CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS

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Steven Goodkind, P.E.
DIRECTOR OF PUBLIC WORKS
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MEMORANDUM

To: City of Burlington Board of Finance

From: Steven Goodkind, P.E. Director of Public Works

Date: March 11, 2013

Re: STP 5000 (16) – Church Street Earmark

Federal earmark 5000(16), with its original agreement in 2006 and four subsequent amendments, has provided the city with $6,078,486 which has been used along with a local match of $1,350,000 to construct various improvements in our downtown, including the nearly completed lighting project on Church Street.

All the projects funded under 5000(16) have been essentially completed and those funds have not yet been fully expended. We would like to increase the current contract with Wright & Morrissey by $260,000 to include the demolition/removal of the water fountain near the top of Church Street. The justification for removing the fountain is attached in a document provided by Ron Redmond, the Director of the Church Street Marketplace. Funding is available to complete the removal of the fountain.

We are requesting that the city authorize me to sign a contract amendment with Wright & Morrissey for $260,000 to proceed with this work.

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CHURCH STREET
MARKETPLACE

March 1, 2013

TO:	Church Street Marketplace Commission
cc:	Mayor Miro Weinberger
FROM:	Ron Redmond, Church Street Marketplace
RE:	CHURCH STREET'S TOP BLOCK FOUNTAIN

This memo is designed to summarize the Marketplace Commission's rationale for removing the top block fountain. For many years, Church Street's top block has struggled to acquire foot traffic that the middle blocks naturally enjoy. In 1994, Bobby Miller (then a Marketplace Commissioner) offered to build a fountain at his own expense on the top block. The total cost was $250,000. The presence of the fountain helped to draw foot traffic up to the top of Church Street, and provide the community with a great feature. Since the fountain's installation, however, the top block has evolved.

- Raising the grade at the Church & Cherry intersection (2011) and installing new bollard (without chains!) has dramatically increased foot traffic from the Mall Block to the Top Block. Crossing Cherry Street is now more inviting for those walking on Church Street.
- New retail tenants on our top block helped generate more pedestrian traffic. The presence of City Sports, Earthbound Trading Company and Urban Outfitters has been nothing short of a God-send for the block. More food businesses on North Winooski at Pearl has also generated more foot traffic on the top block.
- More responsible management practices at Spectrum Youth and Family Services has greatly reduced much of the negative behavior we experienced in the past on the top block.
- Caring for the fountain has been challenging. Infrastructure repairs and improvements have been deferred. And, because our standards for maintaining the fountain are high, (cleaning, chlorinating, etc.) we anticipate cleaning expenses continuing to grow.

For the past 30 years, the Marketplace Commission has worked to keep the common area fee affordable for our fee payers – property owners and their tenants. That fee covers about 75% of our expenses. In turn, we've never had the luxury of building up our own capital budget to make improvements to the fountain.

The federal earmarks secured by Senator Leahy through the Federal Highway Administration have allowed us to make much-needed capital improvements to Church Street since 2003, including the closing of City Hall Block, repaving the Mall Block and alleyway, and our new electrical system.

While we had anticipated having adequate federal funds remaining to bring improvements to our top block and top block fountain, the amount currently available is now limited. As we have considered our more limited options for the top block, we have also been listening to business and property owners. In the past two years, we've heard a more unified message:

- Our merchants and restaurateurs have told us they would like a new feature at the top of Church Street that is more accessible to the community on a year-round basis. (The fountain is operational only five months a year).
- We've also noted the number of prospective tenants who have declined the available retail space at One Church Street property (former Ann Taylor space). One of the biggest barriers sited was the presence of the fountain.

We believe the time has come to remove the fountain. Our long term goal is to replace the fountain with a feature that: a) requires little to no on-going maintenance; b) does not pose a barrier to leasing; and c) is accessible to the community (and particularly to children), year-round. One option that has been gaining a lot of traction with stakeholders, and which would be accessible to children year-round, is a children's sculpture garden. There are a number of successful models in North America (including Boulder, Colorado) from which to draw inspiration. We have met with Bobby Miller, the fountain's funder/construction contractor in 1994. He understands and agrees with our rationale for removing the fountain.

Once the fountain is removed and bricked over, our intention is to analyze the space and evaluate our options for the next 12 months. Any new improvements (like the children's sculpture garden) would be funded entirely through private fundraising.

David Allerton

From: David E. White
Sent: Monday, March 04, 2013 9:57 AM
To: 'Ron Redmond'; David Allerton
Cc: Steve Goodkind; Norm Baldwin; Mike Kanarick; Jennifer M. Kaulius; Carina Driscoll; Jeff Nick; celiadaly@dalyanddaly.com; bunguy@together.net; Adna Karabegovic; Becky Cassidy; Jim Daly; Mimi Gutchell; Sandrine Thibault
Subject: RE: Removing the Top Block Fountain: Board of Finance and City Council

To add...planBTV also contemplates the removal of the fountain and recommends a redesign of the top block to: "improve vitality, traffic flow, and increase programming flexibility. Play features for children, additional seating, new water features, and more greenery could also help revitalize this block. The key is to make the space flexible enough to accommodate a variety of activities and events while inviting ongoing public use and enjoyment."

Let us know if we can help

David E. White, AICP
Director of Planning & Zoning
City of Burlington, VT

From: Ron Redmond [mailto:ron.redmond.vt@gmail.com]
Sent: Friday, March 01, 2013 3:19 PM
To: David Allerton
Cc: Steve Goodkind; Norm Baldwin; Mike Kanarick; Jennifer M. Kaulius; Carina Driscoll; Jeff Nick; celiadaly@dalyanddaly.com; bunguy@together.net; Adna Karabegovic; Becky Cassidy; Jim Daly; Mimi Gutchell; David E. White; Sandrine Thibault; Ron Redmond (ron.redmond.vt@gmail.com)
Subject: Removing the Top Block Fountain: Board of Finance and City Council

Dave. Good to speak with you by phone this afternoon. Here's the reply we hope you're looking for. Let us know if this is helpful:

-- the top block fountain was built in 1994 with private monies. Developer Bobby Miller installed the fountain at his own expense, estimated at the time to be about $250,000.
-- the Marketplace Commission requested that FHWA approve removal of the fountain.
-- the Mayor has been briefed and understands the rationale for removing it.
-- attached is a memo which we encourage you to include with your request to the Board of Finance
-- we will attend, with DPW, any and all Board of Finance and City Council meetings where this request is presented.
-- we have met with Bobby Miller, and he understands and agrees with our rationale for removing the fountain.

On Fri, Mar 1, 2013 at 1:34 PM, David Allerton <dallerton@burlingtonvt.gov> wrote:

Hi Ron,

Steve and I met this morning to go over the finances for the earmark projects. We currently believe there will be funding available to demolish the fountain and construct improvements to ten catch

basins. Additionally, we plan on meeting with Scott Gurley next week, potentially Friday, to make sure we are all on the same page as far as available funding goes.

Since the work on the fountain is going to be approximately $300,000, Steve has asked me to ask you if the Mayor and the City Council are both aware of and agreeable to removing the fountain from Church Street. Additionally, since this will be a significant financial amendment to the existing W&M contract, we will need to get approvals from both the Finance Board and the City Council before signing any amendment. I will be contacting Amy Bove today to get us on the next Finance Board Meeting Agenda.

Please get back to us and let us know if the Mayor and City Council are aware of, and amenable to the removal of the fountain from Church Street. Then, if our meeting with Scott Gurley goes well, we can move forward in getting the appropriate formal approvals from the Finance Board and City Council to sign an amendment with W&M and get this work scheduled.

Contact me with any questions.

David K. Allerton, P.E.

Public Works Engineer

Burlington Public Works Department

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