

**BURLINGTON CITY COUNCIL
CITY HALL, CONTOIS AUDITORIUM *OR*
REMOTE MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
November 12, 2024
DRAFT**

MEMBERS PRESENT:

Joan Shannon
Sarah E Carpenter
Mark Barlow (at 7:46 PM)
Gene Bergman (Zoom)
Ben Traverse
Tim Doherty
Melo Grant
Carter Neubieser (Zoom)
Joe Kane
Becca Brown McKnight
Evan Litwin
Marek Broderick

OTHERS PRESENT:

Emma Mulvaney-Stanak
Erin Jacobsen
Joe Magee
Katherine Schad
Jessica Brown
Erik Ramakrishnan
Kim Sturtevant
Hayley McClenahan
Lori Olberg
Keaton Knowles
Chapin Spencer
Megan Moir
Martin Lee
Matt Dow
Jenny Oster
Bill Ward

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Traverse at 6:04 PM.

MOTION by Councilor Doherty, SECOND by Councilor Carpenter, to amend and adopt the agenda as follows:

- **Add to the consent agenda item 6.9 Communication: Amy Leigh Malinowski, re: In Continued Support of Tyeastia Green;**
- **Add to the consent agenda item 6.10 Communication: Stephen Chisa, re: In Continued Support of Tyeastia Green;**
- **Remove from the deliberative agenda item 7.7 Resolution: March 4, 2025 Annual City Meeting – Charter Change Re: Public Safety Tax Rate (Councilor Bergman)(per City Council President Traverse).**

VOTING: unanimous; motion carries.

2. PUBLIC FORUM: TIME CERTAIN: 6:05 PM

2.1. Verbal Comments

Forum opened at 6:05 PM.

COMMENTS:

Burlington residents (in person):

- Bradley Grimard spoke about personal experience with car thefts in his neighborhood and expressed concern about public safety in the City, especially for vulnerable residents. He urged the City to do something to protect residents and ensure their safety.
- Suzanne Sugar spoke about the resolution relating to the charter change for the public safety tax. She noted that in March, voters approved a measure to add funding for public safety to the Fire and Police Departments, but that the solutions being proposed are non-directional, non-concrete, and don't seem to be occurring, calling it a bait and switch for the community.
- David Maher expressed support for efforts to reduce the number of discarded syringes littering public spaces in the City. He said the City's needle exchange program should require users to return used syringes in order to get new ones.
- Mike Selick expressed concern about the City Council's decision to study the efficacy of syringe service programs, noting that these types of programs have existed for decades and have already been studied and shown to reduce harm and litter in a cost-effective manner.
- Mike Conroy spoke about agenda item 7.7 and general public safety. He said that before the City undertakes budgeting exercises to reorganize various departments, it needs to hire 20 more police officers to address capacity issues that lead to declining public safety.
- Selene Colburn expressed concern about the resolution passed that directed the Board of Health to investigate the issue of syringe litter and the effectiveness of syringe service programs, saying the effectiveness of syringe service programs has been studied and determined to be successful for years.
- Robert Bristow-Johnson spoke about item 7.6 on the agenda, related to redistricting. He said that the next time the City is redistricted, it needs to pay better attention to the proposed map for the State's legislative districts to ensure consistency.
- Sandy Baird spoke with concern about the stickering ordinance before the Council, saying she is a free speech absolutist and that she is concerned that this ordinance is a violation of First Amendment guarantees for freedom of speech and will open the City up to lawsuits. She also spoke about the police oversight resolution, saying she supports supervision and oversight of the Police Department by the Police Commission.
- Todd Deluca spoke about his interactions with one specific unhoused woman over the last week, and said he hopes the City can help address public safety issues and issues around unhoused individuals, because he is worried for these individuals' safety in addition to the safety of housed residents.

Burlington residents (via Zoom):

- Ashley Adams said it is disheartening that the City continues to operate the largest single source of climate pollution in the State (the McNeil Plant), saying that putting the Burlington Electric Department in charge of climate policy is a conflict of interest. She said that the City's net zero energy roadmap does not count carbon emissions from burning wood at the McNeil Plant, nor does it count flights

at the airport. She said that greenhouse gases need to be reduced from all sources. She asked that climate policy be placed in the hands of a different City department.

- Sharon Bushor spoke about the livable wage ordinance and expressed support for it. She also spoke about potential significant rate increases that will be presented later tonight as the result of some potential water and wastewater infrastructure upgrades, and she expressed concern about the impact of this on taxpayers.

Non-Burlington residents (in person):

- Cora Honigford spoke in support of syringe service programs, overdose prevention centers, and other evidence-based mitigation efforts around substance use. She said that syringe service programs are evidence-based and do not need to be studied further. She said that everyone deserves to live in a safe community, regardless of housing status.
- Elizabeth Deutsch spoke in support of needle exchange programs, and said it is ludicrous to study the efficacy of a program that has shown decades of positive, evidence-based outcomes. She said the number of people who would be harmed by the cessation of these programs is astronomical, and that eliminating such programs would be punitive and regressive.

Forum closed at 6:36 PM.

3. BURLINGTON WATER RESOURCES CAPITAL PLANNING PROPOSED MARCH 2025 BOND REQUESTS WORK SESSION

3.1 Burlington Water Resources Capital Planning Proposed March 2025 Bond Requests Work Session

Director Spencer began by noting that a number of the City's water and wastewater systems are at risk of failure and need significant upgrades, given that it has been 30 years since the last comprehensive investment in the City's wastewater plants. He said that the City also needs to shore up its investments in its systems to reliably serve Vermont's only Level 1 trauma center (the University of Vermont Medical Center) and the hill neighborhoods at higher elevations. He noted that the ask in total is for approximately \$200 million across bonds for these investments.

Division Director Moir began by speaking about the water bond work that was completed related to the 2016 \$8.34 million bond, as well as the work completed with the \$30 million Clean Water Resiliency Bond. They noted that over 9.29 miles of water mains were relined or replaced, a significant number of miles of sewer and storm mains were replaced, and green stormwater infrastructure was built, which all has resulted in higher scores for the systems' risk scores.

Division Director Moir then spoke about why more investment is needed. They said that the goal is to provide reliable and sustainable drinking water and waste/stormwater infrastructure to the current and future Burlington, by replacing aged infrastructure and ensuring that there is sufficient capacity for housing and other growth the City is looking to create, as well as improving resiliency in the face of climate change and addressing safety and code upgrades to protect and retain workers for the City. They also spoke about how investments and upgrades will protect the lake by preventing beach closures and reducing phosphorus discharges from Burlington to the lake. They highlighted several phased infrastructure projects for wastewater infrastructure improvements, water projects, and stormwater projects.

They then provided high-level cost estimates for the potential projects and investments in question, as well as estimated impacts for rate-payers. They noted that they are requesting \$21 million in bonding for drinking water, \$204 million for wastewater, and \$14 million for stormwater bonding. They highlighted the urgency of the request, noting that the likelihood of failure for certain critical assets has become too high to guarantee sustainable and reliable services, given that assets are 30 years old and the typical useful life for them is 20 years. They also noted that new wastewater treatment permits require implementation of additional phosphorus reductions by 2030, and that the

next burst in housing growth for later this decade will require additional capacity in the City's systems. They further noted that preliminary engineering is now substantially complete for most projects, which took four years to do. They said that over a five-year time period, this would mean a 113% rate increase for rate payers, and then spoke about potential ways to help mitigate the impact of that rate increase on customers' bills (such as working with the State's Revolving Loan Fund to finance more of the projects, evaluating the feasibility of WIFIA, pursuing grant funding, and restructuring rates to a tiered system). They also spoke about ways to enhance the City's affordability programs.

Division Director Moir then spoke about the project and outreach schedule for these asks. They said that the division has conducted outreach to the Commission and to the Transportation, Energy, and Utilities Committee (TEUC) and created a webpage, and will continue to communicate with these bodies through the remainder of the fall. They said that they anticipate returning to the Council in January for approval to put the bond vote language on the March 2025 ballot. They said they will continue to conduct outreach and community engagement on the proposed investments at NPAs, public meetings, through a social media campaign, and through information postcards.

Division Director Moir then posed a number of questions to the Council for consideration and input prior to moving ahead. They asked if the City should include bond capacity for the Siphon Replacement project, or assume that FEMA will shoulder those costs. They asked if there is support for the East Plant Consolidation Alternative. They asked if affordability programs should be focused on residential users, and whether the TEUC is the appropriate forum to discuss these programs. They asked if the bond vote request should be reduced in anticipation of the charter change that could authorize the annual General Obligation borrowing amount to increase to \$6 million for water, wastewater, and stormwater (even though this change isn't guaranteed to be approved).

Councilor Litwin said that TEUC could be a good forum for these discussions, but so could CDNR and potentially REIB. They also asked the Mayor to include this issue in the City's legislative priorities, to ensure that the State helps support the City in these obligations. Director Spencer said that they are flexible in which committees they can go to, and that they are engaged with the state's congressional delegation to try and secure more federal funding. Councilor Litwin emphasized that taxpayers are overburdened, and expressed concern that this bond vote may not go through, and said securing more state and federal support is tantamount to the success of this.

Councilor McKnight asked how these requests got so high and why the City didn't upgrade some of its infrastructure ten years ago, when systems were at the end of their useful lives. She also asked whether Vermont could partner with New York State, to jointly work on phosphorus reductions in Lake Champlain. She further asked about a more staged approach to help bring costs down, given that her top concern is about affordability. Division Director Moir noted that New York State has its own requirements for phosphorus reduction in the Lake. They said there could be a staged approach and postpone work on the North plant, but said that the North End is anticipated to experience growth, which will mean more capacity needed. Director Spencer said that in terms of why significant upgrades were postponed, he arrived in the City in this role during a period of no rate increases and low capital investment and has been in a catch-up, defensive position ever since, though it is now trying to be more proactive.

Councilor Shannon said it is reasonable to approach the state for help with this, given the state's goals for housing growth, and that these upgrades are crucial for that growth. She noted that certain water and wastewater users are already shouldering a higher level of rates (specifically the breweries) and asked if they have been outreached on these potential impacts. Division Director Moir acknowledged that it is a delicate balance to structure rates in an equitable and fair way between residential and commercial users.

Councilor Neubieser asked for materials to communicate with constituents about affordability and clear potential rate impacts. He said that he is very focused on affordability for residents in the City. He expressed support for seeking commitments from the state to help pay for these

investments. He also noted that they should consider having larger institutions pay more. Division Director Moir said they can put together a calculator for communicating about costs more specifically.

Councilor Grant said that taxpayers are experiencing extraordinary pressures currently, and said that the City needs to be reaching out to all levels of government to receive support for this. She spoke about how deferred maintenance is a problem across the state. She asked for more details on the plan to engage the state's federal delegation for this. She also said that rates for large users should be scrutinized and potentially increased.

Councilor Carpenter said the City should be looking at large users, especially those who don't pay taxes. She also said it would be helpful to see estimated costs for municipalities that don't have municipal water and sewer systems. She noted that the state has directed growth in municipalities with municipal water/sewer systems, which makes sense, but said that the state and other neighboring communities should help contribute to some of these costs, and that Burlington can't bear the burden alone.

Councilor Kane asked why there are three plants in the first place, and Division Director Moir replied that they suspect that they are located where they are because this is where the discharge is and how gravity influenced the flow. Councilor Kane asked how much lower the bonding amount would get if the City's charter change to increase its General Obligation bonding amount is successful, and Division Director Moir replied that they can get back to the Council with a calculation, but said that it ultimately wouldn't reduce rates, given that bonding is bonding.

City Council President Traverse said that some of the reasons for needing these replacements are due to state mandates, so the City should be asking more serious questions of state lawmakers in terms of the support that they can provide. He asked several questions about the rough comparison calculations to other recent upgrades at other municipalities. He also asked for comparisons with other similarly-sized municipalities in other states. He said that this potential rate increase needs to be placed in the context of other high-priority, expensive initiatives, as well as potential state tax increases, and a tight budget for FY26.

4. MAYOR – GENERAL CITY AFFAIRS (TO INCLUDE CLIMATE AND PUBLIC HEALTH & SAFETY EMERGENCY UPDATES)

4.1 Verbal Reports

Mayor Mulvaney-Stanak began by speaking about the latest public safety forum that was held last week, which centered around themes of violence and anti-violence strategies, and youth who are involved in troubling behaviors in the City. She spoke about attendance at the forum and the organizations that were present. She noted that the next public forum in January will focus on substance use. She spoke about deferred maintenance at public safety facilities in the City, and said they have begun exploring a merged public safety facility. She spoke about an update on the unsheltered population in the City, and the City will be removing the sanitation services placed at various spaces in the City for the winter. She spoke about an estimated 350 individuals who need a low barrier shelter, and that she anticipates 90 beds coming online for the winter. She spoke about actions at the state level with the opening of a facility in Williston, but said that these resources aren't good enough to address the acute needs of the City. She spoke about meeting with the governor on October 30th, at which they talked about the housing crisis, substance use, youth and violence, and recruitment issues for first responders. She noted that they are working to convey to the state that the City is shouldering a high burden in terms of addressing the unhoused crisis. Mayor Mulvaney-Stanak then spoke about the Modern Gov Initiative, and said that the City is looking at other cities that have similar issues and have merged their departments to make government more efficient (specifically Albuquerque, New Mexico). She spoke about being more aggressive about affordability and

efficiency when building the FY26 budget. She said that her team will be presenting a multi-year strategy to catch up with significant deferred maintenance in the City. She said she is also working to launch a work group on tax fairness for the municipal portion of the tax bill.

5. CITY COUNCIL – GENERAL CITY AFFAIRS (TO INCLUDE CLIMATE AND PUBLIC HEALTH & SAFETY EMERGENCY UPDATES)

5.1 Verbal Reports

Councilor Shannon spoke about the Mayor's last forum on community safety, noting that one resident noted that many of the City's youth can't access after-school programs due to lack of transportation, and suggested that residents could volunteer to offer rides to the City's youth to get them where they need to go to participate in various programs. She noted that another resident also stressed the importance of having mentors for youth. She said she would also like more clarity on the level of tolerance the City has for open drug use. She also thanked the Mayor for her recent letter on social media apologizing for a mistake she made, saying that this letter has helped restore trust and loyalty.

Councilor Grant agreed with Councilor Shannon's statements. She said the public forum conversation was very sobering, and agreed that the need for mentors and to help with literacy, as well as increasing cultural competency and understanding family dynamics in Burlington is extremely important. She noted that the City's Police Department continues to not have a street crimes unit, hence why so much of the open drug use is not being penalized. She spoke about the importance of harm reduction, which will help reduce crime in the City. She spoke about continuing to focus on flexibility and support for the City's public safety task force, using the example of the urban park rangers.

Councilor Litwin spoke about the syringe program, saying that he doesn't doubt the efficacy of the program, but said that it needs to be looked at with fresh eyes, due to the sheer number of discarded needles in the City's public spaces. He said that this is a public safety issue, not a beautification issue. He encouraged residents to attend Board of Health meetings to help them with the resolution related to syringe exchange programs. He also requested more information on EMS calls at encampments.

6. CONSENT AGENDA

6.1 Motion to adopt the consent agenda (as amended) and take the actions indicated

6.2 Accountability List – C/T – waive the reading, accept the communication, and place it on file.

6.3 B.E.D.'s Property/Boiler and Machinery (B&M) 2024-2025 Insurance Renewal – BED - authorize the General Manager of the Burlington Electric Department or their designee, to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2024 through 11/20/2025 with a not to exceed premium of \$715,989, as outlined in this memo, subject to review and approval of the City Attorney's Office and the CAO.

6.4 Lease of Space at Old North End Community Center, 20 Allen Street – BPRW - Approve and authorize the leasing of certain space, as identified in the attached lease agreement, in the Old North End Community Center, as further detailed in Exhibit B for an initial one-year term, with the option to renew for five additional and subsequent one-year terms, from Champlain Housing Trust on the terms provided in and substantially in conformance with the attached lease including an annual rent amount of \$138,168 subject to a year over year increase not to exceed 3% per year, for a total authorized expenditure not to exceed \$893,727, subject to City Council annual budgetary appropriation, and to authorize the Director of Parks, Recreation and Waterfront to execute the lease and any related documents needed to carry out the lease agreement, subject to the review of the City Attorney's Office.

6.5 Replies to Councilor feedback on 9/23/24 SECOND Work Session – CEDO – waive the reading and place the communication on file.

6.6 Communication: Emma Wall Kouri, PhD, Ward 6, re: On Tyeastia Green, REIB, and Safety in Burlington: an open letter – waive the reading and place the communication on file.

6.7 BCA Reorganization – BCA/HR - approve and authorize the: Elimination of the Administrative Assistant Position; Reclassification and retitling of the Member and Donor Relations Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 13 to Development and Administrative Coordinator, a Regular, Fulltime, Non-exempt, AFSCME Grade 15; Reclassification and retitling of the Marketing and Sponsorship Support Specialist, a Regular, Fulltime, Non-exempt, ASFCME Grade 15 position reporting to the Development Director and Communications Director to an Assistant Development Director, a Regular, Full-time, ASFCME Grade 17 position reporting to the Development Director; Reclassification of the Youth & Family Program Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 15 to a Regular, Full-time, Non-exempt ASFCME Grade 16; Reclassification and retitling of the Program Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Adult Programs Coordinator a Regular, Full-time, Non-exempt, ASFCME Grade 16; Reclassification and retitling of the Clay and Print Studio Manager, a Regular, Full-time, Nonexempt, ASFCME Grade 15 to Clay Studio Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 16; Reclassification and retitling of the Artist Coordinator, a Regular, Full-time, Non- exempt, ASFCME Grade 14 to Art Services Coordinator a Regular, Full-time, Non- exempt, AFSCME Grade 15; Reclassification and retitling of the Art Director, a Regular, Full-time, Exempt Non-union Grade 16 to Design Director, a Regular, Full-time, Non-exempt, Non-union Grade 17; Reclassification of the Education Director, a Regular, Full-time, Exempt Non-union Grade 18 to a Regular, Full-time, Non-exempt, Non-union Grade 20.

6.8 FIO Documents – for information only.

6.9 Communication: Amy Leigh Malinowski, re: In Continued Support of Tyeastia Green – waive the reading and place the communication on file.

6.10 Communication: Stephen Chisa, re: In Continued Support of Tyeastia Green – waive the reading and place the communication on file.

MOTION by Councilor Doherty, SECOND by Councilor Shannon to approve the consent agenda as amended and take the actions indicated for items 6.1-6.10.

VOTING: unanimous; motion carries.

7. DELIBERATIVE AGENDA

7.1 Assistant City Attorney Appointment

Mayor Mulvaney-Stanak introduced the candidate she is proposing to appoint to an Assistant City Attorney position within the City Attorney's Office. She spoke about Emmett Wood's background, education, and qualifications, also noting that the candidate would begin in January, if appointed.

MOTION by Councilor Doherty, SECOND by Councilor Grant, to approve the appointment of Emmett Wood, Esq. as Assistant City Attorney.

VOTING: unanimous; motion carries.

7.2 Resolution: Declaration Of November As Family Caregiver Month For Burlington (Councilor Carpenter)

MOTION by Councilor Carpenter, SECOND by Councilor Litwin, to waive the reading and adopt the resolution.

DISCUSSION:

- **Councilor Carpenter said this resolution was brought forth by the City's Council on Aging. She acknowledged the work of families who are caregivers for their members and thanked them for their support and work.**

VOTING: unanimous; motion carries.

7.3 Ordinance: Technical Amendments to Article VI of Chapter 21 of the Burlington Code of Ordinances, Commencing at Section 21-80, Livable Wages, to Streamline Enforcement and Other Processes (Councilor Traverse)

Assistant City Attorney Ramakrishnan began by noting that the goal of these technical amendments is to streamline the enforcement of the Livable Wage Ordinance, given that the City's compliance monitors retired earlier this year and that recruitment for those vacancies has been difficult. He said that this would streamline the ordinance and bring enforcement in-house. He said that compliance monitoring would be done through the submission of a short-form certified payroll record from vendors when they submit invoices, and by aligning the ordinance to the Davis-Bacon Act, which is a federal law that requires payment of a prevailing wage that is generally higher than what the City's livable wage requires. He noted that the Davis-Bacon Act alignment would only be for contracts for heavy construction and highway projects (which are most of the City's projects). He noted that the proposal also loosens the requirements for City Council approval of any rulemaking conducting under the Chief Administrative Officer's authority.

MOTION by Councilor Barlow, SECOND by Councilor Grant, to waive the second reading of the proposed Ordinance Amending Livable Wage Ordinance, B.C.O., Ch. 21, Art. VI, and approve the reading.

VOTING: unanimous; motion carries (Councilor Kane absent for vote).

7.4 Ordinance: Ordinance Amending B.C.O. Sections 1-9 & 21-29 Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications (Ordinance Committee)

MOTION by Councilor Shannon, SECOND by Councilor Bergman, to waive the reading of the proposed ordinance amending B.C.O. § 1-9 & 21-29 (Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications), and to adopt the second reading of the ordinance.

DISCUSSION:

- Councilor Shannon said that when this was sent to the Ordinance Committee, Councilors made clear that they wanted further protections against hate speech as well as better enforcement of the City's ordinances on property defacement and graffiti. She said that these amendments include an enhancement to enforcement when any ordinance violation is against a protected group of individuals, as well as allowing for a private right of action. She noted that this went through a lengthy review by the ACLU, to ensure that the City is not running afoul of First Amendment rights.
- Assistant City Attorney Ramakrishnan spoke to the ACLU's letter. He noted that one of their concerns was that these proposed amendments were motivated by a particular set of circumstances (the stickering campaign in the New North End last year). He said that the committee then broadened this to any type of ordinance violation that might be motivated by hateful motives. He noted that the City looked into how it can enhance violations related to protected classes of people, and that they added a private right of action clause into the amendments. He noted a concern from the ACLU about nuisance law, and that in response to this, the City changed the ordinance in the process to address that comment.
- Councilor Doherty said he has serious concerns about the private right of action provision and the potential that it could drag the City into protracted and expensive litigation and that he is not comfortable voting in favor of this without further review.
- Councilor McKnight said the City isn't enforcing the laws that it has related to graffiti and defacement anyway, and requested that this item be postponed until there is more discussion around enforcement of the ordinance that is already on the books.

MOTION by Councilor McKnight, SECOND by Councilor Doherty, to postpone this item until the City Council's December 9, 2024 meeting.

DISCUSSION:

- Councilor Bergman said the ordinance as presented allows for enforcement in the online reporting system, and said it does not make sense to postpone this item for this reason.
- Councilor Barlow expressed support for this postponement, given that concerns around the private right of action need to be addressed, in addition to enhancing enforcement.
- Councilor Grant said that given what's happening downtown, graffiti is not at the top of her list of concerns for the City in the realm of public safety. She said there is also substantial blight downtown, such as the current state of the Memorial Auditorium building, the old YMCA building, and the old Bove's building. She said that it does not make sense to postpone this.
- Councilor Neubieser said he does not support postponement, given the other priorities in front of the Council at this juncture, though he is open to further discussion. He also noted that the City proactively reached out to the ACLU in a proactive way.
- Councilor Litwin said the decision should come down to prudence and that he does not see the harm in continuing to reflect on the threat of litigation. He said he would be interested in hearing both sides of the argument and make decisions after hearing a balanced perspective. He said he opposes the defacement of all property.
- Mayor Mulvaney-Stanak said that the Council should think hard if it delays action on this. She said that the private right of action component allows people to find a solution to a problem the City has been unable to address until now. She said that the City will never be 100% sure that there will never be litigation, but that this is not the time to take any potential tools off the table. She urged the Council not to delay this action any longer.
- Councilor Shannon said they asked the Mayor's office for an enforcement plan, which they received 2 hours before this meeting and would like time to review. She said that this ordinance is much broader than a graffiti and defacement ordinance, and said that the Council should take the time it needs to get this right. She said she would like the ACLU to have the opportunity to weigh in on this version of the ordinance amendments, which they could do prior to the December 9th meeting.
- Councilor McKnight said that if the City doesn't have the right enforcement policy, it will not make progress on addressing hate and bias. She said she would like to force a discussion on the topic of graffiti, which has not been a priority in the City, but is so important for the community.

VOTING ON POSTPONEMENT (by roll call): Councilor Barlow – aye, Councilor Bergman – nay, Councilor Broderick – nay, Councilor Carpenter – aye, Councilor Doherty – aye, Councilor Grant – nay, Councilor Kane – nay, Councilor Litwin – aye, Councilor McKnight – aye, Councilor Neubieser – aye, Councilor Shannon – aye, City Council President Traverse – aye (8 ayes, 4 nays); motion carries.

7.5 Resolution: March 4, 2025 Annual City Meeting – Charter Change Re: City Council Authority To Regulate Rental Notifications And Notification Periods (CDNR, Charter Change Committee)

MOTION by Councilor Bergman, SECOND by Councilor Litwin, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Litwin said that this would give the voters the opportunity to weigh in on the question of whether or not the determination of rental notice periods should be a conversation that could be had locally (through the Ordinance

Committee), rather than through arduous charter changes. He said that this resolution is not on the details of any such action, but just whether the City can be able to explore a more locally tailored approach.

- Councilor Neubieser said that this resolution would increase good governance and support local control, especially given the seriousness of the housing crisis in the City.
- Councilor Barlow said he would like to see these notice requirements align with neighboring communities, saying it could potentially dissuade people from investing in property in Burlington.
- Councilor Broderick said this resolution could help renters navigate the difficult housing market.
- Councilor Grant said she doesn't trust the legislature with this issue, given that most state legislators are property owners.

VOTING (by roll call): Councilor Barlow – aye, Councilor Bergman – aye, Councilor Broderick – aye, Councilor Carpenter – aye, Councilor Doherty – aye, Councilor Grant – aye, Councilor Kane – aye, Councilor Litwin – aye, Councilor McKnight – aye, Councilor Neubieser – aye, Councilor Shannon – aye, City Council President Traverse – aye (12 ayes); motion carries.

7.6 March 4, 2025 Annual City Meeting – Proposed Charter Change Regarding Redistricting By City Council (Charter Change Committee)
Councilor Bergman noted some technical errors in the proposed charter change, necessitating referral back to the Charter Change Committee prior to coming to the Council for consideration. He said that the strikeouts did not successfully ensure that existing districts and wards remain in place until new ones are put there. He said that this could be a quick and easy change.

MOTION by Councilor Bergman, SECOND by Councilor Doherty, to postpone this item until the November 18, 2024 City Council meeting.

VOTING: unanimous; motion carries.

7.7 Resolution: March 4, 2025 Annual City Meeting – Charter Change Re: Public Safety Tax Rate (Councilor Bergman) **AGENDA ITEM REMOVED**
No discussion.

7.8 March 4, 2025 Annual City Meeting – Charter Change Re: City Council Authority To Pledge Credit Of The City (Councilor Bergman)

MOTION by Councilor Bergman, SECOND by Councilor Kane, to waive the reading and refer the proposed Charter amendment re City Council Authority to Pledge Credit of the City to the Charter Change Committee for report back no later than in time for the City Council's December 9, 2024 meeting.

DISCUSSION:

- Councilor Kane said that this would raise the City's bonding capacity from \$2 million to \$5 million starting in 2028 and then to \$10 million in 2031, would raise Burlington Electric Department's bonding capacity from \$3 million to \$6 million, and create \$6 million in bonding capacity for the Department of Public Works. He said this would save the City money in the long run as it would allow the City to work through its deferred maintenance and then be more proactive in its capital investments.
- Councilor Barlow said he is supportive of this, but expressed concern about the fivefold increase in bonding capacity for the City that is being requested. He asked if this has been discussed with the School District, given that they also have a \$2 million bonding authority. He also asked how this would affect the City's debt policy. He asked what the City's

current debt load is, and how much overlap there is with the School District. He also asked if this change would be instead of the General Obligation bond request, or if it is in addition to that. Mayor Mulvaney-Stanak replied that if this is successful, it would not go out at the same time as the GO bond, but would be sequenced. She noted that this hasn't been updated since 2014. She said that they would also do this in such a way that debt is retired before more debt is incurred.

- Councilor Carpenter asked what criteria would be used to determine what is appropriate under this type of bond for the City. Assistant City Attorney Ramakrishnan replied that it needs to be for capital improvements. Mayor Mulvaney-Stanak added that the Capital Committee has been refining the criteria that could be used for this bonding capacity.

VOTING: unanimous; motion carries.

7.9 Ordinance: VACANT BUILDINGS BCO Chapter 8, Art. III (Councilor Traverse)

MOTION by Councilor McKnight, SECOND by Councilor Shannon, to first reading, waive the reading and refer to Ordinance Committee.

DISCUSSION:

- Councilor McKnight said that this would increase the fees for the vacant buildings in the community that are currently a blight and an eyesore. She said that negligent landlords must be steeply penalized for the harm they are causing the community. She said this change would have no impact on most people who rent out their properties.
- Councilor Broderick expressed support for this item. He asked how the City defines properties that are used on a seasonal basis. Assistant City Attorney Sturtevant replied that they are designated in the Assessor's Office as seasonal.
- Councilor Litwin noted that one constituent said that this does not go far enough, and he encouraged members of the public to be engaged in the process in the Ordinance Committee.
- Councilor Grant said the penalties are not high enough, given the number of vacant buildings and the crime that occurs there. Councilor McKnight agreed, and said it will be explored in the Ordinance Committee.

VOTING: unanimous; motion carries.

8. COMMITTEE REPORTS

8.1. Verbal reports

Councilor Shannon said the Ordinance Committee has several ordinances that will be coming back to the City Council soon, including the condo ordinance and the emergency shelter ordinance. She also noted that the Committee is working on the Dog Task Force report and next steps.

Councilor Grant said the Public Safety Committee is meeting next Wednesday at 5:30. She spoke about the lack of recruitment strategy within the Police Department, as well as a plan to address the Police Department's online reputation. She also said the Union needs to address relationship improvements within the community.

Councilor Bergman said that there is a Charter Change Committee meeting on November 21st, and that it will be a quite active meeting, given the number of charter changes requiring work.

Councilor Barlow said there will be a second reading of the benchmarking ordinance at the November 18 meeting.

9. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

9.1. Verbal reports

City Council President Traverse honored the City's veterans and thanked them for their work and sacrifices.

10. ADJOURNMENT

10.1 Motion to Adjourn

Without objection, the meeting adjourned at 9:57 PM.

RScty: AACoonrad