



City Council Meeting

Monday, September 23, 2024, 6:00 PM, Contois Auditorium

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To participate in Public Forum in person, sign up at the meeting.

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****ONLINE closes one hour prior to the beginning of public forum****

Do not sign up in person and via Zoom - select one only

1. Agenda

Subject	1.1. Motion to amend/adopt agenda
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to amend/adopt agenda as follows: remove from the agenda item 9.6. Ordinance: POLICE Composition of Independent Panel (Ordinance Committee)(per City Council President Traverse)

2. Executive Sessions (30 mins.)

Subject	2.1. Litigation - City Attorney's Office
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category	2. Executive Sessions (30 mins.)
Department	City Attorney
Type	Action Procedural
Recommended Action	- o Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of "pending and/or potential" litigation to which the City is a party or has a stated interest would clearly place the City at a substantial disadvantage; - o Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA §313(a)(1)(F), in a pending civil litigation matter, 1 VSA §313(a)(1)(E).

Subject	2.2. Railyard Enterprise Project Update - DPW
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	2. Executive Sessions (30 mins.)
Department	Public Works Department
Type	Action Procedural
Recommended Action	o Motion 1: Move that the Council go into executive session to consider the negotiating or securing of real estate purchase or lease options, 1 VSA §313(a)(1)(F), in a pending civil litigation matter, 1 VSA §313(a)(2).

3. Railyard Enterprise Project - Project Update - DPW (30 mins.)

Subject	3.1. Railyard Enterprise Project - Project Update - DPW
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	3. Railyard Enterprise Project - Project Update - DPW (30 mins.)
Department	Public Works Department
Type	Information Presentation

4. Public Forum: Time Certain: 7:00 pm **See above for signup instructions**

Subject	4.1. Verbal Comments
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category	4. Public Forum: Time Certain: 7:00 pm **See above for signup instructions**
Department	Council and Board
Type	Action Procedural
Recommended Action	open Public Forum close Public Forum

5. Worksession Regarding South End Innovation District (45 mins.)

Subject	5.1. Worksession Regarding South End Innovation District (45 mins.)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	5. Worksession Regarding South End Innovation District (45 mins.)
Department	Community & Economic Development Office (CEDO)
Type	Information Presentation Discussion

6. Climate Emergency Reports (5 - 10 mins.)

Subject	6.1. Verbal reports
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	6. Climate Emergency Reports (5 - 10 mins.)
Department	Council and Board
Type	Information

7. Public Health & Safety Emergency Updates (5-10 mins.)

Subject	7.1. Verbal reports
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	7. Public Health & Safety Emergency Updates (5-10 mins.)
Department	Council and Board
Type	Information

8. Consent Agenda

Subject	8.1. Motion to adopt the consent agenda and take the actions indicated
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda

Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda and take the actions indicated
Subject	8.2. Communication: C/T Office, re: Accountability List
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	8.3. Fire Station 2 Bay Floor Renovation - BPRW
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve and authorize the execution of a contract with Farrington Construction Inc., for a price not to exceed \$629,583 for the FS 2 Bay Floor Renovation project, plus a project contingency of \$62,000 (total project authorization including contingency not to exceed \$691,583), and to authorize Cindi Wight, Director of Parks, Recreation and Waterfront, to execute the contract, any related documents needed to carry out the project, and any contract amendments necessary to utilize the project contingency, subject to the review of the City Attorney's Office
Subject	8.4. Communication: Michael Monte, CEO, Champlain Housing Trust, re: Homeless and Pods
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file

Subject **8.5. Communication: Steve Allen, re: Please Share with City Council Members**

Meeting September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category 8. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject **8.6. Communication: Elena Isabella Fasullo, re: City Council Meeting, 9/9/24, Agenda Item No. 6.6, Public Comment Related to McNeil**

Meeting September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category 8. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject **8.7. Communication: Caryn Long, re: 9/11/24 Speak out**

Meeting September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category 8. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject **8.8. Communication: Ashton MacKenzie, re: Support for the Bike Lane at North Ave/Plattsburgh Ave**

Meeting September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category 8. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject	8.9. Communication: Pike Porter, re: BED RFPs
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication
Recommended Action	waive the reading and place the communication on file
Subject	8.10. Program Year - 2023 Consolidated Annual Performance & Evaluation Report Draft - CEDO
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent) Information
Recommended Action	waive the reading, accept the report and place it on file
Subject	8.11. City Of Burlington And University Of Vermont Medical Center Agreement To Extend 1999 Memorandum Of Understanding And Agreement - Mayor's Office
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Mayor's Office
Type	Action (Consent)
Recommended Action	to ratify the Mayor's June 19, 2024 execution of the City of Burlington and University of Vermont Medical Center Agreement to Extend 1999 Memorandum of Understanding and Agreement
Subject	8.12. Renewal of Tax Increment Financing (TIF) District consulting services contract with White+Burke - CEDO
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Community & Economic Development Office (CEDO)

Type	Action (Consent)
Recommended Action	to approve and authorize the Director of the Community & Economic Development Office to execute the proposed contract amendment with White+Burke Real Estate Advisors for TIF consulting services regarding the Waterfront and Downtown TIF districts with a maximum limiting amount of \$65,000 to be paid out of TIF related costs, pursuant to final review of the City Attorney's Office
Subject	8.13. Creation of Chief Accountant in the Clerk Treasurer's Office - C/T
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	to approve the creation of a Chief Accountant, a Regular, Full-time, Exempt, Non-Union, Grade 23 position
Subject	8.14. Approval of Marina Slip and Mooring Fees - BPRW
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve the 2025 Marina fees as recommended by the Parks and Recreation Commission, acting as the Harbor Commission, during its September 19, 2024 meeting, as detailed in the rate table herein
Subject	8.15. 201 Flynn Avenue Purchase and Sales Agreement, Between the City of Burlington and Chittenden Solid Waste District - DPW
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	(1) To authorize the Mayor to execute a purchase and sale agreement between the City of Burlington and Chittenden Solid Waste District for the property located at 201 Flynn Avenue in the amount not to exceed \$375,000.00, substantially in the form included in the agenda packet and subject to minor modifications approved by the City Attorney or designee. (2) To authorize the Mayor and Director of Public Works to take such further actions and execute such further instruments approved as to form by the City Attorney or designee as may be necessary or convenient to effectuate the transactions contemplated hereby.
Subject	8.16. FIO Documents

Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	for information only
Subject	8.17. Resolution: Designation Of Ward 4 Polling Place (Councilor Barlow)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Council and Board
Type	Action (Consent) Resolution
Recommended Action	waive the reading and adopt the resolution
Subject	8.18. Resolution: Release Of Certain Glebe And Perpetual Lease-Land And Interests And Revision Of The City Of Burlington Perpetual Lease Land Interests List (Councilor Traverse)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	8. Consent Agenda
Department	Council and Board
Type	Action (Consent) Resolution
Recommended Action	waive the reading and adopt the resolution

9. Deliberative Agenda

Subject	9.1. Public Hearing Regarding Burlington Comprehensive Development Ordinance ZA-24-03 Emergency Shelters
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	9. Deliberative Agenda
Department	Planning
Type	Action Public Hearing

Recommended Action	open Public Hearing close Public Hearing
Subject	9.2. Ordinance: ZA-24-03 Emergency Shelters (Planning Commission, Ordinance Committee) (10 mins.)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	9. Deliberative Agenda
Department	Planning
Type	Action Ordinance - Second Reading
Recommended Action	Second reading. Waive the reading and adopt the ordinance as amended by the Ordinance Committee
Subject	9.3. FY24 Annual Report City of Burlington - CCRPC (20 mins.)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	9. Deliberative Agenda
Department	Clerk/Treasurer's Office
Type	Action Information Report
Recommended Action	waive the reading, accept the report and place it on file
Subject	9.4. Resolution: The Establishment Of A Downtown Public Safety Hub (Councilors Litwin, Brown McKnight, Traverse, Carpenter, Shannon, Barlow, Doherty)(20 mins.)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	9. Deliberative Agenda
Department	Council and Board
Type	Action Resolution
Recommended Action	waive the reading and adopt the resolution
Subject	9.5. Resolution: Assuring Our Police Department Has A Modern Facility That Assures The Health And Wellbeing Of Employees, Meets The Expectations Of The Public And Provides Dignity, Security, And Privacy For Perpetrators And Victims (Councilors Traverse, Barlow, Carpenter, Doherty, Litwin, McKnight, Shannon) (20 mins.)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium

Category	9. Deliberative Agenda
Department	Council and Board
Type	Action Resolution
Recommended Action	waive the reading and adopt the resolution
Subject	9.6. Ordinance: POLICE Composition of Independent Panel (Ordinance Committee)(20 mins.) **proposed amendment: to remove this agenda item**
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	9. Deliberative Agenda
Department	City Attorney
Type	Action
Recommended Action	Discussion and move to warn a first reading on October 7, 2024
Subject	9.7. Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE ZA-24-04 Neighborhood Code 2A, Part 1: Technical Corrections & Secondary Structures (Office of City Planning, Planning Commission, Ordinance Committee)(25 mins.)
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	9. Deliberative Agenda
Department	Planning
Type	Action
Recommended Action	postpone the item until the first regular City Council meeting following the receipt of written feedback from the Planning Commission on the proposed amendment

10. Committee Reports

Subject	10.1. Verbal reports
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	10. Committee Reports
Department	Council and Board
Type	Information

11. City Council - General Affairs (up to 15 mins.)

Subject	11.1. Verbal reports
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Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	11. City Council - General Affairs (up to 15 mins.)
Department	Council and Board
Type	Information

12. City Council President - Council Updates (up to 5 mins.)

Subject	12.1. Verbal reports
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	12. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

13. Mayor - General Affairs (up to 10 mins.)

Subject	13.1. Verbal reports
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	13. Mayor - General Affairs (up to 10 mins.)
Department	Council and Board
Type	Information

14. Adjournment

Subject	14.1. Motion to adjourn
Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	14. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn

15. Informational and Non-Discrimination Statements

Subject	15.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV the Wednesday after the meeting, starting at 8:00 pm and
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repeating at 1:00 am and 7:00 am the following day. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.

Meeting	September 23, 2024 - Regular City Council Meeting - Monday, September 23, 2024, 6:00 PM, Contois Auditorium
Category	15. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information