Ordinance Committee
Wednesday, August 14, 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)

Public Present: Todd DeLuca, Sharon Bushor

Meeting called to order at 11:03 AM.

1. Adopt the Agenda
1.01 Adopt the Agenda

Motion to Adopt Agenda as is.
Motion by Councilor Brown McKnight, Seconded by Councilor Bergman
Final Resolution: Motion Passes
Yes: Unanimous

2. Adopt Draft Minutes
2.1 Adopt Draft Minutes from August 5

Motion to Adopt the Draft Minutes from August 5.
Motion by Councilor Bergman, Seconded by Councilor Shannon
Final Resolution: Motion Passes
Yes: Unanimous

3. Public Forum
3.1 Verbal Comments

Todd DeLuca: I live in Ward Four. I support the ordinance change regarding condo conversion. The ordinance was originally meant to slow conversion of rental apartments into condos. It is easier to build and finance rental buildings than condos. There can be other ways to help people from being displaced. The Housing Trust Fund gets much more funding from other sources than the conversion fees. We should lower the waiting periods and remove the fees.

Sharon Bushor: Michael Monte was very concerned about displacement. We need to bring balance back to have more home ownership. Northgate is a good and unique example of having a cooperative that maintains the affordability of rentals. We should find ways to emulate Northgate to provide people with continuously affordable housing. This ordinance change could be a good way to increase housing.

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4. Police Oversight Ordinance Discussion

Attorney Sturtevant shared the brainstorming list from the August 5 meeting. This list is available in the August 5 minutes.

Councilor Brown McKnight said she believes one or two members of the independent panel could be City staff and so being a staff member should not be a disqualifying criterion. Councilor Shannon added that she believes members could be former board or commission members or even live outside of Burlington if necessary.

Councilor Bergman said the most important aspect for him is ensuring the panel represents the diverse nature of Burlington. He suggested that panel membership require some baseline qualifications but have a lot of focus on ensuring the panel as a whole is a diverse and appropriate group.

Councilor Shannon disagreed and said that having the City Council appoint these members is always a slow and political process.

Councilor Bergman said he is fine having either the Mayor or the Council President appoint the members on an ad-hoc basis.

Councilor Brown McKnight said she thinks members should have expertise in one of a few general areas: DEI/justice reform, professional policing, HR/employee discipline, criminal prosecution, or public legal defense.

Councilor Shannon said she likes the idea of having the HR Director, REIB Director, or CJC Director on the panel by virtue of their position. She added that there should be someone with at least ten years of experience in law enforcement or prosecution in addition to one member of the public appointed by the Mayor.

Councilor Bergman said he would include as a qualification expertise in social reform such as experience with the ACLU or Southern Poverty Law Center.

Councilor Brown McKnight said having someone with expertise in the context of the particular case, such as mental health expertise, depending on the facts of the case.

Councilor Bergman said each instance of the panel being used should have an independent attorney as counsel in addition to administrative and investigative support. Councilor Shannon asked the City Attorney's Office for a recommendation on how to best support the panel with hiring outside help.

Jon Murad (Chief of Police) said that the current directive for the BPD is to complete an investigation within 30 days and up to 90 if necessary. When the Police Commission is presented with the findings they have 14 days to make a decision, but can be longer depending on the incident and scheduling.

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Councilor Shannon asked that the City Attorney's Office draft language regarding staffing and support for the new panel. Councilor Bergman asked that the entire process be written and clear, particularly with regards to availability of information and timing.

5. Condo Conversion Discussion

Attorney Sturtevant said the most recent conversions have been at Claire Pointe and 19 units have been converted to condos since 2022.

Councilor Brown McKnight said she would like a list of properties that the current ordinance effects.

Councilor Shannon said she would like to adjust 18-300 Statement of Purpose (1) to state that the City supports having a balanced combination of rental housing and home ownership. Councilor Bergman disagreed with changing the intent from supporting the retention of rental housing.

Councilor Bergman said changing the ordinance to favor ownership would lead to gentrification and the displacement of poor and working people.

Councilor Shannon said she would like the ordinance to favor ownership as a means to stabilize housing costs since rents are going up much faster than taxes. She continued that the ordinance should include another section under 18-300 that reads: "To provide opportunities to stabilize housing costs through entry-level home ownership.;".

Councilor Bergman asked if the City Attorney's Office and CEDO could provide some clarity to the statements in 18-300 (9) and (10).

Councilor Bergman asked if the Assessor could provide information about potentially exempting triplexes and quads from the ordinance.

6. Any Other Committee Business

The next meeting is set for August 26th at 7:00PM.

7. Adjournment

Without objection, the meeting was adjourned at 1:00 PM.

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