

**CITY OF BURLINGTON
PARKS, ARTS & CULTURE COMMITTEE**

**Councilor Dave Hartnett, Chair, North District
Councilor Ali Dieng, Ward 7
Councilor Joan Shannon, South District**

Staff: Holli Bushnell, Office Assistant
Lakeview Cemetery
hbushnell@burlingtonvt.gov

Minutes

Parks, Arts & Culture Committee Meeting

Wednesday, February 13, 2018, 5:30 – 7:00pm

Room 12, 149 Church Street, City Hall

Attendance:

Committee Members: Chair David Hartnett, Councilor Joan Shannon, Councilor Ali Dieng

David E White – CEDO, Kristen Merriman-Shapiro – CEDO, Mary Denko – Fletcher Free Library, Cindi Wight – BPRW Holli Bushnell – BPRW/Clerk's Office, Zack Campbell – PC Construction, Matt Kelly – Resident, son of former Moran Plant Manager, Chris Flinn – Resident, Ward 6, Paul Odie – Parks Foundation

Meeting called to order at 6:06pm

1. Approval of agenda

Councilor Shannon moved to approve, Councilor Harnett Seconded, all were in favor

2. Approval of draft minutes from August 23, 2018

Kirsten Merriman-Shapiro requested that the changes she made to the minutes be read and accepted by the committee. The committee took several minutes to read the changes, and, once satisfied, Shannon moved to approve the amended minutes, Harnett Seconded, all were in favor.

3. Public Forum

Councilor Harnett stated that, as he believed that most if not all of the members of the public present came to the meeting to discuss the FRAME, public forum would be folded in to the discussion of the building. He encouraged those present who wished to discuss something else to speak up in that moment. As none did, the committee proceeded into the discussion of the FRAME.

4. CEDO update on Moran FRAME Concept Town Hall

Merriman-Shapiro presented an updated proposal that included answers to the questions posed by councilors and members of the public from the Town Hall meeting.

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She began with the three possible options CEDO sees for the building. The first is to do nothing with the Moran site at this time. This option would preserve the site for future plans, but, ultimately, as it is a brownfield site Moran would still require remediation and stabilization. The funds that are currently accessible to the city ~~is~~ (\$5.4 million in both a HUD loans and additional TIF bonded funds. The additional TIF bonded funds) would not be available for a future project, as they are required to be bonded by 12/31/2019. The second option is to demolish the building completely, complete remediation/stabilization (again, this is required by the state for all brownfield sites), and leave nothing but a lawn in place. The \$5.4 million could be used for a full demolition; however, the full demo may end up costing significantly more than the funds we have available. The third and final option is a partial demolition, the FRAME. There are multiple benefits to this final choice. The FRAME is estimated to be under the budget we currently have available (\$5.4 million), and the site would still be stabilized and remediated, but the city would retain a unique space (with the building's steel superstructure exposed and some original brick remaining) that could be further developed in the future.

Merriman-Shapiro clarified that a study was completed back in 2017 concerning the demolition of the building. This study (work done by Johnson & Co.) looked at four possible options for full demolition and remediation of the site. The number presented showed the March 2017 numbers and numbers adjusted for October 2019 pricing. The first option was to demo the building down to grade, and that would cost between \$4.32 and \$5.87 million. Next, demolishing the building to 2' below grade (for safety reasons) would cost between \$4.64 and \$6.17 million. Considering the funding we currently have available, the city can currently entertain only those two as viable options for full demolition. The study, however, did detail two further possibilities. To take the site down to the basement floor would cost between \$5.34 and 6.77 million, and, finally, to completely remove all traces of the Moran building would cost between \$9.48 and \$11.62 million. Merriman-Shapiro noted that the amounts she mentioned only cover the cost of demolition. They do not allow for landscaping or park development.

As mentioned, the city has \$5.4 million allocated for this project. Of this, ~~~\$2~~ million come from a HUD loan procured by the city back in 2014. The other ~~~\$3.4~~ million are TIF funds (funds already set aside specifically for this project). If we do not use those funds they will revert to the state ownership and be reallocated towards other projects. The benefit of moving forward quickly with the FRAME concept is that we will be able to bond for these funds and make use of them without having to ask taxpayers to provide more money for another city run project.

CEDO (Merriman-Shapiro specifically) has done ~~a tremendous amount of~~ community outreach for this project. From visiting all NPAs (apart from Ward 6 which did not meet in January) to a comment function on the CEDO webpage to visiting community groups, senior centers, family/community centers, and meeting with city commissions, councils, and boards, they have been extremely thorough in gathering feedback on this potential project.

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Upon compiling all the information provided by the community, the main desires for the site are public/universal access to the waterfront and site, public space/community space for all residents, flexible space that allows for future additions, preservation of history/visible landmark, complements other uses on the waterfront, and financially feasible and takes advantage of existing TIF funds.

CEDO feels that the FRAME can accomplish most if not all of the desires of the community. It achieves most of these goals and eliminates the problems that previous iterations of the project have run into (such as winterization and meeting seismic code costs). It integrates well with other elements at the waterfront, provides much greater value than the blank field we would be left with should the site be completely demolished, and it would literally be a framework for future projects.

In an effort to answer some of the questions lingering from our last meeting, Merriman-Shapiro provided the group with a list of exactly what is included in the base plan and what could be considered for future phases. For exact details as to what will be completed during the first phase and what is being considered for the future, please see the appendix.

The budget for FRAME is extremely tight, constrained heavily by the mandate to remediate and stabilize the site. Merriman-Shapiro presented an estimated budget for the project which is as follows:

Item Cost

- Demolition: masonry and interior spaces; stabilize steel frame, materials abatement, covered spaces - \$2,359,605
 - Foundation: Stabilize, remediate, infill basement, slab on grade - \$524,600
 - Sitework: Stabilize, remediate, activate site, plantings, stormwater - \$466,570
 - Utilities, amenities, art \$469,000
 - Contingency, general conditions, insurance, etc. \$1,078,249
 - Soft costs \$489,802
- TOTAL ESTIMATE \$5,387,827**

The yearly operations cost would run between \$65,000 to \$75,000 for maintenance. This would primarily provide excellent care to the public restrooms, but it would also provide upkeep to keep the building in excellent condition for future phases. **Proposed future projects include:**

- Parks Office: ~\$50,000
- Roads and Walkways: ~\$200,000
- Additional plantings and lawns: ~\$50,000
- Observation decks: ~\$650,650
- Elevator and stairs to all upper levels: ~\$739,600
- Children's play area: \$TBD
- Ice skating (portable mats/chiller system):~ \$325,000
- Concessions: ~\$96,000
- Additional restrooms:~ \$143,750

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- Large event tensile roof:~\$350,000
(Construction estimates only do not include design or permitting costs)

At this time Chris Flinn spoke up and to express his concerns. He feels that the FRAME is a half-finished/half proposed project. He asked if there is a plan in place for future development (future phases) or if the information Merriman-Shapiro provided concerning future phases was all based on fantasy. Generally speaking, he would rather demolish the building and develop something new for the site. Flinn would like the city to use the TIF funds for demolition and then take the time to develop something that would better suit the location while the site remains an open field. He worries that residents will be disappointed when they realize how basic the FRAME is (he feels that what is included in phase 1 is not clear), or, worse, that the city will come back to the tax payers in a year, asking for more money for the next phase of the project. He asked if there is a timeframe and an estimated budget for future phases.

Merriman-Shapiro responded that TIF funds are **already** being used for demolition and site stabilization in the plan for FRAME. To demo the entire building it would probably cost more than what we have in the budget. She also mentioned that future phases are no more than ideas at the moment. There is no timeframe for those projects (although potential costs were detailed in the “future phases” section of her presentation). She feels that more could develop from the FRAME than from a blank field.

Flinn stated that he did not feel that the FRAME is the highest and best use of the building.

Matt Kelly pointed out that every use currently identified for future phases of the FRAME are things that the city already has in place (ice skating rink, event space, vendor space, etc....). Although BPRW and other city departments feel there is a need for more spaces that offer these uses nothing about FRAME feels “new” to Kelly. That said, demolishing the building would also prevent the city from doing something “new.” He would prefer the city not risked everything on one endeavor. He would like to see multiple proposals and plans for future use developed in tandem with the city’s plans in order to prevent the development from ending at phase 1. He believes the city should identify partners and stakeholders who can help find the highest and best use of the building. More importantly, he feels this multi-pronged approach would help prevent the city from having to re-do work they have already completed in order to accommodate a new idea.

Shannon stated that if PACC members are not satisfied with the base plan, the plan should not advance. She feels that it is understandable that there are not exact estimated costs in place for future phases. She feels the plan for the FRAME makes it clear that we cannot have those future phase items until we have funding in place for them.

Harnett pointed out that that area is quite limited for future development due to the zoning of the space. It is held in public trust and can only be used for public benefit (**cannot be privately developed or used to generate income**). He feels that there is more potential to build onto the FRAME than there is if the building is demolished. If it is leveled, there is a good chance that

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the city will never do anything with that space. The FRAME is inspiring and exciting and leads people to think of unique things we could do with the space. Phase 1 is a jumping off point. If Moran is leveled, we will have to start from scratch (which is easier said than done).

Merriman-Shapiro detailed the next steps that CEDO will need to take in order to be bonded by the end of the year. She presented the committee with a draft resolution authorizing the advancement of the FRAME to the board of finance and city council (and move into the permitting and zoning process). Should the draft resolution move forward, CEDO hopes to have consultants hired by April or May, complete the permitting process by July, finish the plan development and estimating by November, and close on the bond in November or December.

Flinn asked who has approval of the draft resolution (if all present are allowed to vote on it). Hartnett confirmed that only committee members can vote to deny or advance the draft resolution.

Councilor Dieng thanked Merriman-Shapiro for all the hard work she put into this project and presentation. He was particularly thrilled with the amount of community outreach that was part of the process. Merriman-Shapiro had mentioned earlier that only three out of all the comments on the CEDO comment page were negative, and he wanted to know what the concerns were. Merriman-Shapiro confirmed that Flinn was one of the negative comments and that his concerns were similar to what he stated during the meeting. The other two commenters simply preferred demolition.

Flinn reiterated that, while he thinks the concept is “neat” there needs to be a better long-term plan in place. He wants to make sure we plan this out and that we don’t just jump into the FRAME because the money is available and expiring.

Dieng stated that he likes the “inspiration” images from other cities, but he feels the basic concept for the FRAME is too plain. Merriman-Shapiro reiterated that, though it is basic, the FRAME will have no fees and be usable for everyone. She also pointed out that the money we have set aside can only be used for demolition and stabilization. Dieng asked if the \$5.4 million is a hard number or just an estimate. He also wondered if there is a chance the FRAME will cost significantly more. Merriman-Shapiro confirmed that it is just an estimate. That said, the \$5.4 is a hard number; it is all the money we have on hand for this project ~~due thanks~~ to the restrictions from the HUD loan and the TIF funds. If any unexpected costs present themselves we will be unable to move forward. Dieng asked if it would be possible to get bids from construction companies first. Due to the permitting process it is not possible for the city to procure bids before the plan itself is approved.

Harnett asked how much money will be spent on the permitting process before construction even starts. CEDO expects to spend between \$500,000 and \$1 million during the permitting, bidding, and development process. That said, Merriman-Shapiro will be providing PACC with regular updates as the process continues.

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Zack Campbell interjected that, though it is not possible to get bids before the FRAME begins the permitting process, he can state that both Freeman French Freeman and DW construction have developed estimates for similar designs. Both of those past estimates have been on par with what CEDO is currently quoting. It is up to the construction firm the city hires to insure the project stays under budget.

Cindi Wight shared that she feels that the simplicity of the plan is a good thing. She believes the FRAME will be able to develop along with the waterfront.

Paul Odie loves the proposal and the use of the space. He asked if the steel will be treated or if it will continue to rust. He also asked for details on the quality of the bathrooms to be provided. Merriman-Shapiro shared that the two single-stall bathrooms will be basic, gender neutral, and extremely well maintained. The steel will be treated with a rustproof paint (it is currently painted with lead-based paint that, like most other aspects of the building, will need to be remediated). There is a 25 to 30 year life expectancy to the paint, so the building will not continue to rust.

Kelly complemented CEDO on the comprehensive documentation available for public viewing and consideration concerning this process. He asked if there are any other proposals being considered by the city besides FRAME. Merriman-Shapiro responded that, while New Moran Inc. once proposed a similar idea, to her knowledge there are no other plans besides FRAME currently under consideration. Kelly was also curious about a zoning requirement that seemed to state that the second phase of a project must be determined within six months of the completion of the first stage. While to a certain extent this is accurate, it essentially means that, when a project is put through the permitting process there must be an end result of the work being done. In this case, that end result is a park. Should a different plan develop the city would also need to know the end result before permitting can move forward. This is also true for the second phase, any work done needs to show a clear goal in order to be zoned, however the space will always ~~would~~ be considered a park after this first permitting process (the area is zoned as downtown waterfront public trust).

Kelly asked if the prices of other area vendors would be reflective of the kind of prices that will be seen at FRAME. He cited an incident when he personally spent over \$30 for food for two people at a food truck. Wight commented that, as previously mentioned, parks cost money, but with things like vendors, events, and use fees help to generate funds. While Kelly was concerned that this public space could be restricted from public use by things like fees, he was encouraged that prices would not be as high as the vendor he visited previously.

Flinn asked to discuss the contingency funds listed in the budget. At only 10% of the whole budget, this number feels low to him. He asked if there is a plan for what to do if there is a "hiccup." Merriman Shapiro answered that, in the worst-case scenario, if the city goes through the entire process and the estimates are not accurate (the benefit of employing estimates throughout the process is that problems will be immediately obvious and hopefully this issue can be avoided) they will not proceed with demolition or start construction if they are over the allotted amount available.

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Harnett expressed concern that the city will be spending around \$1 million on the permitting process and may come out of it unable to start work on the project due to budgetary issues. He asked that Merriman-Shapiro and CEDO tie up some of these loose financial ends and provide an accurate estimate for the cost of the permitting process before presenting to the Board of Finance and the City Council. Merriman-Shapiro said she could provide a range, but will not be able to provide exact numbers.

Flinn asked what the \$1.5 million listed in the resolution will be used for and where it is coming from. Merriman-Shapiro explained that, when the city bonds, they need to allow for the cost incurred prior to the bonding. That money comes from the general fund and will be paid back after the bonding. \$1.5 million is the maximum amount that they can spend in the permitting and bonding process. They will try not to spend that much.

Flinn asked if it is within the purview of PACC to move the resolution forward while so many questions still linger on this project. Hartnett confirmed that it is certainly within their purview to move the resolution to the full council. He reiterated his budgetary concerns, but he feels that there is enough clear information to move forward to the fully council. Merriman-Shapiro indicated that the resolution might be split into two; one to advance the project and one to address bonding.

Harnett asked for one of the other two councilors to move the resolution. Shannon moved the resolution, adding that she appreciates Flinn's comments and his concerns about the "worst case scenario." She feels that there is a lot of enthusiasm for this project and wants the city to move forward with their eyes open. Dieng seconded the motion, commenting that he would like to see more information on the tie-ins to green energy mentioned in the resolution. Merriman-Shapiro commented that green energy fits into the history of the building, leading to where the city is today. All were in favor of moving the resolution forward to the Board of Finance and the full City Council.

Flinn thanked the committee for allowing him the opportunity to be heard.

5. Department Head items

Although both BPRW and FFL were scheduled to present updates at this time, they chose to table those updates until the next PACC meeting. Hartnett asked for future times for the next PACC meeting. As a meeting had already scheduled for 3/27, PACC chose to continue forward with this date. The next meeting will be 3/27 at 5:30pm at City Hall in room 12. It will be Hartnett's last meeting and all departments will provide an update at that time.

6. Adjournment

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Shannon moved to adjourn, Dieng seconded, all were in favor and the meeting adjourned at 6:57pm.

APPENDIX

What is included in the Base Plan?

Sitework

- a Walkways (pavers at E-W alley only, concrete, asphalt)
- b Utilities
 - i Building Power
 - ii Site Lighting + Power
 - iii Building Sanitary
 - iv Building Stormwater
 - v Site Stormwater Area Drains
 - vi Building Water
- c Plantings and Lawns -minimal to meet Corrective Action Plan

Demo Masonry Steel & Stabilize Frame

- a Demo Brick and Block
 - i Brick for full east elevation - Stabilize, brace, patch, cap at perimeter and openings.
 - ii Remove Coal Bunkers
 - iii Add Moment Connection Plates
 - iv Remove accessory and miscelaneous steel
 - v Prep and coat remaining steel with zink eneriched system (Tnemec or similar).
- b Demo one story structure under the "spaghetti works"
- c Demo and salvage "spaghetti works" steel
- d Complete interior demolition (includes generator bases)
- e Hazardous materials abatement (from CEDO report 3/2017)
- f Sub-slab vapor mitigation system (partial under restrooms only)
- g Level 3 Roof (no occupancy)
- h Level 4 Roof (no occupancy)
- i Observation Level Roof (no occupancy)
- j Bird Control

Foundation Infill & Perimeter Paving

- a Flowable and structural fill basement infill to 103' to perimeter of existing building.

Add Ground Level Support Spaces

- a Restrooms

Historic Preservation Mitigation

- a Possible Illuminated coal bunkers as artifacts or other mitigation
- c Refurbish, add illumination, and reinstall City of Burlington sign on upper south face

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What is not in the Base Plan?

Sitework

- a Additional Roads and walkways (concrete, asphalt)
- b Utilities
- i Building Power
- a Plus Vendor spaces/ food trucks
- c Additional Plantings and Lawn
- d Lake Access Apron for Small Crafts
- e Bridge Rehabilitiaon w new decking for west side (x2 Locations)

Foundation Infill & Perimeter Paving

- b Add Alternate to Extend Slab Out Beyond Footprint of Exsiting Building.

Large Event Tensile Roof

Add Ground Level Support Spaces

- a Additonal Restrooms
- b Mechanical Room
- c Parks Office

Vertical Circulation & Roof Deck Occupancy

- a Stair to Level 3 (open stair with rails but no walls)
- b Level 3 Roof Deck - Pavers and railings
- c Elevator to Level 3
- d Extend Stair to Level 4
- e Level 4 Roof Deck - Pavers and railings
- f Extend Elevator to Level 4
- g Extend Stair to Observation Level
- h Observation Deck - Pavers and railings
- i Roof over Observation Deck
- f Extend Elevator to Observation level

Ice Chiller System Options

- a Portable with mats

Historic Preservation Mitigation

- b Illumination of east and west building profiles

Item Cost

**- Demolition: masonry and interior spaces; stabilize
steel frame, materials abatement, covered spaces**

\$2,359,605

**- Foundation: Stabilize, remediate, infill basement, slab
on grade**

\$524,600

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DRAFT

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