



Regular City Council Meeting - Monday, June 29, 2020, 7:00 pm.
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BURLINGTON CITY COUNCIL

CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

June 29-30, 2020

MEMBERS PRESENT: Karen Paul

Max Tracy

Chip Mason

Joan Shannon

Ali Dieng

Brian Pine

Jack Hanson

Franklin Paulino

Perri Freeman

Jane Stromberg

Sarah E Carpenter

Zoraya Hightower

OTHERS PRESENT: Miro Weinberger

Katherine Schad

Eileen Blackwood

Olivia LaVecchia

Jon Murad



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Jordan Redell

Chapin Spencer

Lori Olberg

Amy Bovee

1. CALL TO ORDER and AGENDA

The meeting was called to order by Council President Tracy at 6:57 PM.

MOTION by Councilor Stromberg, SECOND by Councilor Paul, to amend/adopt agenda as follows:

- **remove from the consent agenda item 4.14 Communication: Agreement: City of Burlington and University of Vermont Agreement to Extend 2009 Memorandum of Agreement Re: Student Housing (per COS Redell);**
- **add to the consent agenda item 4.16 Communication: Scott Baldwin, President, Burlington Rotary, re: Supporters of Burlington Police with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 4.17 Communication: David Van Deusen, re: VT AFL-CIO Public Comment On Burlington PD with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 4.18 Communication: Jane Knodell, 10 Charles Street, Burlington, re: Resolution to defund the Burlington Police Department titled "Racial Justice through Economic and Criminal Justice" with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 4.19 Communication: Eric Kratochvil, re: Burlington resident and employee of BPD, re: Concerns about reducing the department's numbers with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 4.20 Communication: Jeff Nick, CSM Commission, Chair and Steven P. Schonberg, CPA/Church Street Property owner, re: Church Street Marketplace Commission correspondence with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 4.21 Communication: Sharon Bushor, re: FW: Budget resolution on police staffing with the action to "waive the reading, accept the communication and place it on file";**
- **note written material for agenda item 5.12 Resolution: Racial Justice through Economic and Criminal Justice (Councilors Hightower, Hanson, Stromberg, Tracy, Freeman, and Pine);**
- **note additional material for this agenda item per COS Redell;**
- **note revised version of this agenda item (per Councilor Hightower);**
- **note Councilors Paulino, Paul and Carpenter as additional co-sponsors for this agenda item (per Councilor Hightower);**
- **note proposed amendments for this agenda item (per Councilor Dieng);**
- **note proposed amendments for this agenda item (per Councilor Maon);**





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- **note FINAL proposed amendments for this agenda item (per Councilor Dieng);**
- **note proposed amendments for this agenda item (per Councilor Stromberg);**
- **note proposed amendments for agenda item 5.13 Resolution: Annual Appropriation And Budget For Fiscal Year Beginning July 1, 2020 And Ending June 30, 2021 (Mayor Weinberger; Board of Finance)(per Councilor Hanson);**
- **note proposed amendments for this agenda item (per Councilor Stromberg);**
- **note proposed amendments for this agenda item (per Councilor Freeman);**
- **note written material for agenda item 5.15 Resolution: Waiver of Penalty for Late Payment of Gross Receipts Taxes Related To COVID-19 Emergency (Board of Finance)(per CAO Schad);**
- **remove from the consent agenda item 4.08 Communication: Luke McGowan, Director, CEDO and Gillian Nanton, Assistant Director, CEDO, re: Burlington Town Center aka CityPlace Burlington Second Extension of Project Management Services Contract - Jeffry D. Glassberg - Renaissance Development Company and place it on the Deliberative Agenda as item 5.16 (per City Council President Tracy per Councilor Hanson)**

VOTING: unanimous; motion carries.

2. PUBLIC FORUM

2.01 Verbal Comments

Forum opened at 7:09 PM.

COMMENTS:

- Jessica Laporte spoke regarding the budget, spoke in support of the Rise initiative to restructure public safety. She added that the Mayor and other institutions in the City have the opportunity to set a tone in the county and state and be proactive in preventing further unjust police action. She further stated that if the City is not willing to divest from policing prior to reinvesting in other institutions, it won't happen.
- Ashley Laporte spoke in support of the demands of the Vermont Racial Justice Alliance, calling upon Burlington to make a moral statement by eradicating systemic racism with the passage of the budget.
- Catarina Campbell offered her experience in working with the police. She said she previously served as director of a statewide antiviolence organization, and noted that the most challenging aspect of her work there was trying to intervene in the current harmful system while trying to create another system that served people. She urged the City Council to accept the offer of the RJA and trust in the community to move forward collectively.
- Noel Green spoke as the principal of the Burlington High School and provided information with regard to how better to serve the youth in the Burlington community. He noted that the School Resource Officer is part of the school ecosystem, and that they were created to serve as community-builders in schools and work with students in a preventative way. He stated that the SROs are grounded in the use of restorative practices. He asked that decisions made about schools are based on the needs of the schools.
- Jabari Jones said that the budget being presented tonight is a moral document, and that it is up to the community to create the culture that will support a budget that is centered on anti-racism, care, compassion, and justice rather than punishment and exploitation.
- Mayumi Cornell read a poem and noted how it describes that the effects of this budget passage will not occur in a vacuum and will have benefits for much more than just the BIPOC community members in Burlington.
- Estefania Puerta said the emphasis in this discussion should be placed on the communities and the health of the



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actual people within them, rather than issues around money, power, unions, and politics.

- Rhiannon Wiley spoke in support of the resolution related to racial justice, noting that it is the bare minimum necessary to establish policy actions for the just allocation of resources within the community.
- Alyssa Chen spoke in favor of the RJA resolution and urged the City Council to pass a moral budget that shifts resources from a punitive system to a more just system that supports the communities of color in the City.
- Stephanie Heaghney urged that the City not ignore or deny systemic racism in the Burlington community. She noted that the City is poised in a spot to make vast improvements to the lives of the Black and Brown communities within it.
- Erin Star called in support of the RJA resolution and urged the City Council members to support it.
- Iris Mann echoed and supported the demands of the RJA resolution and the implementation of Operation Phoenix.
- Robert Rives spoke to support the work of the RJA and the racial justice resolution.
- Liz Curry spoke in support of the School Board's request to create a task force with a understanding that the SROs will be removed from the district in 2022. She added that if they are removed, there needs to be something to replace them. She asked to merge the vision between the School Board and the City and collaborate on moving forward.
- Infinite Culcleasure said that one of the goals of the resolution is to decrease the negative perception of having police officers on the ground. He said that while the perception may be more positive, the negative biases remain. He also supported the Racial Justice Alliance's proposal.
- Jim Kelley commented on the position of the SROs in Burlington schools. He noted that he has worked with SROs as an assistant principal, noting that they are thoughtful and compassionate individuals. He supported evaluating the program to make sure that they are best meeting students' needs, and that this be done intentionally and thoughtfully to avoid unintended consequences.
- Mahima Poreddy voiced support for the Racial Justice Alliance and its demands, noting the high incarceration rate of Black people in Vermont and that this resolution is a major first step to improving that.
- Holly Hauxjeffers said that systemic racism needs to be addressed, and hopes that the City Council reaches out and engages with the Burlington School District to move forward with changes in a collaborative manner.
- Fern Aguda-Brown spoke in support of the racial justice resolution which implements the demands of the Racial Justice Alliance.
- Christine Hughes and Mark Hughes spoke about systemic racism (and a lot of things...listen again)
- Wafic Faour spoke in favor of the RJA demands and related resolution.
- Brian Cina asked what Burlington will do to set an example about restitution and reparations, and what Burlington will do to combat systemic racism. He said that the resolution tonight is the beginning of the answer to those questions, and in order to address the public health crisis of racism, the City needs to come together as a community.
- Kurt Wright urged the City Council not to pass the resolution tonight. He noted that reforms are already happening at the Police Commission level and in Montpelier at the state level. He said the Council should not assume that 74 is the correct number of sworn police officers, and that that needs to be evaluated, studied, and assessed by an external group of experts. He further noted that passing this resolution will further erode morale at the Burlington Police Department.
- Linden SP spoke against the racial justice resolution and urged the City Council not to pass it.
- Nate Lantieri remarked on other speakers' comments that this resolution is moving too quickly. He noted that many of the racial justice experts have been working on these initiatives for years and that this resolution needs to move forward.
- Remy Uwilingiyama spoke in support of the racial justice resolution, noting that the proposed changes seem drastic but are extremely important for community improvement as a whole, and particularly for the BIPOC community.
- Mohamed Jafar spoke in favor of the resolution to support the RJA demands. He said that this is the only opportunity in our lifetime to effect change and set the precedence and standards for moving forward against police



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brutality.

- Fabiola Majumba spoke about what it is like being Black in Vermont and echoed the demands of the RJA.
- Colby Yee spoke in solidarity with the demands of the RJA and urged City Councilors to do the same.
- Arnold Thomas remarked that if the City classifies racism as a public health crisis, they need to promote funding and vision to combat this crisis.
- Roy Hill voiced support for the resolution addressing the RJA demands.
- Humon Heidarian spoke in support of the RJA demands and strongly encouraged the City Council to pass the resolution before them pertaining to those demands. He said Burlington needs to make a moral statement by passing this resolution and passing a moral budget.
- Jude Smith Rachelle voiced support for the resolution related to the RJA demands.
- Fariq Quraishi spoke in support of the demands of the RJA and gave several personal anecdotes as to why he is supporting them.
- Brittany Langdon spoke in favor of the RJA and Operation Phoenix.
- Emma Levy voiced support for the RJA demands. She noted that activists have remarked that the actions taken prior to this around racial justice and equity have not been working, and that Burlington must ask itself what needs to be done in order to further the RJA goals.
- Mack Meredith spoke about his experience being a Black male in Vermont and spoke in support of the RJA.
- David Nicholls spoke in favor of the RJA demands and resolution.
- Jennifer Wilson spoke in support of the Burlington Police Department, saying that it would be detrimental to defund them.
- Sean Pratt spoke about defunding the police and that the policing system is broken.
- Rebecca Mack noted that racism is not a media sensation and that it is very real. She spoke in support of removing police officers from schools. She spoke in favor of the RJA and the related resolution.

Public forum closed at 9:00 PM.

3. CLIMATE EMERGENCY REPORTS

3.01 Climate Emergency Reports

Councilor Hanson noted that as the City continues to dive deeper into racial and climate justice work as a City it would be beneficial to continue to draw the connection between the two issues as much as possible.

4. CONSENT AGENDA

4.01 Motion to amend/adopt consent agenda taking the following actions as indicated

4.02 Communication: C/T Office, re: Accountability List - waive the reading, accept the communication and place it on file.

4.03 Communication: Cameron Chambers, re: Fw: 6/15 City Council Meeting Public Forum Comment - waive the reading, accept the communication and place it on file.



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4.04 Communication: James Marc Leas, re: Remarks to Burlington City Council June 15, 2020 Abolish impunity for cops - waive the reading, accept the communication and place it on file.

4.05 Communication: Kara Winslow, re: Against police budget cuts - waive the reading, accept the communication and place it on file.

4.06 Communication: Kyle Blake, President, Burlington Fire Fighters Association, re: Safety Concerns - waive the reading, accept the communication and place it on file.

4.07 Communication: Chapin Spencer, Director, Department of Public Works, re: Railyard Enterprise Project - Supplemental Scoping - 1) To accept the Railyard Enterprise Project (REP) Supplemental Scoping report dated June 24, 2020 prepared by the Chittenden County Regional Planning Commission. 2) To direct the Department of Public Works, in partnership with the State of Vermont Agency of Transportation and Federal Highway Administration, to seek State and Federal funds to advance the preliminary engineering for the Railyard Enterprise Project Phase 2 Alternatives 1B, 2 and 5B. 3) To direct the Department of Public Works, in partnership with the State of Vermont Agency of Transportation and Federal Highway Administration, to pursue federal and state funding for 90% of up to \$20M of actual project-eligible costs for federal participation and to direct the Administration and Department of Public Works to request the State of Vermont to expedite the availability of 90% grant funding for this project to advance into the preliminary engineering phase.

4.08 Communication: Luke McGowan, Director, CEDO and Gillian Nanton, Assistant Director, CEDO, re: Burlington Town Center aka CityPlace Burlington Second Extension of Project Management Services Contract - Jeffrey D. Glassberg - Renaissance Development Company **now agenda item 5.16** - to authorize CEDO Director Luke McGowan to execute a contract amendment for the provision of project management services, to include coordinating and leading the City's effort to perform its responsibilities pursuant to the Development Agreement (DA) with CityPlace Burlington, with Jeffrey D. Glassberg, Renaissance Development Company, for an amount up to \$84,000.00 for the term, July 1, 2020 to June 30, 2021, thereby bringing the maximum limiting amount of the contract to \$238,000.00.

4.09 Communication: Luke McGowan, CEDO Director and Rachel Jolly, Assistant Director, CJC, re: Court Diversion Grant Agreement #02100-FY2021-CN - to approve the acceptance of Grant #02100-FY2021-CN in the amount of \$390,200 for FY21 and authorize CEDO Director McGowan or his designee to sign the grant agreement, and all other documents necessary to implement the grant, subject to the review and approval of the City Attorney.

4.10 Communication: Chief Innovation Officer Brian Lowe and CEDO Lead Specialist Rebecca Reese, re: Early Learning Initiative Contract Amendment with Let's Grow Kids - that the City Council approve the Let's Grow Kids contract amendment described above as recommended and authorize the Chief Innovation Officer to execute any and all documents necessary to fulfill the contract, subject to final review by the City Attorney's Office.





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4.11 Communication: Luke McGowan, CEDO Director; Rachel Jolly, Assistant Director, CJC, re: Department of Corrections Grant Amendment: 'Safer Communities' (Grant # 03520-1482) - to approve the acceptance of Grant #03520-1482 in the amount of \$300,000 for FY21 and authorize Mayor Miro Weinberger to sign the grant, and for Director McGowan or his designee to sign all other documents and budget amendments necessary to implement the grant, subject to the review and approval of the City Attorney, and to authorize the CAO to effect any budget amendments necessary to reflect the changes to the FY21 budget.

4.12 Communication: Burlington International Airport, re: Authorization to Sign Contract for Multi-Tasking Equipment with Fortbrand Services, LLC - to authorize the Director of Aviation, Gene Richards, to execute a contract with Fortbrand Services, LLC in the amount of \$2,090,880 over ten years for the leasing of two 'multi-tasking equipment' units (MTEs), subject to final review and approval by the City Attorney's Office.

4.13 Communication: Amy Bovee, Assistant City Clerk and Holli Bushnell, Customer Service Associate, re: Peddler License Renewals with COVID-19 Health Condition - to approve the 2020-2021 Peddler License renewals with the condition that Licensee agrees that it shall comply with all local, state, and federal orders, directives, regulations, guidance, and advisories relating to a public health emergency, and that the failure to do so may result in the City Council suspending or revoking the permit for violation of this condition. The City may suspend the license at its sole discretion in the event of a public health emergency.

4.14 Communication: Agreement: City of Burlington and University of Vermont Agreement to Extend 2009 Memorandum of Agreement Re: Student Housing **agenda item removed per COS Redell** - to authorize Honorable Mayor Miro Weinberger to execute on behalf of the City of Burlington the City of Burlington and University of Vermont Agreement to Extend 2009 Memorandum of Agreement Re: Student Housing, in substantial conformance with the Agreement attached hereto, subject to the final review and approval of the City Attorney.

4.15 Resolution: Approving Obtaining Standby Letter(s) Of Credit For The City's Workers' Compensation Program (Board of Finance) - waive the reading and adopt the resolution.

4.16 Communication: Scott Baldwin, President, Burlington Rotary, re: Supporters of Burlington Police - waive the reading, accept the communication and place it on file.

4.17 Communication: David Van Deusen, VT AFL-CIO Public Comment On Burlington PD - waive the reading, accept the communication and place it on file.

4.18 Communication: Jane Knodell, 10 Charles Street, Burlington, re: Resolution to defund the Burlington Police Department titled "Racial Justice through Economic and Criminal Justice" - waive the reading, accept the communication



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and place it on file.

4.19 Communication: Eric Kratochvil, Burlington resident and employee of BPD, re: Concerns about reducing the department's numbers - waive the reading, accept the communication and place it on file.

4.20 Communication: Jeff Nick, CSM Commission, Chair and Steven P. Schonberg, CPA/Church Street Property owner, re: Church Street Marketplace Commission correspondence - waive the reading, accept the communication and place it on file.

4.21 Communication: Sharon Bushor, re: FW: Budget resolution on police staffing - waive the reading, accept the communication and place it on file.

MOTION by Councilor Hanson, SECOND by Councilor Stromberg, to amend/adopt the consent agenda, taking the actions as indicated for items 4.01-4.21.

VOTING: unanimous; motion carries.

City Council President Tracy recessed the City Council meeting and called the Board of Civil Authority and Local Control Commission to order at 9:08 PM. City Council President Tracy resumed the City Council meeting at 9:16 PM.

5. DELIBERATIVE AGENDA

5.01 Indoor Entertainment Permit Application (2020-2021): GBG Indian Kitchen, 471 Riverside Avenue

MOTION by Councilor Hanson, SECOND by Councilor Stromberg, to approve the 2020-2021 Indoor Entertainment Permit Application for GBG Indian Kitchen, 471 Riverside Avenue with all standard conditions.

VOTING: unanimous; motion carries.

5.02 Communication: Amy Jewell, Director, Administration, CSWD, re: Proposed FY 21 Budget

Sarah Reeves spoke on this item, outlining the proposed Fiscal Year 2021 budget. She also noted that the Solid Waste Implementation Plan is being renewed this year for the next five year plan. She outlined how CSWD is funded, noting that it is similar to a water district or sewer district in which several communities are included. She summarized what is typically included in waste sent to a landfill. She outlined the budget for 2021 as well as the assumptions that went into it. She noted the safety measures taken by CSWD in response to COVID-19. She noted that the CSWD shortfall is anticipated at \$81,000, but is confident that the rate stabilization fund could help to cover that gap and avoid any increased user fees.





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Councilor Hanson asked how the waste streams outlined in the presentation compare to years prior. Ms. Reeves noted that CSWD anticipates a decrease in food scraps in landfills as the deadline for mandatory composting approaches. She noted that diversion rates tend to hold steady until there is a program or law change, but also noted that COVID-19 could lead to anomalies in the data.

Councilor Hanson asked what is being done economically to try and reduce the amount of generated waste. Ms. Reeves replied that personnel shortages have made it difficult to make much progress in this area, adding that CSWD has conducted research on how to incentivize people to divert recycling and composting from waste.

Councilor Hanson noted that drop-off centers are reopening and asked whether re-use zones will reopen. He also noted that if CSWD charged per bag, there would be more incentive to reduce waste than having a flat fee on waste drop-off. Ms. Reeves replied that the flat fee structure was intended to be a temporary system and that pricing will revert to be according to bag size once all sites are re-opened. She added that the board voted to close all re-use zones last year and are not anticipated to be opened. Councilor Hanson replied that he is concerned about the lack of access to re-use zones.

Councilor Dieng asked when the Burlington drop-off site would be re-opened, and asked to explain why revenue has decreased even though flat fee has increased. Ms. Reeves explained that there is a \$27 tax per ton to the carriers, which is decreasing as overall waste is decreasing in the county. She noted that the flat fee causes CSWD to lose money, explaining that the price per transaction has decreased by 50%. She added that the Burlington site will be re-opened once safety can be guaranteed. She noted that the Williston site was the largest, easiest to reconfigure and also had capacity for a long queueing line.

Mayor Weinberger said it is Burlington's strong priority that its drop-off site be re-opened as quickly as possible. Councilor Paul added that constituents have been expressing a desire for the Burlington drop-off site to re-open.

MOTION by Councilor Dieng, SECOND by Councilor Pine, to approve the FY 21 Proposed Budget for CSWD.

VOTING: (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – nay (8 ayes, 4 nays); motion carries.

MOTION by Councilor Hightower, SECOND by Councilor Stromberg, to suspend the rules to complete the agenda through item 5.12 and then recess until time certain of 5:30pm on June 30, 2020 to complete the agenda.

VOTING: unanimous; motion carries.





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5.03 Appointment: Chittenden Solid Waste District: Term Expires 5/31/22

MOTION by Councilor Hightower, Second by Councilor Stromberg, to approve the slate of applicants as listed. The slate of applicants is as follows: Chittenden Solid Waste District – alternate - Re-advertise, Chittenden Solid Waste District - Lee Perry, Church Street Marketplace Commission - Buddy Singh, Church Street Marketplace Commission - Full Council to vote, Church Street Marketplace Commission - Full Council to vote, Fence Viewer - Vikas Mangipudi, Fence Viewer - Shay Totten, Fence Viewer - Re-advertise, Green Mountain Transit – alternate - Marcie Gallagher, Green Mountain Transit - Megan Polyte, Housing Board of Review - Charlie Gliserman.

VOTING: unanimous; motion carries.

5.04 Appointment: Church Street Marketplace Commission: Term Expires 6/30/23

5.05 Appointment: Church Street Marketplace Commission: Term Expires 6/30/23 **to be voted on by the Full City Council**

Candidate Erik Monsen spoke about his vision for the Church Street Marketplace, saying that it should be a shopping, entertainment, and residential district full of energy and diversity and that is safe and affordable to the spectrum of Chittenden County residents. Based on public forum, one goal when coming out of pandemic is to ensure that Church Street is more economically robust and more socially acceptable for all.

Candidate Nate Lantieri spoke about his experience working on the Church Street Marketplace, where he strove to understand the strengths and weaknesses of the Marketplace during his work. He spoke of the need to introduce more diversity to the Marketplace, and he hopes to bring a different perspective to the Commission.

Candidate Cara Tobin spoke briefly about her qualifications and the perspective she would bring to the Church Street Marketplace, adding that she could help create a vibrant downtown space.

MOTION by Councilor Pine, SECOND by Councilor Pine, to nominate Becky Holt to the Church Street Marketplace Commission.

VOTING: unanimous; motion carries.

Becky Holt was confirmed for a slot on the Church Street Marketplace Commission.



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5.06 Appointment: Church Street Marketplace Commission: Term Expires 6/30/23 **to be voted on by the Full City Council**

MOTION by Councilor Dieng, SECOND by Councilor Dieng, to nominate Erik Monsen to the Church Street Marketplace Commission.

MOTION by Councilor Hanson, SECOND by Councilor Hanson, to nominate Nate Lantieri to the Church Street Marketplace Commission.

Debate ceased. The results of the voting were as follows:

ROUND 1: (choose between Monsen or Lantieri)

Councilor Carpenter	Monsen
Councilor Dieng	Monsen
Councilor Freeman	Lantieri
Councilor Hanson	Lantieri
Councilor Hightower	Lantieri
Councilor Mason	Monson
Councilor Paul	Monson
Councilor Paulino	Monson
Councilor Pine	Lantieri
Councilor Shannon	Monson
Councilor Stromberg	Lantieri
Councilor Tracy	Lantieri

RESULTS OF ROUND 1: Monson – 6 votes, Lantieri – 6 votes.

MOTION by Councilor Paulino, SECOND by Councilor Mason, to postpone discussion of this item until time certain of July 13, 2020.



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MOTION TO AMEND by Councilor Dieng, **SECOND** by Councilor Mason, to postpone discussion of this item until time certain of June 30, 2020.

VOTING ON AMENDMENT(by roll call): Councilor Carpenter – nay, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – nay, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – aye (5 ayes, 7 nays); motion fails.

VOTING ON ORIGINAL MOTION: unanimous; motion carries.

5.07 Appointment: Fence Viewer: Term Expires 6/30/21

5.08 Appointment: Fence Viewer: Term Expires 6/30/21

5.09 Appointment: Green Mountain Transit Board - alternate: Term Expires 6/30/23

5.10 Appointment: Green Mountain Transit Board: Term Expires 6/30/23

5.11 Appointment: Housing Board of Review: Term Expires 6/30/23

5.12 Resolution: Racial Justice Through Economic And Criminal Justice (Councilors Hightower, Hanson, Stromberg, Tracy, Freeman, and Pine)

MOTION by Councilor Hightower, **SECOND** by Councilor Stromberg, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Hightower thanked the Racial Justice Alliance and the hundreds of members of the public who spoke during public forum to call for City Council to take bold action. She noted that the resolution focuses more heavily on police reform and less on holistically addressing systemic racism, but trusts that the public will hold the Council accountable for iterating on the plan this resolution lays out. She summarized the contents of the resolution, which states that racism is a public health crisis, calls for the eradication of systemic racism in budget process, reduces the number of sworn police officers through attrition and reallocates that funding to other services, calls need for SROs into question and asks the school district to explore alternatives, calls for definition of and assessment of policing practices and staffing, mandates



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systemic oppression-focused training for all City staff, creates and Apology and Reparation Task Force, and gives the Police Commission additional authority and seeks additional authority on input and transparency.

- Councilor Dieng voiced his support for the points in the resolution, acknowledged past progress made toward ending systemic racism, and asks whether the timing of the current resolution is the best, citing the need for thorough stakeholder engagement.

MOTION TO AMEND by Councilor Dieng, SECOND by Councilor Shannon, to amend the language to strike lines 51-53 and replace with:

“Whereas, a 30% attrition-based decrease of the police department from 105 to 74 uniformed officers will trigger the Emergency Staffing section of the Agreement Between City of Burlington and the Burlington Police Officers’ Association as well as prevent the Burlington Police Department from hiring people of color as police officers.

Therefore be it resolved that the Burlington City Council will establish the following process that will determine a necessary and gradual reduction of the uniformed police officers before 2022 when the new contract between the two entities is reviewed:

1) Establish a nine members Special Task Force composed of the following:

A. Chief of Police (or their designee)

B. Chair of Police Commission (or their designee)

C. Chair of the Burlington Business Association (or their designee)

D. 2 residents of the City of Burlington, to include at least one person of color, to be selected by the City Council via an application process

E. Councilor by vote of City Council

F. Mayor (or their designee)

G. Street Outreach Coordinator or other Howard Center designee

H. Racial Equity Inclusion and Belonging Director

2) The City Council requests that the first order of business of this Special Task Force be to elect the chair and outline a service agreement and scope of work for hiring a consultant with expertise in, but not limited to, the following: criminal justice reform; community survey design; data analysis; agency structural change; stakeholder negotiation; communication and input gathering, particularly from community members whose primary language is not English and the ability to plan and execute community and stakeholder listening tours across the city.

3) The City Council also requests that the Mayor and Chief Operations Officer allocate \$50,000.00 to this Special Task Force for the hiring of the consultant and any administrative or logistical needs out of “Racial Justice Fund.”

4) The Special Task Force is also tasked with conducting a thorough review of the nature of police calls for service from 2015 to 2019 and determining the number of police officers that are needed to respond to calls for service involving crimes or public safety.





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5) The Special Task Force alongside with the consultant will explore the creation of a new public safety agency that could respond to needs for service calls that are not typically criminal calls for service such as graffiti removal, people experiencing mental health breakdown, substance abuse disorder, homeless encampments etc., and outline procedures that would strengthen and expand the partnership between the city and social work agencies such as Howard Center.

6) The Burlington City Council requests for the findings and recommendation from the Special Task force and the expert consultant report to be presented at the Burlington City Council via a presentation and in writing no later than May 1, 2021."

DISCUSSION OF AMENDMENT:

- Councilor Paulino noted that there is already a special committee that was created to address many of the concerns outlined in the amendment. He pointed out that City Council has tried to address this issue in a number of ways already, and that the core issues is addressing how the community wants the police to respond and be deployed.
- Councilor Dieng noted that the previous committee was tasked with looking into police violence and force and that this new proposed committee would be looking into the number of police officers. He also noted that the previous committee did not hire an expert and that this proposed amendment would provide for a consultant to help make progress.
- Councilor Mason agreed with the points made by Councilor Dieng. He noted his respect for reform around the police, also noting that none of that has centered on a reduction in force. The demand of the RJA is based on research from other similarly-sized cities, but the impacts of a reduction of 30% in the police force has not been researched or modeled and constituents have expressed concern about public safety and what this reduction would mean to them. He also expressed concern about a lack of process around a reduction in force of this size.
- Councilor Hanson pointed out that the Burlington community has been calling for an immediate 30% reduction in force, though the resolution calls for a reduction through attrition with simultaneously reinvesting into other resources in the community.
- Councilor Shannon spoke of her experience on the previous committee, noting that it made progress slowly because many of the members of the committee did not have subject matter expertise in police policies and several meetings were used for education. She said that the new proposed committee is structured for success.
- Councilor Paul noted that the original resolution makes provisions for a joint committee with the public safety committee and police commission, and that it appears to cover much of what Councilor Dieng's amendment is proposing.
- Councilor Hightower agreed that the City Council needs to develop a process in the coming months and would like to involve stakeholders in that process.
- Councilor Dieng noted that the proposed amendment provides more detail around a committee than the language in the original resolution.
- Councilor Carpenter said that lines 69-78 of the original resolution outlines a process for the joint committee.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – nay, Councilor Mason – aye, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – nay (3



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ayes, 9 nays); motion fails.

MOTION TO AMEND by Councilor Mason, **SECOND** by Councilor Shannon, to amend lines 60-68 to provide as follows:

"BE IT FURTHER RESOLVED that the City Council supports the creation of a task force that examines the role of School Resource Officers and the timeline and objectives set forth in the resolution approved by the Burlington School Board on June 25, 2020 and that the City of Burlington fund the School Resource Officer positions for the upcoming 2020-2021 school year and collaborate with the Burlington School District to adjust the SRO operating guidelines to decrease the negative perceptions of having police officers on school grounds."

DISCUSSION OF AMENDMENT:

- Councilor Mason noted that the above language is consistent with what the Burlington School Board approved, and that their process and expertise should be respected.
- Councilor Carpenter said that the amendment does not seem to have a different in intent or process to the original resolution. Councilors Hightower and Pine agreed.
- Councilor Dieng said it would be to the detriment of the community to terminate the SRO program without hearing from students and educators.
- Councilor Stromberg asked whether the RJA was brought into the discussion around this proposed amendment.
- Councilor Hightower noted that she had reached out to a member of the School Board to ensure that the original resolution's language is consistent with their Board vote.
- Councilor Freeman expressed frustration around the incrementalism in this amendment as demonstrated in the language around a task force concept for removing SROs.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – nay, Councilor Mason – aye, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – nay (3 ayes, 9 nays); motion fails.

MOTION TO AMEND by Councilor Stromberg, **SECOND** by Councilor Hanson, to strike lines 51-53 and replace it with the following language: "BE IT FURTHER RESOLVED that the Burlington Police Department shall reduce their number of sworn officers from their current level of 91 to 63 officers (an equivalent of a 30.8% reduction in number of sworn officers) by FY2023."

DISCUSSION OF AMENDMENT:

- Councilor Stromberg said that the extensive public forum several weeks prior overwhelmingly asked the City Council not to pass a budget until the RJA demands were met, that the first demand was a 30% reduction in police force, and that this amendment sets a concrete date for making good on that demand.
- Councilor Carpenter said that the suggested number of officers in the original resolution was based on research by the RJA and that attrition is the kindest way to arrive at that number.





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- Councilor Dieng expressed concern about the content of this amendment.
- Councilor Hanson noted that the governing.com statistics used in the original resolution were based on one interpretation of the total number of Burlington's officers, and that the proposed language in the Stromberg amendment uses the actual total number of officers in Burlington.
- Councilor Paul expressed concern that the amendment would not cut officers through attrition but potentially through terminations or layoffs.
- Councilor Pine clarified that the initial data was conducted by Stephanie Seguino, who chose a cohort of similar communities to which to compare Burlington in terms of the size of its police force. He noted that the analysis was based on a valid sample and is statistically realistic.
- Councilor Carpenter noted that there will be some savings from the vacancies created by attrition in the original resolution and expressed concern for eliminating positions this year through anything but attrition.
- Councilor Dieng noted that this proposed amendment is very similar to the original resolution.
- Councilor Freeman said that the current public safety model in Burlington is not sufficient for harm reduction or mitigating violence. She voiced her support for the amendment.
- Mayor Weinberger said that he has laid out a dramatic change in the budget for the police department, including \$1.2 million in hard cuts, and a reallocation of \$800,000 to other parts of the City. He noted that his proposed budget cuts are in line with cuts for other similar cities across the country. He disagreed with statements that crime and policing are not related, and urged the City Council to approach the issue of defunding the police in a thoughtful and deliberate manner.
- Councilor Hanson said the City should strive to do more than just reduce the force to the median level of the number of sworn officers.
- Councilor Paulino said he will not support the amendment but does find value in its language of reduction.
- Councilor Freeman said that the policing system as it exists will not address the problems of domestic violence and sexual violence and that there is a multitude of research available to demonstrate that.

MOTION TO CALL THE QUESTION by Councilor Stromberg, SECOND by Councilor Dieng.

VOTING: unanimous; motion carries.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – nay (3 ayes, 9 nays); motion fails.

MOTION TO AMEND by Councilor Paul, SECOND by Councilor Mason, to amend the resolution as follows:

- Line 70: ...begin an inquiry by July 15....
- Line 79: ...vision of the community with a report to the full Council by the first Council meeting in October 2020...
- Line 72: replaces "interrogates" with "analyzes"

DISCUSSION OF AMENDMENT:





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- Councilor Hightower noted that the date for the inquiry may be too soon, and suggested moving to the end of July.

MOTION TO AMEND by Councilor Paul, **SECOND** by Councilor Mason, to amend the amendment by changing the date of the inquiry to July 31 and striking "a" on Line 79 and replacing with "the first report".

VOTING ON AMENDMENT TO THE AMENDMENT (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – aye, Council President Tracy – aye (11 ayes, 1 nay); motion carries.

VOTING ON AMENDMENT AS AMENDED (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – nay, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – aye (9 ayes, 3 nays); motion carries.

MOTION TO AMEND by Councilor Paul, **SECOND** by Councilor Carpenter, to strike "happens at the request of the joint committee" on Line 79.

DISCUSSION OF AMENDMENT:

- Councilor Freeman said that stakeholder engagement on the joint committee should focus on the most marginalized and vulnerable in the community and does not support the amendment.
- Councilor Carpenter clarified that Councilor Paul's amendment brings the police department into the full assessment, not the joint committee.
- Councilor Hightower said that it is important to create space for the people who don't feel safe in the presence of the police.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – nay, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – nay (7 ayes, 5 nays); motion carries.

DISCUSSION OF RESOLUTION AS AMENDED:

- Councilor Paul said that the resolution's provisions for apology and reparations for Burlington's role in Chattel Slavery help the community develop a good path for moving forward in addressing historic wrongs.
- Councilor Hanson expressed concern for the components of the resolution as amended that involve the police department as a key stakeholder.
- Councilor Carpenter pointed out that the joint committee would not involve the police department, but that the police would be involved in the rigorous public process around the assessment.





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- Councilor Pine said that this resolution is very significant in the process of dismantling racism in the Burlington community, and that it was accomplished due to work of the outspoken, well-organized members of the public.
- Councilor Freeman thanked Councilors and public forum members for their time and support in developing and discussing this resolution.
- Councilor Hightower thanked the Racial Justice Alliance for localizing the movement around this resolution and giving the City Council the courage to pass this resolution.
- Councilor Dieng expressed concern that this resolution will bring danger to the community, saying that the Council needs to be thoughtful and respond appropriately through policies that reflect the desired change. He acknowledged the merits of the resolution but said that it lacks the rigorous process that it should have.

VOTING ON RESOLUTION AS AMENDED (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (9 ayes, 3 nays); motion carries.

5.13 Resolution: Annual Appropriation And Budget For Fiscal Year Beginning July 1, 2020 And Ending June 30, 2021 (Mayor Weinberger; Board of Finance)

MOTION by Councilor Paul, SECOND by Councilor Shannon, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Paul noted that the process of approving the Mayor's proposed budget is one of the most important roles of City Council. She added that the budget sets the tone for the upcoming fiscal year, establishes priorities, allocates funds to the City departments, and expresses the needs of the community. She said that in order to be a moral document, the budget must reflect the values of the City Council and the community. She noted that due to prudent fiscal decisions in prior years, the City is able to use \$6 million from unassigned fund balance to address the budget shortfall, and that as a result the budget is not filled with long term drawbacks nor austerity measures, and will not cripple the City's ability to adjust course should revenues improve. She noted that one of the keystone allocations of funding in the budget is the creation of a \$1 million racial justice and equity fund. She said that another key highlight is the establishment of a public safety transformation fund of \$250,000 for a comprehensive operational and functional assessment of the police department, which will also fund new investments in street outreach and first call. She also noted \$800,000 in energy efficiency funds for net zero energy, full funding of the NPAs, funding for the third ambulance in the New North End, and that this budget will leave the City with a remaining fund balance of \$4 million.

MOTION TO AMEND by Councilor Hightower, SECOND by Councilor Stromberg, to add "and the City Council resolves otherwise" in line 172 and on line 173 to remove "to or", replace "85" with "74"; and delete the remainder of the line, so that the whole clause reads:

"BE IT FURTHER RESOLVED that except for hiring of a police chief, no vacancies in sworn officer positions in the Police Department will be filled until a functional assessment of the department is completed and the City Council



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resolves otherwise, except that if staffing drops below 74.”

DISCUSSION OF AMENDMENT:

- Councilor Hightower said that the proposed amendments align with the resolution passed in agenda item 5.12
- Mayor Weinberger expressed concern with the amendment’s commitment to attrition to 74 sworn officers prior to conducting the functional assessment. He expressed concern that this amendment would trigger the emergency staffing provisions in the police contract. He asked the Council not to interpret the resolutions as contradictory, as the resolution passed in item 5.12 did not specify a timeline for attrition.
- Councilor Hanson said that the budget should be consistent with the values laid out in the racial justice resolution (item 5.12) and this amendment does that.
- Councilor Dieng asked when the functional assessment of the police department would be completed. Councilor Hightower replied that the functional assessment does not have a specified timeline.
- Councilor Dieng noted that emergency staffing for the police department is triggered when the staffing level of sworn officers drops below 80, and asked why the Mayor’s budget’s cap on number of officers was 85. Mayor Weinberger replied that Burlington has consistently been around 5 staff below the cap, and so has built in a buffer to ensure that emergency staffing is not triggered.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (7 ayes, 5 nays); motion carries.

DISCUSSION OF RESOLUTION AS AMENDED:

- Councilor Hanson expressed concern with the number of seasonal positions being cut, noting that low-income community members rely on these positions. He also noted with concern a number of cuts to funding in the arts, CEDO, and sidewalk maintenance. He said that he has identified a number of cuts to be able to restore those seasonal positions.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Freeman, to amend the budget as follows:

City Council—01, Division Regional Programs 001

Excel line 28 Acct No. 7650_250 Chamber of Commerce \$0 (-\$700)

DISCUSSION OF AMENDMENT:

- Councilor Freeman said that all workers should be paid a livable wage and agrees with making cuts to non-essential services and programs.





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- Mayor Weinberger clarified that the \$700 amount is the cost of the membership in the Lake Champlain Chamber of Commerce, not the state or national chambers of commerce and asked the Council to consider what message it would send to pull Burlington out of the group.
- Councilor Carpenter expressed confusion that this amendment for reduction does not reallocate it through a subsequent amendment.
- Councilor Pine noted that this line-by-line approach to Council involvement in the budget is unorthodox and suggested that the Board of Finance take up and work through the issues.
- Councilor Hanson said that once a large enough of funds amount is freed up, a resolution could be developed to reallocate them.
- Councilor Dieng asked for any new updates on federal COVID-19 relief funding. Mayor Weinberger replied that there are no current updates, but would be happy to work with Councilor Hanson to determine whether any funding received could be used to restore positions.

MOTION TO CALL THE QUESTION by Councilor Shannon, SECOND by Councilor Carpenter.

VOTING ON CALLING THE QUESTION (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – yes, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – nay (9 ayes, 3 nays); motion carries.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Freeman, to amend the budget as follows:

City Council—01, Division Regional Programs 001

35 7650_255 National League of Cities & Towns \$0 (-\$52,940)

40 7650_295 US Conf of Mayors \$0 (-\$4,000)

DISCUSSION OF AMENDMENT:

- Mayor Weinberger noted that these line items pertain to legal rights and contractual agreements based on membership, and cuts would remove Burlington from these groups as a stakeholder.
- Councilor Pine emphasized the importance of the League of Cities and Towns' role in policymaking at national and state levels and also noted that the Conference of Mayors has helped to secure large grants for Burlington in the past.
- Councilor Carpenter said that these memberships give municipalities a voice and support in policymaking.



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- Councilor Freeman said that Burlington is failing its citizens to provide a livable wage and that the City should implement policies to further this goal.
- Councilor Stromberg asked if Burlington could potentially get a discount on its League of Cities & Towns membership. Mayor Weinberger replied that the membership dues are assessed on a per capita basis.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Freeman, to amend the budget as follows:

City Assessor—07, Division 000, Admin, General Operating

Excel line 52 Acct No. 6700_100 Travel & Training Education \$0 (-\$319)

53 6700_110 Travel & Training Travel Expense \$0 (-\$275)

Permitting & Inspections—20, Division 000 Admin, General Operating

Excel line 74 Acct No. 6203 Dues/subscriptions \$0 (-\$120)

85 6700_100 Travel & Training Education \$0 (-\$875)

86 6700_110 Travel & Training Travel Expense \$0 (-\$2375)

Parks & Recreation—23, Division 000 Admin, General Operating

Excel line 309 Acct No. 6203 Dues/subscriptions \$0 (-\$620)

317 6700_105 Travel & Training Special Training \$0 (-\$5500)

318 6700_110 Travel & Training Travel Expense \$0 (-\$4500)

DISCUSSION OF AMENDMENT:

- Councilor Paul asked how much input the City Assessor, the Director of Permitting and Inspections, and the Director of Parks and Recreation had on this, and whether they were amenable to these changes. Councilor Hanson replied that they have not. Councilor Paul replied that department heads are typically consulted prior to reduction in their budgets.
- Mayor Weinberger noted that many of these line items had already been significantly reduced and cautioned



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against further cutting training.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Stromberg, to amend the budget as follows:

Police—17

Police Uniform Services, Division 050, Capital Equip

Excel line 102 Acct No. 6211 Specialized Equipment \$32,200 (-\$13,800)

DISCUSSION OF AMENDMENT:

- Councilor Pine asked what types of equipment would fall into this category. Acting Chief Murad replied that this line item covers Axon body cameras and tasers, bulletproof vests for new officers and replacement vests, and duty belts and uniform equipment. He added that this line item does not contain military equipment and stressed that they ensure officer safety.
- Councilor Pine asked if the body cameras would be replacements or new equipment. Acting Chief Murad replied that the state is now mandating body cameras, but that this line item mostly covers Axon-related equipment and that body cameras are a separate line item.
- Councilor Dieng asked if the police department hires seasonal employees. Acting Chief Murad replied that normally the police department hires seasonal employees for the beaches, parks, and Church Street.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – aye, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (9 ayes, 3 nays); motion carries.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Freeman, to amend the budget as follows:

Police Uniform Services, Division 050, General Operating

Excel line 129 6355 Recruitment \$0 (-\$25,000)

DISCUSSION OF AMENDMENT:

- Councilor Paul asked why the police department has a recruitment line in the budget if they will not be





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recruiting. Acting Chief Murad replied that the police department will eventually need to begin recruiting, as he anticipates a significant amount of attrition. He also cited the need for setting up a recruitment pool, which would be more expensive to set up at a later date. Councilor Paul suggested that budget amendments could be used to adjust if needed. Acting Chief Murad agreed but said that the hiring process for officers takes a significant amount of time.

- Councilor Hightower asked what the recruitment line item would be used for. Acting Chief Murad said that the funding would be used for website and recruitment material maintenance as well as ensuring low-level recruitment activity (such as establishing a recruitment pool). Former Interim Chief Morrison added that the recruitment line would also be used for civilian officers rather than just sworn uniformed officers.
- Councilor Pine suggested reducing this item and transferring it to the human resources department in case it is needed in future.

MOTION TO AMEND by Councilor Stromberg, SECOND by Councilor Hightower, to amend the motion to change the line item from \$0 to \$12,500

VOTING ON AMENDMENT TO THE AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (7 ayes, 5 nays); motion carries.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (6 ayes, 6 nays); motion fails.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Freeman, to amend the budget as follows:

Police Uniform Services, Division 050, General Operating

139 6500_142 Professional & Consulting Svs Marketing & Promotion \$0 (-\$9,000)

DISCUSSION OF AMENDMENT:

- Interim Chief Murad explained that this line item represents expenses related to community outreach.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – yes, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (7 ayes, 5 nays); motion carries.





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MOTION TO RECONSIDER THE AMENDMENT TO THE BUDGET by Councilor Dieng, SECOND by Councilor Paulino, for the following:

Police—17

Police Uniform Services, Division 050, Capital Equip

Excel line 102 Acct No. 6211 Specialized Equipment \$32,200 (-\$13,800)

VOTING ON RECONSIDERING AMENDMENT (by roll call): Councilor Carpenter – aye, Councilor Dieng – yes, Councilor Freeman – aye, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – aye (10 ayes, 2 nays); motion carries.

MOTION TO AMEND by Councilor Hightower, SECOND by Councilor Stromberg, to reduce the amount by \$2,500 to eliminate taser equipment.

DISCUSSION OF AMENDMENT:

- **Councilor Pine asked for a description of the role of tasers in police officer work and asked how often tasers are used in Burlington. Interim Chief Murad replied that tasers are considered a less lethal and alternative use of force and are only used when active resistance is being met, adding that tasers are not used in Burlington with great frequency.**
- **Councilor Mason pointed out that this item would reduce funding for taser training cartridges, so that the police force would still have tasers but would be unable to conduct more training due to lack of training cartridges.**

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – nay, Council President Tracy – nay (1 aye, 11 nays); motion fails.

VOTING ON RECONSIDERED AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Stromberg, SECOND by Councilor Freeman, to amend the budget as follows:



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Mayor—02, Division 000, Admin 000, General Operating

Excel line 32 Acct No. 6700_110 Travel & Training Travel Expense \$0 (-\$1625)

33 7652 Discretionary Spending \$1800 (-\$5200)

DISCUSSION OF AMENDMENT:

- **Councilor Hanson noted that the Council's discretionary spend was cut by 80% and thinks that a corresponding 80% cut to the Mayor's Office's discretionary spending.**
- **Chief Administrative Officer Schad noted that all of the budget for the Councilor expense line items were restored except for a 75% reduction in the Councilor initiative fund.**

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Stromberg, SECOND by Councilor Freeman, to amend the budget as follows:

Clerk/Treasurer—04, Division 000, Admin, General Operating

Excel line 97 Acct No. 6700_100 Travel & Training Education \$0 (-\$1500)

98 6700_105 Travel & Training Special Training \$0 (-\$750)

99 6700_110 Travel & Training Travel Expense \$0 (-\$1125)

City Attorney—05, Division 000, Admin, General Operating

Excel line 57 Acct No. 6700_100 Travel & Training Education \$0 (-\$1000)

58 6700_110 Travel & Training Travel Expense \$0 (-\$125)

DISCUSSION OF AMENDMENT:

- **Councilor Stromberg said that these line items did not seem like necessities, given the lack of overall travel activity in the country due to the pandemic, and that these line items could be restored through later amendments if they are necessary.**
- **Councilor Paul asked if the maker of these amendments has discussed these proposed cuts with the CAO's office or the City Attorney's office and Councilor Stromberg replied that no, she has not. Councilor Paul**





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noted that all department heads were instructed to make significant cuts and have done so, and said they should be consulted about budget changes prior to bringing forth amendments on them.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Stromberg, SECOND by Councilor Hanson, to amend the budget as follows:

Planning—06, Division 000, Admin, General Operating

Excel line 57 Acct No. 6700_100 Travel & Training Education \$0 (-\$750)

58 6700_107 Travel & Training Training Materials \$0 (-\$30)

59 6700_110 Travel & Training Travel Expense \$0 (-\$1000)

60 6700_115 Travel & Training Travel Mileage \$0 (-\$168)

DISCUSSION OF AMENDMENT:

- Councilor Stromberg noted that there are other opportunities, especially online, for training opportunities in the current economic climate.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Stromberg, SECOND by Councilor Freeman, to amend the budget as follows:

Public Works—19, Division 000 Admin., General Operating

Excel line 122 Acct No. 6203 Dues/subscriptions \$0 (-\$450)

129 6500_142 Professional & Consulting Svs Marketing & Promotion \$0 (-\$1500)

130 6700_105 Travel & Training Special Training \$0 (-\$625)





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131 6700_110 Travel & Training Travel Expense \$0 (-\$375)

CEDO -38, Division 000 Admin, General Operating

Excel line 109 Acct. No. 6700_100 Travel & Training Education \$0 (-\$3000)

110 6700_105 Travel & Training Special Training \$0 (-\$1500)

111 6700_110 Travel & Training Travel Expense \$0 (-\$1905)

112 6700_115 Travel & Training Mileage \$0 (-\$500)

DISCUSSION OF AMENDMENT:

- **Councilor Stromberg reiterated that many in the community are making the bare minimum in income and that the City should prioritize that over in-person training for City staff.**

MOTION TO CALL THE QUESTION by Councilor Shannon, SECOND by Councilor Dieng.

VOTING ON CALLING THE QUESTION (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – aye (10 ayes, 2 nays); motion carries.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (4 ayes, 8 nays); motion fails.

MOTION TO AMEND by Councilor Freeman, SECOND by Councilor Stromberg, to amend the budget resolution to add to line 82 the following:

“(81) BE IT FURTHER RESOLVED that the Mayor has offered to take a 10% pay cut for FY21, and such

(82) cut is reflected in the budget, and that this example of cutting salaries from those most able to afford it during these trying economic times be extended by requesting that any eligible regular employee not covered by a collective bargaining agreement who would be making \$100,000 or more in FY 21 be asked to also voluntarily take



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a pay cut for FY 21 by 10% or a reduction in salary to \$95,000, which ever results in a higher salary, and have that reflected in the budget; and”

DISCUSSION OF AMENDMENT:

- **Councilor Freeman said that this recognizes the need for livable wages for all City employees, and noted that this language is a request and would be optional for the employees who qualify for it.**
- **Councilor Hanson said that it’s important to ask those who are well off to shoulder the burden of this recession, rather than cutting essential, low-income seasonal workers.**
- **Councilor Paulino said he supports the thoughts behind these cuts, but that Councilors must recognize the talented departments heads that Burlington has on its staff and that it should not cut their budgets or ask them to take pay cuts because the City should try and attract as much talent as possible.**
- **Councilor Freeman said that the City should also recognize and value the talent and effort of lower-paid workers just as much as the workers that are highest-paid.**
- **Councilor Hanson pointed out that low-wage seasonal workers were not given the opportunity to take a pay cut and continue to work and that their jobs were eliminated.**
- **Councilor Pine noted that this proposed amendment would be voluntary and that only a handful of workers would fall into this category.**

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (6 ayes, 6 nays); motion fails.

MOTION TO AMEND by Councilor Freeman, SECOND by Councilor Hanson, to amend the FY 21 Budget presented on June 29, 2020 as previously amended by increasing the following budget lines for the purpose of and in order to pay the City’s livable wage to all seasonal or temporary employees who are not eligible for it under the Livable Wage Ordinance, such increases to be made by the CAO pursuant to the report issued to the Finance Board on December 16, 2019 by HR Director Paluba, IT Director Lowe, and Interim CAO Locke:

City Council—Department 01, Admin Division (000), Excel Line 20, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Parks & Recreation—Department 23, Facilities Division (), All facilities, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Parks & Recreation —Department 23, Recreation Division (101), Excel Line 528, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Parks & Recreation —Department 23, Parks Division (100), Excel Line 366, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Burlington City Arts—Department 27, Arts Education Division (176), Excel Line 185, Acct No. 5000_115 Salaries and



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Wages Seasonal/Temporary

Burlington City Arts—Department 27, BCA Center Division (175), Excel Line 185, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Burlington City Arts—Department 27, Festivals/Events Division (177), Excel Line 215, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Fletcher Free Library—Department 21, General Services Division (060),), Excel Line 34, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Church St. Marketplace-Department 33, Admin Division (000), Excel Line 55, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Church St. Marketplace-Department 33, Public Relations Division (390), Excel Line 95, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Church St. Marketplace-Department 33, General Maintenance Division (391), Excel Line 123, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Public Works-Department 19, Traffic Division (200), School Crossing Guards (Program 453), Excel Line 145, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Public Works Department 19, Traffic Division (200), Right of Way (Program 450), Excel Line 81, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Public Works Department 19, Parking Facilities Division (205), College St. Garage (Program 455), Excel Line 145, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

Airport—Department 35, Terminal Operations Division (430), Excel Line 211, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

CEDO—Department 31, Community Justice Center Division (315), Excel Line 1139, Acct No. 5000_115 Salaries and Wages Seasonal/Temporary

DISCUSSION OF AMENDMENT:

- Councilor Hightower asked for an explanation of the gap and proposal for addressing it. Councilor Freeman replied that the HR report that it was 140 positions, and the difference is approximately \$290,000, which would be enough to fill these positions at a livable wage.
- Councilor Pine noted that this would be an increase in funding and that the City is currently entering into the year with a \$3 million deficit and that this would require an additional \$300,000 and is not sure it is feasible.
- City Attorney Blackwood said that to increase these line items, the money would need to be decreased from other funds and that it is not clear how much each of these line items would increase by. She requested an additional level of specificity if this amendment passes. Councilor Freeman suggested using a portion of the unassigned fund balance.
- Attorney Blackwood noted that a number of these line items do not contain seasonal employees and asked for additional clarification.



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City Council President Tracy ruled the motion out of order because it did not contain the information necessary to make a budget amendment.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Stromberg, to amend the budget as follows:

DPW Admin:

1574 5000_900 Salaries and Wages Attrition/reorganization from (110,000.00) to (101,000.00)

DISCUSSION OF AMENDMENT:

- Councilor Hanson noted that this amendment would reduce a reduction (which would result in an increase to this line item).
- Councilor Paul asked if the Department of Public Works was consulted or with the administration on where funds could be allocated. Councilor Hanson said he'd communicated with Chapin Spencer on how shortfalls could be addressed. Councilor Paul asked for the administration and CAO's opinion on this amendment. CAO Schad expressed confidence that the funds could be allocated appropriately. Director Spencer said that this allocation would enable more flexibility to bring seasonal employees or hire regular staff earlier to provide more services for the City.
- Councilor Carpenter said there are myriad needs in the City and expressed frustration at the lack of dialogue to determine where this funding could be best allocated. Councilor Hanson agreed that there are many underfunded areas in the budget but that at least this money can be allocated to something.
- Councilor Paul asked for clarification on how this \$9,000 would be allocated should this amendment not pass. CAO Schad and City Attorney Blackwood replied that this money would return to the unassigned fund balance.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Council President Tracy – aye (6 ayes, 6 nays); motion fails.

DISCUSSION OF RESOLUTION AS AMENDED:

- Councilor Hanson said that he will not support the budget resolution because it does not provide for the lowest-paid workers nor does it help the seasonal workers who have lost their jobs.
- Councilor Paul reiterated that the budget is creating a racial justice fund, adding positions to support racial equity and belonging, funding a comprehensive and functional assessment to include street outreach and first call, putting money into energy efficiency funds, fully funding the NPAs, and funding a third ambulance without a tax increase, which are all very positive budget elements.
- Councilor Paulino stressed the importance of standing united in support of a budget.



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MOTION TO CALL THE QUESTION by Councilor Paulino, SECOND by Councilor Shannon.

VOTING ON CALLING THE QUESTION (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – nay, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – nay (6 ayes, 6 nays); motion fails.

DISCUSSION OF RESOLUTION AS AMENDED:

- Councilor Stromberg expressed concern that the racial justice resolution's passage is being treated as a compromise for this budget and does not feel comfortable calling this budget a moral document in light of the many proposed amendments for systemic change that were defeated.
- Councilor Pine pointed out that passing a budget without layoffs, furloughs of permanent employees, cuts to services or tax increases during a pandemic is extremely laudable and should be viewed as a success, even if all of the Councilors' amendments were not passed.
- Councilor Dieng noted the hard work of the Mayor and of CAO Schad on this budget and the passage of the racial justice resolution as an unprecedented, socially progressive act.
- Mayor Weinberger pointed out that the highest-paid employees are indeed taking a pay cut, in that their wages are being frozen and that health insurance premiums and pension fund contributions are increasing. He pointed out that voting down the budget tonight would result in a government shutdown tomorrow.
- Councilor Shannon recalled the top to bottom effort of City employees in the face of the pandemic. She agreed that the City needs to work toward paying its lowest tier a better wage, but lauded the efforts of CAO Schad to be responsive to all inquiries on the budget of this Council. She pointed out that no one has been furloughed or laid off and that she stands by the budget.

VOTING ON CALLING THE QUESTION (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, Council President Tracy – aye (9 ayes, 3 nays); motion carries.

5.14 Resolution: Annual Tax Assessments On The Property Grand List Of The City For The Fiscal Year Beginning July 1, 2020 And Ending June 30, 2021 (Mayor Weinberger; Board of Finance) *material to be posted later

MOTION by Councilor Paul, SECOND by Councilor Mason to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Paul noted that this resolution affirms the City's tax rate for the year, which is made up of 14 individual taxes for all city services. She noted that the rate is slightly higher than last year (by two cents),



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which is reflected in increases in retirement funding, bike path funding, city tax, and bond payments.

- **Councilor Carpenter pointed out that this is the City's tax rate, which will make up one third of property taxes. She noted that the other two thirds are from the school tax rate, which the Council does not control.**

VOTING: unanimous (Councilor Freeman not present for vote); motion carries.

5.15 Resolution: Waiver of Penalty for Late Payment of Gross Receipts Taxes Related To COVID-19 Emergency (Board of Finance)

MOTION by Councilor Paul, SECOND by Councilor Dieng, to waive the reading and adopt the resolution.

DISCUSSION:

- **Councilor Paul noted that all businesses subject to gross receipts taxes must begin to resubmit these taxes on July 1, 2020, but that late fees are waived until the end of the State of Emergency or until the City Council takes action otherwise.**

VOTING: unanimous (Councilor Freeman not present for vote); motion carries.

5.16 Communication: Luke McGowan, Director, CEDO and Gillian Nanton, Assistant Director, CEDO, re: Burlington Town Center aka CityPlace Burlington Second Extension of Project Management Services Contact - Jeffry D. Glassberg - Renaissance Development Company **was consent agenda item 4.08**

MOTION by Councilor Carpenter, SECOND by Councilor Pine, to authorize CEDO Director Luke McGowan to execute a contract amendment for the provision of project management services, to include coordinating and leading the City's effort to perform its responsibilities pursuant to the Development Agreement (DA) with CityPlace Burlington, with Jeffry D. Glassberg, Renaissance Development Company, for an amount up to \$84,000.00 for the term, July 1, 2020 to June 30, 2021, thereby bringing the maximum limiting amount of the contract to \$238,000.00.

DISCUSSION:

- **Councilor Hanson noted that it was unclear whether Brookfield would continue to make these payments, and, if not, where funding would come from.**
- **Mayor Weinberger noted that Mr. Glassberg has been paid by Brookfield for the past two years. He noted that Brookfield has not committed to continue funding this, but that there is a good-faith understanding that a new development agreement will be signed by the end of the month. He noted that if that does not occur, there are TIF district funds that could be used to fund work by Mr. Glassberg.**
- **Councilor Dieng expressed a preference for paying Mr. Glassberg on an hourly rate. Mayor Weinberger noted that the expenses related to Mr. Glassberg's wages are all covered by Brookfield, not taxpayers.**
- **Councilors Carpenter, Paulino, and Pine spoke highly of Mr. Glassberg and the value of his role in this work.**



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VOTING (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – [not present for vote], Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – aye, Council President Tracy – aye (10 ayes, 1 nay, 1 absent); motion carries.

6. COMMITTEE REPORTS

6.01 Verbal Reports

None at this time.

7. CITY COUNCIL – GENERAL AFFAIRS

7.01 Verbal Reports

None at this time.

8. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

8.01 Verbal Reports

None at this time.

9. MAYOR – GENERAL AFFAIRS

9.01 Verbal Reports

Mayor Weinberger spoke briefly about the budget process.

10. ADJOURNMENT

10.01 Motion to adjourn

MOTION by Councilor Dieng, SECOND by Councilor Pine, to adjourn the meeting.

VOTING: unanimous; motion carries.



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The City Council meeting adjourned at 10:29 PM.

RScty: AACoonrad