

Ordinance Committee
Monday, July 22, 2024
Sharon Bushor Conference Room
at City Hall or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

Members Present: Councilor Shannon (Chair), Councilor Bergman, Councilor Brown McKnight

Staff Present: Kim Sturtevant (Assistant City Attorney), Charles Dillard (Interim Director of Planning), Sarah Russell (Special Asst. to End Homelessness)

Public Present: Sharon Bushor

Meeting called to order at 7:36 PM.

1. Adopt the Agenda
1.01 Adopt the Agenda

Motion to Adopt Agenda as is.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes from July 18
2.01 Adopt Draft Minutes from July 18

Motion to Postpone Adoption of the Minutes from July 18 until August 5.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum
3.01 Verbal Comments

Sharon Bushor: I think the change to the ordinances to make them reference and align with State statute is not helpful for residents who want to understand what the rules are. I wonder if it would be helpful to have some guidance language in the ordinance in addition to the reference to State statute.

Public Forum was closed at 7:41PM.

4. Deliberative Agenda
4.1 CDO – Emergency Shelters ZA-24-03

Charles Dillard shared a presentation on the proposed changes to ZA-24-03 Emergency Shelters.

Charles Dillard summarized the 2024 HOME Act (Act 47) that established statewide standards for emergency shelters. He said the Planning Commission added two additional district types to the proposed ordinance change that are not required by Act 47: Institutional Districts and Enterprise – Light Manufacturing Districts. He said a change to the use table for the Residential-Corridor District is needed to allow Emergency Shelters in those locations.

Charles Dillard added that the current ordinance makes reference to Emergency Shelters only operating at night and Act 47 prohibits regulating the hours of an Emergency Shelter at the municipal level.

Councilor Brown McKnight asked whether the City discussed the proposed changes with the institutions in the City and if the City has any plans to put a shelter in the institutional districts. Charles Dillard said the institutions were not consulted and there are no plans to place a shelter in those districts currently.

Councilor Shannon asked about changes in staffing requirements that would result from Act 47. Sarah Russell said that it is standard for the City to always have two staff on duty along with a security guard.

Councilor Brown McKnight asked if this change will improve or worsen the job of managing the Emergency Shelters. Sarah Russell said the changes will help Emergency Shelters be set up more quickly. She continued that these changes encourage local providers to site and open new shelters to replace the motel program. Charles Dillard said the changes will make things easier for DPI and not require changes to the ordinance should the State adjust the statute.

Sarah Russell added that the current ordinance cap of 180 days is not sufficient time for people to transition to permanent housing as it usually take around 280-360 days.

Councilor Shannon asked why the Enterprise – Light Manufacturing district (ELM) is one of the allowed districts for shelters despite not allowing residential. Charles Dillard said the Planning Commission's rationale was that the ELM has many surface parking lots and other undeveloped land that could be used for shelter space. He added that the ELM has close transit lines and service providers.

Councilor Bergman said he supported the ordinance changes as drafted. He said that the statute allows for the regulation of noise and that could be the method to address certain issues if they arise.

Motion to change the draft ordinance to allow Emergency Shelters to be sited in the SEID, but not in the ELM otherwise.

Motion by Councilor Shannon, no second.

Sarah Russell said that allowing shelters to be in the ELM is due to potential concerns about having shelters in more-densely populated residential areas. She continued that she wants to work with the hospital since there have been some success with establishing shelters in hospital parking lots in other places.

Motion to recommend the draft changes to the Emergency Shelters ordinance back to the City Council with the additional change of including Emergency Shelters as an allowed use in the Residential Corridor and warn the zoning change for public hearing.

Motion by Councilor Brown McKnight, Seconded by Councilor Bergman

Final Resolution: Motion Passes

Yes: Unanimous

4.2 BCO – Ch. 30 re: Vehicle for Hire Board Composition and Requiring Vehicle for Hire Operators to Accept Electronic Payment for Fares

Attorney McClenahan shared the proposed changes in resolution form. The resolution is available in the meeting agenda packet.

Attorney McClenahan said the proposed changes came from the Vehicle for Hire Licensing Board. She said the first change was to allow the TEUC Committee Chair to appoint board members from among the councilors on the Committee if the Board does not have enough members to do its work. All councilors agreed to this change.

Attorney McClenahan said the second change was to require licensed taxi drivers to accept electronic payment. All councilors agreed to this change.

4.3 BCO – Appendix E re: Taxi Fares on Rides Originating from the Patrick Leahy Burlington International Airport

Attorney McClenahan said the change to Appendix E makes clear that use of a taxi meter is required for rides originating at the airport that are expected to be less than 50 miles in duration. The change also requires the use of the Vehicle for Hire Board's set rates when rides originate at the airport. All councilors agreed to this change.

Motion to refer the proposed changes to Chapter 30 and Appendix E back to the City Council for inclusion on the consent agenda and requesting that City staff fill in the effective date of the update as appropriate and to publicize the change as required.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

4.4 Police Oversight Discussion

Councilor Shannon said she wanted to have a discussion about the goals of the police oversight board. She said her main goal was to establish trust between the board and the community and

trust between officers and the board. Councilor Brown McKnight agreed and said there should be a variety of professional expertise and that the board represents the demographics of the Burlington population.

Councilor Bergman said that the current proposal is a compromise from all sides and that not everyone will agree with the outcomes of the board.

Councilor Shannon said that the Committee should prepare to brainstorm ideas for the board for the next meetings.

5. Adjournment

5.1 Motion to Adjourn

Without objection, the meeting was adjourned at 8:58 PM.