporation and Grant of Powers

19

* * *

1 § 102. GENERAL POWERS

2	The City shall have all the powers given to towns and town school districts
3	by the general law; and may purchase, hold, and convey any real estate and
4	erect and keep in repair any buildings necessary or convenient for its purposes;
5	and may acquire, construct, and maintain such infrastructure as it may deem
б	necessary for the benefit of the City.
7	* * *
8	§ 105. INTERGOVERNMENTAL RELATIONS
9	The City, through its City Council or Board of School Commissioners, or
10	both, may enter into agreements with the United States of America or the State
11	of Vermont to accept grants, loans, and assistance to make public
12	improvements, and the City may make appropriations consistent with this
13	chapter to accomplish such purposes.
14	* * *
15	Subchapter 3. City Council
16	* * *
17	§ 509. ELECTION OF CITY OFFICERS
18	(a) At the annual meeting, Montpelier voters shall elect from among the
19	City voters a Mayor for a term of two years; a City Clerk for a term of three
20	years; a City Council member from each district for a term of two years; and
21	other elective City officers; and two school commissioners, each for a term of

1	three years. At the annual meeting there shall be elected from among the City
2	voters members of the Board of School Directors of the Montpelier-Roxbury
3	Unified Union School District as provided in the June 20, 2017 Articles of
4	Agreement between the City of Montpelier and the Roxbury Town School
5	District.
6	(b) Each elected <u>City</u> officer shall hold office until a successor has been
7	duly elected and qualified.
8	§ 510. CERTIFICATES OF NOMINATION
9	(a) Certificates of nomination for City offices to be filled at annual City
10	meetings shall be filed by the candidate or with the candidate's written assent
11	with the City Clerk not fewer than 30 nor more than 40 calendar days before
12	such meeting in accordance with the general laws of the State.
13	(b)(1) All nominations for City offices shall be made by certificate signed
14	by 25 or more voters in accordance with general laws of the State.
15	(2) A candidate running for City Council needs a certificate signed by
16	25 or more voters from the specific district in which that candidate resides.
17	(c) A voter shall not sign more than one certificate for the same office
18	except when there are multiple seats to be filled.
19	* * *
20	Subchapter 8. Boards and Commissions
21	* * *

1	§ 805. PLANNING COMMISSION
2	The Planning Commission shall consist of seven members appointed by the
3	City Council for two-year terms in accordance with 24 V.S.A. §§ 4322-4323,
4	as may be amended from time to time. On October 1, 2018, the City Council
5	shall appoint four members to two-year terms and three members to one-year
6	terms. Thereafter all terms shall run for two years. Terms shall begin on
7	October 1 and expire on September 30. Appointments to vacated positions
8	shall run until the expiration of the existing term. The Planning Commission
9	shall perform such planning functions and duties as may be required by the
10	City Council, this chapter, ordinances, or applicable State laws.
11	§ 806. DEVELOPMENT REVIEW BOARD
12	(a) The Development Review Board shall consist of five seven regular
13	members and two alternate members, appointed by the City Council for three-
14	year terms in accordance with 24 V.S.A. § 4460, as may be amended from
15	time to time.
16	(b) On May 1, 2018 the City Council shall appoint three members to three-
17	year terms, three members to two-year terms, and one member and two
18	alternates to one-year terms. Thereafter all terms shall run for three years.
19	Terms shall begin on May 1 and expire on April 30. Appointments to vacated
20	positions shall run until the expiration of the existing term.

1	(c) The Development Review Board shall, upon the request of an interested
2	person, hear the appeal of any decision or act taken by the Administrative
3	Officer in accordance with the procedures outlined in 24 V.S.A. chapter 117,
4	subchapter 11, as may be amended from time to time, and perform such other
5	duties as may be required by the City Council, this chapter, ordinances, or
6	applicable State laws.
7	(c)(d) A quorum shall consist of a minimum of three four regular or
8	alternate members up to a maximum of five seven regular or alternate
9	members.
10	(d)(e) Alternate members may serve on the Development Review Board
11	when one or more regular members are unable to attend a meeting.
12	(e)(f) The Development Review Board shall be further governed by rules
13	and procedures as provided in the City ordinances.
14	* * *
15	Subchapter 9. Annual City Report
16	* * *
17	§ 909. ANNUAL CITY REPORT
18	A full record of expenditures shall be kept and a clear statement of all
19	receipts and disbursements of City money and of the affairs of the City
20	generally, together with the report of the Board of School Commissioners,
21	auditors, and other City officials, shall be annually published under the

1	direction of the City Manager. A reasonable number shall be made available
2	for distribution among the voters of the City at least 10 days prior to the annual
3	City meeting. The report shall include estimates of receipts and proposed
4	expenditures of the City for the ensuing year.
5	§ 910. OFFICERS' BONDS
6	All officers from whom the City Manager may require bonds, or as required
7	by State statute, shall annually give bonds to the City, to the satisfaction of the
8	City Manager, for the faithful discharge of their respective trusts. Such bond
9	shall be given before the officer concerned enters upon the officer's duties. If
10	the City Manager requires a bond with a fidelity company as surety, the City
11	shall pay the expense thereof. The City Manager may contract for one blanket
12	bond to cover all City officials and employees required to furnish bonds. Such
13	blanket bond may, with the concurrence of the Board of School
14	Commissioners and other boards or agencies requiring bonds from officers and
15	employees under their control, cover the Treasurer of the Board of School
16	Commissioners and other officers or employees under control of such boards.
17	* * *
18	Subchapter 11. Indebtedness; Sinking Fund; Bonds and Notes
19	for Improvements
20	* * *

1	§ 1102. SUBMISSION TO VOTERS; PUBLIC IMPROVEMENTS
2	(a) When the City Council shall determine that the public necessity or
3	interest demands improvements, other than improvements relating to schools
4	or school property, and that the cost of the same will be too great to be paid out
5	of the ordinary revenue of the City, the Council may by vote of two-thirds of
6	its members order the submission of a proposition to make such improvements
7	and incur debt to pay for the same to the voters of the City at an annual or
8	special meeting warned and held for that purpose.
9	(b) The City Council shall, on receipt of a petition signed by ten percent of
10	the voters, promptly order the submission of a proposition to make such
11	improvements and incur debt to pay for them to the voters of the City at an
12	annual or special meeting warned and held for that purpose.
13	* * *
14	§ 1106. AUTHORIZATION
15	When a majority of all the voters voting on such proposition at an annual
16	meeting or special City meeting shall vote to authorize such improvements and
17	the incurring of debt to pay for the same, the City Council or, if the
18	improvements relate to schools or school property, the School Board shall be
19	authorized to make such improvements.
20	* * *

1	§ 1117. USE OF UNEXPENDED BOND PROCEEDS
2	(a) The proceeds of all bonds or notes shall be used for the purpose for
3	which they were authorized. However, any unexpended balance remaining
4	after carrying out the purpose for which they were authorized, other than
5	school purposes, may, by vote of any annual or special City meeting duly
6	warned and held for that purpose, be authorized for any purpose for which
7	bonds may be issued, in accordance with general law, or transferred to a
8	sinking fund established by the Council.
9	(b) Any unexpended balance remaining after carrying out a purpose
10	relating to schools or school property for which bonds or notes were authorized
11	may, in addition to other uses permitted by law, be transferred to a sinking
12	fund. [Repealed.]
13	* * *
14	§ 1125. BUDGET SURPLUS AND DEFICIT
15	Unless otherwise disposed of in the manner provided by law or set in
16	reserve by the City Council or School Board, any surplus existing at the end of
17	the fiscal year shall be carried forward as revenue in the General Fund or
18	School Fund, as appropriate, for the next ensuing fiscal year. Any deficit
19	existing at the end of the fiscal year shall be liquidated in the manner provided
20	by law.

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VT LEG #332037 v.1

1	Subchapter 12. Assessment and Collection of Taxes; Establishment
2	of Water and Heat Rates
3	§ 1201. ASSESSMENT OF TAXES AND ESTABLISHMENT OF TAX
4	RATE
5	(a) The City Council shall assess such taxes upon the grand list of the City
6	as the voters at any annual or special meeting warned for that purpose have
7	approved for the payment of debts and current expenses of the City, for
8	carrying out any of the purposes of this chapter, for the support of schools, and
9	for the payment of all State and county taxes and obligations imposed by law.
10	The vote of the City shall be upon the specific sum of budgeted tax
11	appropriation for the support of all City departments, grants, schools,
12	recreation, and elders. The City Council shall establish a tax rate based upon
13	the true grand list as appraised by the City Assessor, and shall deliver the same
14	to the City Treasurer for computation and collection.
15	* * *
16	(c) For the purpose of assessing taxes upon the grand list of the City as
17	provided in subsection (a) of this section, an owner whose personal property
18	does not exceed the assessed value of \$10,000.00 shall not be set in the grand
19	list of the City as taxable personal estate.
20	* * *

1	Sec. 3. TRANSITIONAL PROVISIONS; MONTPELIER SCHOOL
2	DEPARTMENT
3	Effective on July 1, 2018, the Montpelier School Department will cease to
4	exist and will be supplanted by the Montpelier-Roxbury Unified Union School
5	District. On July 1, 2018, all City assets and property under control of the
6	Montpelier School Department Board of Commissioners, together with all City
7	liabilities attributable to the Montpelier School Department, shall pass to be
8	assumed by the Montpelier-Roxbury Unified Union School District in
9	accordance with the June 20, 2017 Articles of Agreement between the City of
10	Montpelier and the Roxbury Town School District.
11	Sec. 4. REPEALS
12	In 24 App. V.S.A. chapter 5, the following are repealed:
13	(1) subchapter 3, § 515 (school budget vote);
14	(2) subchapter 6 (schools); and
15	(3) subchapter 11, § 1103 (submission to voters; school improvements).
16	Sec. 5. EFFECTIVE DATE
17	This act shall take effect on passage.