

**BURLINGTON CITY COUNCIL
CITY HALL, CONTOIS AUDITORIUM *OR*
REMOTE MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
November 18, 2024
DRAFT**

MEMBERS PRESENT:

Joan Shannon (via Zoom, then in person)
Sarah E Carpenter
Mark Barlow
Gene Bergman
Ben Traverse
Tim Doherty
Melo Grant
Carter Neubieser
Joe Kane
Becca Brown McKnight
Evan Litwin
Marek Broderick

OTHERS PRESENT:

Emma Mulvaney-Stanak
Erin Jacobsen
Katherine Schad
Lori Olberg
Keaton Knowles
Jessica Brown
Kim Sturtevant
Chapin Spencer
Bob Klinefelter
Michael LaCroix
Carolyn Cota
Josh Olund
Steve Spear
Kara Alnasrawi
Laura Wheelock
Maddie Suender
Charles Dillard
Nic Longo
Larry Lackey
Jeff Bartley
Marie Friedman
Alex Cohen

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Traverse at 6:27 PM.

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

- **Add to the consent agenda item 7.14 Communication: Michael Monte, Chief Executive Officer, Champlain Housing Trust, re: Conversion of Rentals to Homeownership (per Councilor Bergman);**
- **Add to the consent agenda item 7.15 Communication: Andy Simon and Liz Blum, Members, Jewish Voice for Peace VT/NH, re: communication on the consent agenda;**
- **Add to the consent agenda item 7.16 Communication: Kelly Devine, Executive Director, BBA, re: proposed closure of the Main Street and South Winooski Avenue intersection;**
- **Add to the consent agenda item 7.17 Communication: Erhard Mahnke, re: proposed changes to the City's Condominium Conversation Ordinance;**
- **Add to the consent agenda item 7.18 Communication: Solveig Overby, Ward 2 resident, re: Agenda Item 1: Roundabout for Colchester/Barrett/Riverside intersection – safest, most functional, least expensive;**
- **Note proposed amendments to Deliberative Agenda Item 8.7: Ordinance: Chapter 18 Housing Article V. Regulation of Conversion Of Rental Housing To Condominiums Or Cooperatives (Ordinance Committee)(per Councilor Bergman);**
- **Note proposed amendments to 8.7 (per Councilor Grant);**
- **Add to the Deliberative Agenda item 8.11 Resolution: March 4, 2025 Annual City Meeting – Charter Change Re: Ban On Firearms In Any Establishment With A Liquor License (Councilor Bergman).**
- **Remove from the Deliberative Agenda Item 8.7: Ordinance: Chapter 18 Housing Article V. Regulation of Conversion Of Rental Housing To Condominiums Or Cooperatives.**

VOTING: unanimous; motion carries.

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

2.1. Verbal Comments

Forum opened at 6:29 PM.

COMMENTS:

Burlington residents (in person):

- Ryan Nick spoke about the impact of closing the intersection of Main Street and South Winooski Avenue during the holiday season. He said that many businesses are putting stock in having a successful holiday season and that it is the most important part of the year for many restaurants and retailers. He said that it has been a challenging year for the downtown area, given the reputation it has for not being conducive to business or welcoming for visitors. He said the mitigation strategies will do little to alleviate the real and perceived problems that will be the result of closing this intersection, and he urged the City to work with its contractors to keep the intersection open until December 26.
- Evan Gould expressed support for the appointment of Charles Dillard as the City's Planning Director. He also spoke about the death of a local resident last week who was killed while cycling on Shelburne Road. He noted that this was the third death at that intersection in the last five years and the fourth on Shelburne Road. He said that there is a similar design in the Colchester intersection, where

speeds have been found to often exceed the posted speed limit. He said the raised intersection and other traffic calming measures are not appropriate for this intersection and he urged the City to find other alternatives to ensure that these intersections are safer.

- Tenzin Chophel also spoke about the death of the cyclist on Shelburne Road and urged Councilors to walk or bike to work instead of driving, so that they experience some empathy. He spoke about the Winooski Bridge project, saying it should focus more on pedestrian and bicycle safety rather than being so car-centric. He said he and others want to feel safe cycling around the City.
- Jonathan Weber urged the Council to make Shelburne Road safer for everyone. He noted that many of the deaths that occur on Shelburne Road are deaths of Burlingtonians. He spoke about the lack of bicycle infrastructure on Shelburne Road. He said that Burlington's City Council has a powerful voice in the area, and urged the Council to take immediate steps to make Shelburne Road safer, as well as engage with the Chittenden County Regional Planning Commission (CCRPC) and VTrans on future steps to make these corridors safer for all transportation modalities. He said that an added car lane on Colchester Avenue is unnecessary.
- Isabelle Fearn spoke about the death of the cyclist on Shelburne Road last week, saying that this is a public safety issue and that the City needs to improve safety for cyclists. She also spoke about the condo conversion ordinance, noting that a City with a 1% vacancy rate should not be making it easier to turn apartments into condominiums and reducing the number of rentals in the City. She also noted that this ordinance would remove the condo fee that is used to help create affordable housing in Burlington.
- Jason Stuffe spoke about the design of the City for people who are not in a vehicle. He said that the wider a road is, the faster vehicles will go, and the people who are not in those vehicles suffer more. He urged the City to lower the speed by making its roads narrower. He spoke about the Winooski Bridge project's proposal to widen Colchester Avenue and add another lane, which is counterintuitive to the safety of the people that live near and use that bridge when not in a vehicle. He urged them to not add an additional lane.
- Brett Yates spoke about the dangerous road conditions on Shelburne Road for cyclists. He spoke about a stretch of the road between the roundabout and the crosswalk at Prospect Parkway that is completely unusable for anyone outside of a car, and that this stretch includes a number of businesses, housing, and several bus stops.
- Gabriel Nelson spoke about living in Burlington without a car, and said that the City is designing in a way to prioritize cars above all other modes of transportation, which is dangerous and unsustainable. He said he and others want to live in a City where it is safe for people to conveniently live and get around without a car. He said he also is not supportive of the ordinance that seeks to further criminalize homelessness in the community.
- Erhard Mahnke spoke about the proposed changes to the City's condominium conversion ordinance, even though it has been pulled from tonight's agenda. He urged the Council not to support the proposed ordinance as passed by the Ordinance Committee to send it back for further work, noting that he helped draft the original condo ordinance to help preserve 336 units of subsidized housing in the City to prevent the displacement of hundreds of low-income seniors, working families, and people with disabilities. He said that displacement today continues to occur unchecked, given rapidly rising rents and the redevelopment of existing multi-family properties.
- Amy Wright spoke against the proposed changes to the condo conversion ordinance, saying that this was created to prevent displacement. She said that the proposal to cut the notice period in half would be a big step backward for the City in terms of its commitment to being a livable City for all. She said that this ordinance doesn't do anything to create permanent affordability, which is what the City needs.
- Adam Moran spoke about the lack of solid bicycle infrastructure in the City, saying that he has lived and commuted on Shelburne Road for the last six months and that he has never felt so unsafe in transit. He emphasized that paint is not infrastructure and that more solid infrastructure or barriers should be considered to prevent cars from striking bicycles. He said it is also a better long-term strategy to invest in non-automotive transport, given the impacts of climate change. He also spoke about serious speeding issues on Riverside Avenue and expressed concern about widening Colchester Avenue.
- Amy Malinowski spoke about becoming a year-round cyclist and non-car-owner in the City. She spoke about the vehicular violence epidemic and that the World Health Organization has reported that U.S. traffic fatalities are 50% higher than in other Western

countries, and further noted that low-income or marginalized individuals are more likely to experience episodes of traffic violence. She noted that when not in a protected bike lane, drivers encroach on female-perceived cyclists 3.8 times more. She urged community leaders to make Shelburne Road safe for all.

- Griffin DeMateo spoke as a cyclist, saying that Burlington's commitment to pedestrian and cyclist safety is lackluster and deadly, and that the collective inaction to create public infrastructure for pedestrians and cyclist-centered cities is posing a threat to those who have chosen to live lives independent of automobiles. He spoke about his experience being verbally harassed, threatened, and treated with lack of respect for safety by cars during his commute over the Winooski Bridge to Essex Junction on a daily basis. He expressed concern with the new design for the Winooski Bridge that would include wider car lanes and no bike lanes.
- Dan Castrigano expressed frustration with the lack of action regarding safe infrastructure for pedestrians and cyclists, noting that victims of traffic violence tend to be more low-income, unhoused, or people of color. He said that he bikes everywhere with his three-year-old and wants it to be safe for him to do so. He asked why the car lanes are being widened at the Winooski Bridge, when the evidence shows that that will increase car speeds.
- Andre Clark expressed concern that the Mayor is proposing to remove the public health resources at the three encampment locations by December 1, 2024, with the justification that the potential for snow will limit access to service these locations. He asked how a public health response can be seasonal in nature when the issue of homelessness is not a seasonal phenomenon. He said that there are over 350 people who are living unsheltered in the City and that it is unconscionable to remove access to basic resources for them.
- Clayton Dykstra spoke about the transportation infrastructure in the City, saying that the country has a long history of putting profits over people which has resulted in a car-centric society. He spoke about the amount of public input and feedback the City has received and that despite, this action by public officials has been extremely slow. He urged the City to educate themselves on better alternatives to make the City safer for everyone.
- Nolan Rogers spoke about the vacant property ordinance and associated fees, saying that the City needs to make sure that people can't weasel their way out of not paying these fees, especially if they own lots that are vacant, abandoned, or in disrepair, given the lack of housing in the City. He also said the City should look at how it assesses property taxes and perhaps focus more on land than on the infrastructure on the land, to encourage people to build on undeveloped land and encourage housing.
- John George Wheeler urged the Council to reconsider the timing of the closure of the South Winooski/Main Street intersection, saying as a downtown business-owner that businesses in the downtown have been greatly impacted by the intersection closures that have occurred in the last year during construction. He said that this is the worst time of the year to close that gateway intersection.
- Max Schindler said that cycling lanes enhance the downtown shopping experience and that pedestrianized places like Church Street allow people to shop, gather, and eat. He said that a fiscally conservative argument can be made for bicycling safety and that this should be a bi-partisan issue. He urged the City to support more non-car infrastructure, safer crosswalks, and reconsidering the 11-foot-wide lane proposal for the Winooski Bridge. He said that so much of this is tied to ensuring that Burlington remains a livable City where people want to live, shop, and interact with each other as a community.
- Jak Tiano expressed support and congratulations to Charles Dillard for his appointment as the City Planner. He also spoke about how the City is not making progress on its stated goals within the Walk Bike Plan and that this is a failure of its transportation policy. He noted that all of the non-single occupancy vehicle mode shares are declining and that cycling has remained static in terms of its proportion of transit, and that car usage has increased.
- Stephen Chisah spoke about living in Burlington and not owning a car, and advocated for better infrastructure to protect pedestrians and cyclists in the City. He called on the City to take immediate steps to change the configuration of its section of Shelburne Road, which is dangerous. He urged the City to also ask VTrans and the CCRPC to form a task force to conduct long-term corridor planning and to identify interim safety measures. He said that road equity should also be applied to other areas, such as the Winooski Bridge project. He also urged the Council not to change the condo conversion ordinance, and also asked for reparations for Tyeastia Green.

Burlington residents (via Zoom):

- Catarina Campbell spoke about Tyeastia Green, saying that because she was a threat to the entrenched systems of white supremacy in the community, she has been subject to character defamation, public trauma, and intentional mobbing. She said that she should not be criminalized for events that occurred outside of her tenure with the City. She said that Ms. Green should be provided tangible reparations and that the community cannot heal until this is resolved.
- Emma Kouri expressed support for Tyeastia Green and the City's responsibility to end the suffering it has caused her. She said the community cannot believe anything any City officials say about safety or concern for Black lives until the City repairs the harm it has done and pays reparations to Ms. Green.
- Kyle Clauss spoke about the condo conversion ordinance proposal, saying that the changes would reduce the number of rental units in the City and would make the acute rental housing shortage even worse. He said that this represents more displacement and dispossession of the City's working class to make room for six-figure earners who can readily afford the median condominium prices and down payments in Chittenden County. He said that if Councilors are concerned with the houseless population in the City, they should reject this proposal, which would ultimately add to that population. He asked who this proposal is for, given that two-thirds of this City's residents are renters.
- Sharon Bushor noted an inconsistency in the emergency shelters ordinance, saying that the language says that they won't be placed in R-L and R-M areas, and yet in Ward 1, some of the neighborhoods are zoned institutional and that what is going to be allowed is inconsistent. She additionally spoke about downtown businesses and the need for more security, saying that it is necessary. She said that the City should consider looking at the unassigned fund balance for more funds to pay for security services.
- Larry Lewack asked why there is a proposed change to the condo conversion ordinance, given the lack of available rental units in the City, saying that this proposal represents an attack on the interests of renters. He said that most Burlington renters would not be able to afford to buy their rental as a condominium if it were offered to them. He also noted that if the condo conversion fee is eliminated, it would reduce revenue to the City's Affordable Housing Trust Fund.
- Pike Porter spoke about the City's resolution to seek an alternative mission for the VTANG several months ago. He noted that VTANG refused to provide radar data for the noise maps, and that those maps are not based on data. He encouraged Councilors to look at those maps with that perspective. He disputed the claim that some of the Airport's improvements come at no cost to the surrounding communities, given that communities are paying for these costs every day through public health impacts.

Non-Burlington residents/business-owners (in person):

- Marc Sherman spoke as the owner of Outdoor Gear Exchange, noting the City's work to mitigate and resolve issues that are impacting cities and towns all across the State, and voiced his support for item 8.10 to authorize expanded downtown security services, and said that anything that can be done to make Burlington safer and appear safer to customers and staff is greatly appreciated. He also urged the City to delay the closure of the Main Street/South Winooski Avenue intersection until after the end of the holiday shopping season, saying that this season is critical for businesses in the downtown area. He said that postponing the sewer construction work would only result in a minor, several-week delay.
- Jason Levinthal spoke as the owner of JSkis and noted that they do about 30% of their annual sales in November and December. He said that being informed of this closure three weeks prior to its occurrence is less than ideal, and compared it to informing someone that their salary would be cut by 30% in three weeks. He said that postponing the closure of the intersection for several weeks would not make a difference in a three-year project but will make a huge difference for businesses in the downtown area.
- Breanna Swetman said the City needs better bicycle infrastructure in the City and said that she feels unsafe whenever she cycles around the City. She said the City needs better infrastructure than paint and that the Winooski Bridge project's features to widen lanes should be reconsidered.

Non-Burlington residents (via Zoom):

- Keren Sita spoke about the housing crisis in the City, saying that the City is chaotic and it is every individual's right to live in peace. She said the City needs to start listening to Black women.
- Kelly Devine said the closure of the Main Street/South Winooski Avenue intersection will be devastating for many businesses. She noted that when national chains close a downtown location, it is a relatively low-risk change for them, but that many local businesses don't have that option and have their hearts and assets and livelihoods on the line when they are faced with this decision. She noted that sales are down and that businesses were hoping for a holiday turnaround. She noted that this massive construction project is also financed by tax increment financing and that the increment is dependent on a vital downtown and risks not being able to pay for itself if it damages downtown's vitality. She also expressed support for item 8.10 and an increased police presence downtown.
- Melissa Desautel spoke as the owner of several Church Street businesses, urging the City to pause the planned closure of Main Street/South Winooski for the holiday season. She noted that her businesses are down 37% year-to-date.

Forum closed at 7:41 PM.

3. WORK SESSION REGARDING BURLINGTON – WINOOSKI BRIDGE PROJECT AND COLCHESTER/BARRETT/RIVERSIDE BASE TECHNICAL CONCEPT – DPW

3.1 Work Session Regarding Burlington – Winooski Bridge Project and Colchester/Barrett/Riverside Base Technical Change – DPW

Director Spencer began by noting that the City co-owns the 100-year-old bridge with the City of Winooski and said that the cities have the opportunity to pay for 5% of the bridge and 0% of the intersection improvement costs and that they are seeking the Council's input on the base technical concept proposal and the approach toward developing contract documents, which will need to be finalized soon. He said that this item will provide an update on the two scoping studies and design for this project and will continue the dialogue and engagement between staff and the Council.

Josh Olund, a consultant and project manager with HNTB, presented an update that covered a project recap and updates, an overview of the base technical concept, RFP considerations, and outlined next steps for the project. He provided an overview of the schedule for the project, which outlined the next steps around soliciting construction contractors in 2025, the beginning of construction contracting in 2026 and actual construction in 2028 after final design, and construction completion in late 2029 and site restoration in 2030. He spoke about the main components of the project itself, which include a component related to the intersection on the Burlington side of the Winooski Bridge and then a component related to the bridge itself. He spoke about the two alternatives being considered for the project currently, which include an on-alignment option and a shifted-alignment option for the intersection and bridge. He outlined the alignment, number of lanes detoured, detour duration, construction duration, and potential for an under bridge path in Burlington for each option. He spoke briefly about traffic during construction, specifically around travel times between UVM Medical Center and downtown Winooski during the summer months, and compared these between current conditions, with a full bridge closure, and with southbound bridge lane closures only. He provided a number of renderings of what the shifted-alignment option could look like for the intersection and bridge. He spoke about construction progression, noting that it will eventually require shutting down the south-bound side of the bridge for four to six months to complete the upstream portion of its construction. He noted that the project would cost a total of \$70-\$80 million for the bridge, \$8-\$9 million for the intersection, and has also received a federal RAISE grant worth approximately \$24.8 million. He also noted that the bridge has a range of splits for cost-sharing, which are 80/20/5 federal/state/city, respectively. Carolyn Cota of VTrans noted that the RAISE grant funds must be obligated by September 30, 2026 and that Winooski voters have approved a \$4.6 million bond for their share of the project and that the Winooski City Council approved the base technical concept for this project at their October 21, 2024 meeting. She stressed that if the State loses RAISE grant funding for this project, it likely will not be able to complete this project for a long time. Mr. Olund then spoke about planning for RFPs related to construction for the project and various features of an RFP that could be prescription versus flexible. He then spoke about next

steps, which include a public open house on December 22, 2024, developing RFQs and RFPs, and continued coordination for rights-of-way, environmental commitments, and utility relocations.

Councilor Litwin spoke specifically about Mill Street and the proposal that anyone exiting Mill Street must only turn right, which would require them, if they want to go back to Burlington, to cross the bridge, go through the Winooski Roundabout, and go back over the bridge to go anywhere in the Burlington community. He asked what considerations were given to this, and expressed concern that travelers will use the Mill Street alleyway as a cut-through to connect to the already-disorganized section of Barrett and Grove Streets, which is dangerous for both pedestrians and cars. Michael LaCroix of VTrans replied that restricting any movement is not a first choice, but that a left turn out of Mill Street would pose a safety challenge and capacity issues during peak traffic hours. Councilor Litwin asked why that intersection could not be signalized like it is today. Mr. LaCroix noted that this project is not a vehicular capacity improvement project, but is meant to improve and add time for pedestrian crossings.

Councilor Bergman said he supports the design build, the curved bridge, the shared bike/pedestrian path across the bridge that is separate from car traffic, the shoulders, and the shorter crosswalks. He also spoke about answers to questions he'd posed a number of months ago, and requested that those be made public. He asked for more information about the speeds that cars will drive across the bridge, saying that he still thinks that signage and potentially smaller speed bumps could mitigate excess speeds. He asked for the rationale of adding an additional lane down Colchester Avenue, and also asked why the middle two travel lanes across the bridge can't be narrowed to 10.5 feet each.

Councilor Doherty expressed concern about the businesses and residents in the Mill Street community and asked for further justification for the right-hand-only turn proposal.

Councilor McKnight expressed concern that the curved feature of the bridge would be in the flexible feature of the RFP. She said she is unwilling to support this as currently proposed due to the Mill Street issue that Councilor Litwin raised as well as issues raised by members of the public about pedestrian and bicycle safety and speed concerns, noting that she rides her bicycle with her two children on a regular basis. She noted that the proposal has a number of plans for mitigating traffic but not for disincentivizing cars or managing vehicular congestion by cutting down on car use. She said the City needs a plan for reducing car volume and traffic in the City. She said that large, multi-million dollar projects can't be thought of in a silo from the big picture of overall transportation in the City. She also said she is not clear about the rationale for including an additional lane on Colchester Avenue and said she would support narrower lanes leading up to the bridge.

Councilor Neubieser said he generally supports narrow lanes where possible and said he would like to better understand the entry and exit points for bike infrastructure and said he is also generally supportive of separated bike infrastructure overall. He said he would like to understand current state for shared bike/pedestrian infrastructure versus future state. He said it is important for the Council to support this project, given the RAISE grant.

Councilor Kane began by noting that the speed limit downtown was reduced to 20 miles per hour and that engineering dictates how fast cars drive. He asked why alternative #3 was ultimately rejected despite scoring the highest on pedestrian safety, crashes, and managing peak congestion. He noted the overwhelming opposition to widening lanes in this project. He said he would also like more information on the funding required to get the project going.

Councilor Carpenter asked why signalization for Mill Street is not feasible.

Councilor Grant noted that she commutes over the Winooski Bridge every weekday, and spoke about issues with trucks straddling lanes, as well as lack of turn signal use for people coming down the roundabout from the Winooski side. She said that widening the lanes will increase car speeds, and said that this proposal seems to try to accommodate the increased traffic volume being seen throughout the City and county. She said that traffic is going to back up regardless at certain peak times. She expressed concern about the Mill Street issue.

Mr. LaCroix said that the 2023 roundabout numbers requested by Councilor Bergman are available on the VTrans website. He spoke about why alternative #3 (the roundabout) proposal was eliminated, noting that a roundabout didn't seem appropriate for the site and project purpose. He said that in order to accommodate some of the enhanced pedestrian phasing in the project, the Colchester Avenue lanes needed to be widened to maintain capacity. He noted that with the shifted alignment proposal, essentially every movement needs to make a turn at the intersection, which would help alleviate speeding concerns. He said that introducing a second signal at Mill Street would degrade capacity and is in direct conflict with the need to simplify that intersection. He said that they are open to more discussion on whether the Mill Street left-turn limits should be for peak hour or all hours.

City Council President Traverse asked what issues it would present if the Burlington City Council approved a different base technical concept than the one approved by the Winooski City Council. He also asked if there are timelines the City needs to be cognizant of around federal funding, given the impending administration change at the federal level.

4. WORK SESSION RE: GREAT STREETS MAIN STREET: PROJECT UPDATES AND MITIGATION

4.1 Work Session Re: Great Streets Main Street: Project Update and Mitigation

Director Spencer began by speaking about how the 150-year-old Ravine Sewer is a liability for the City and that by bypassing it through this project, it will increase the amount of development that can occur downtown and will increase the resiliency of the downtown. He said that unfortunately, what was anticipated to be a 5-month sewer project has turned into a 12-month sewer project and that they had anticipated a certain amount of winter work. He said the project is slated for completion in November 2026 and said that the City team has worked extensively with Main Street stakeholders as part of its public outreach around the project. He said that the contractor needs to continue working through the holiday season to complete the bypass work within the 12-month window. He spoke about more extensive impact mitigation efforts for businesses, including making sure that more of Main and Winooski parking lots are available during the holiday season, using more uniformed traffic officers during holiday busy periods, ensuring that Main Street and St. Paul Street is open during the holiday period to offset the closure at Main and Winooski. He spoke about subsidized parking in the Courthouse Plaza, promotional efforts with Business and Workforce Development, and other measures.

City Engineer Wheelock spoke briefly about the overall construction schedule. She noted that the Ravine Sewer work is currently at Main and Church and is continuing up Main Street. She said that in addition to this, they are conducting other infrastructure improvements, such as upgrading the 1860s water main that feeds the City as well as the connections to individual properties at the cost of the project, and replacing all sewer laterals at the cost of the project. She noted that both of these would normally be costs borne by property-owners. She spoke about the Main Street work around stormwater infrastructure, which includes construction of stormwater tanks near Pine Street and St. Paul Street to help control and manage flows to the wastewater plants. She said that as this work proceeds east along Main Street, more parking opportunities become more available. She pointed out that if they paused the Main/Winooski work, the construction contractor would return to work on the Pine Street or St. Paul Street intersection, which would also impact businesses downtown.

Business and Workforce Development Director Alnasrawi spoke about some of the marketing work that her team has done to encourage shoppers to come downtown during construction. She said that they have conducted print, digital, and social media campaigns to advertise

for businesses, and have placed sandwich boards at intersections with individual business names on them. She said they have also worked with businesses to accommodate DoorDash delivery pickup for the businesses that are dependent on them.

Councilor Doherty implored DPW to keep the Main/Winooski intersection open for the holiday season. Councilor McKnight concurred with this, and expressed concern that this is coming to the Council three weeks before it is slated to go into effect. She said that S.D. Ireland also presents itself as a community member when it bids for Burlington contracts and now it needs to step up and show that it is a community member and help their fellow businesses by coming up with creative solutions.

Councilor Neubieser said he understands the concerns of business owners around any negative impacts for the holiday season, and he said that it also sounds like there are significant mitigation impacts underway. He also noted that commercial property-owners recently got a massive tax break from the City. He also asked if construction is going to be blocking specific businesses or whether construction is negatively impacting businesses in general.

Councilor Grant asked what other areas of the City the contractor could be working on that are already ripped up, if they were directed to pause work at Main/Winooski for the holiday season. She asked if there are other creative solutions, such as using UVM lots on the weekend and hiring a trolley to take people downtown.

Councilor Shannon said that the proposed closure of Winooski and Main during the holiday season is not going to work for the community. She also noted that commercial properties pay 120% of their market value and property taxes and do so on an income basis, so that when they make less income, they pay fewer taxes. She also noted that the City made a commitment to relying on gross receipts taxes for revenue, and said that any failure of this will fall back on property taxpayers. She spoke about the difficulty of navigating downtown and said there needs to be a plan for consistent flow and closures.

Councilor Litwin echoed Councilor Shannon's points about bridging part of the City's funding gap for FY25 with increased gross receipts tax.

Director Spencer began by noting that in order to make this project work within the City's budget, they did not restrict the means and methods of bidding as they related to how the ravine sewer work would be completed. He said that this will be a very difficult conversation with the contractor and may involve further evaluation about risk tolerance, and said he would bring any further updates back to the Council. City Engineer Wheelock added that businesses and property-owners typically receive outreach three weeks ahead of public receiving the information, and acknowledged that three weeks may not be enough time. She noted that the sidewalks have remained open in the interest of promoting the walking and biking community, though it is not the best seasonal option, and noted that there are relevant parking options nearby.

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

5.1 Verbal Reports

Mayor Mulvaney-Stanak began by noting that the Administration will be meeting with the elected state legislative delegation next week and will also meet with Winooski colleagues for a joint legislative meeting in December. She noted that the City has hired a lobbyist for legislative affairs after receiving bids from an RFP posted earlier in the autumn. She noted that the Administration will also continue regional conversations with CCRPC, CHT, and South Burlington to talk about continued work on regional approaches to the unsheltered. She spoke about a public forum in December to discuss 2025 Town Meeting items.

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

6.1 Verbal Reports

Councilor Grant congratulated the Fire Department for their continued innovation around improving the overall community safety system with the launch of the Prevent Initiative, which offers medically assisted treatment to people who choose not to be transported to the hospital after an overdose. She noted that the next Public Safety Committee meeting is this Thursday, and will discuss bail and conditions of release and enforcement of those.

Councilor Broderick noted that all rental unit rooms must be capable of being heated to 65 degrees Fahrenheit during winter. He said that if renters are experiencing issues with this and their landlords are not addressing them, they can reach out to the Permitting & Inspections Department and submit an anonymous tip and potential violations of the City's minimum housing standards.

7. CONSENT AGENDA

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

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

7.3 Underground Utility Review Committee, re: Findings – waive the reading, accept the communication, and place it on file.

7.4 Position Updates – BED/HR – approve the following: • Update the minimum of the pay range for the Director of Generation Operations, a Regular, Full-time, Exempt, Non-Union, Grade M30 position, from (\$122,335.62-\$189,728.45) to (\$138,501.77-\$189,728.45); • Update the minimum of the pay range for the Director of Generation Engineering & Maintenance, a Regular, Full-time, Exempt, Non-Union, Grade M30 position, from (\$122,335.62-\$189,728.45) to (\$138,501.77- \$189,728.45); • Convert the existing Supervisor of Plant Maintenance, a Regular, Full-time, Exempt, Non-Union, Grade NS7 (\$73,082.26 -\$119,805.30) position, to a Working Crew Leader Generation Maintenance position, a Regular, Full-time, Non-Exempt, Union, Grade F22 (\$68,681.97-\$112,593.55) position. The Working Crew Leader Generation Maintenance position will report to the Director of Generation Engineering & Maintenance; •Update the tiering levels, titles, classifications, and job descriptions for the Electrician Production , a Regular, Full-time, Non-Exempt, Union position, to: Electrician Lead Worker Generation, Grade F20 (\$64,916.80-\$106,421.12); Electrician I – Generation, Grade 13 (\$61,280.34-\$100,459.4240); Electrician II – Generation, Grade 11 (\$55,282.66-\$90,627.26); and Electrician III – Generation, Grade 9 (\$52,440.54-\$85,499.23); • Update the tiering levels, titles, classifications, and job descriptions for the Engineering Production Technician, a Regular, Full-time, Non-Exempt, Union position, to: Generation Technician I, Grade F20 (\$64,916.80-\$106,421.12); Generation Technician II, Grade 13 (\$61,280.34-\$100,459.42); and Generation Technician III, Grade 10 (\$53,423.34-\$87,579.23); • Update the tiering levels, titles, classifications, and job descriptions for the Power Production Technician, a Regular, Full-time, Non-Exempt, Union position, to: Hydro Generation Technician I, Grade F20 (\$64,916.80-\$106,421.12); Hydro Generation Technician II, Grade 13 (\$61,280.34-\$100,459.42); and Hydro Generation Technician III, Grade 10 (\$53,423.34-\$87,579.23); • Update the tiering levels, titles, classifications, and job descriptions for the Mechanic 1st Class, a Regular, Full-time, Non-Exempt, Union position, to: Mechanic I, Grade 12 (\$58,719.65-\$96,261.78); Mechanic II, Grade 11 (\$55,282.66-\$90,627.26); and Mechanic III, Grade 9 (\$52,440.54-\$85,499.23); • Create tiered job descriptions for the Generation Generalist, a Regular, Full- time, Non-Exempt, Union position, to allow employees to progress from Generation Generalist II, Grade 5 (\$46,196.59-\$75,732.18) to Generation Generalist I, Grade 7 (\$48,546.58-\$79,584.54); • Convert the existing Sr. Innovation Project Specialist/Customer Care Representative, a Regular, Full-Time, Non-Exempt, Union, Grade 9 or 11 (depending on tiered level) position, to a Resource Planner position, a Regular, Full-time, Non-Exempt or Exempt (depending on tiered level), Union, Grade 8, A4, or A6 (depending on tiered level) position reporting to the Director of Policy & Planning.

7.5 FY2024 Byrne JAG Grant Application Notification – CJC – waive the reading, accept the communication, and place it on file.

7.6 City Hall Boiler Replacement – BPRW - approve and authorize the execution of a contract with Vermont Mechanical Inc., for a price not to exceed \$105,998, to provide services related to the replacement of boilers in City Hall, plus a project contingency of \$5,300 (for a total authorized project expenditure including contingency not to exceed \$111,298), and to authorize Cindi Wight, Director of Parks, Recreation & 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 review by the City Attorney's Office.

7.7 Authorization to Accept Grant Funds for Oakledge Universally Accessible Playground Project – BPRW - authorize the acceptance of grant funds in the amount of \$724,979 from the State of Vermont Land and Water Conservation Fund for the Oakledge Universally Accessible Playground Project and authorize the Director of Parks, Recreation and Waterfront to execute the grant agreement and to take such further actions and execute such further instruments as may be necessary or convenient to effectuate the transactions contemplated hereby, subject to the final review and approval of the City Attorney's Office.

7.8 Declaration of Elected Candidates Special City Election November 5th, 2024 – C/T - waive the reading, accept the communication, and place it on file.

7.9 Declaration of Election Results Question on the Ballot Special City Election – November 5th, 2024 – C/T – waive the reading, accept the communication, and place it on file.

7.10 Communication: Kevin Garrison, Police Commission Member, re: Stepping down – waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation thanking Kevin Garrison for his time served as a member of the Police Commission.

7.11 Burlington's Construction and Weatherization Workforce Training Program under Rebuilding American Infrastructure with Sustainability and Equity (RAISE) – Business and Workforce Development – authorize the Director of Business & Workforce Development to execute a three-year contract and any other related documents necessary to carry out the agreement with ReSOURCE in an amount up to \$995,704.00 for the workforce development training of Burlington's Construction and Weatherization Training Program, subject to the review and approval of the City Attorney.

7.12 FIO Documents – for information only.

7.13 : Authorization to Accept U.S. Department of Housing And Urban Development Lead Hazard Control And Healthy Homes Grant – CEDO – waive the reading and adopt the resolution.

7.14 Communication: Michael Monte, Chief Executive Officer, Champlain Housing Trust, re: Conversion of Rentals to Homeownership - waive the reading and place the communication on file.

7.15 15 Communication: Andy Simon and Liz Blum, Members, Jewish Voice for Peace VT/NH, re: communication on the consent agenda - waive the reading and place the communication on file.

7.16 Communication: Kelly Devine, Executive Director, BBA, re: proposed closure of the Main Street and South Winooski Avenue intersection - waive the reading and place the communication on file.

7.17 Communication: Erhard Mahnke, re: proposed changes to the City's Condominium Conversation Ordinance - waive the reading and place the communication on file.

7.18 Communication: Solveig Overby, Ward 2 resident, re: Agenda Item 1: Roundabout for Colchester/Barrett/Riverside intersection – safest, most functional, least expensive – waive the reading and place the communication on file.

MOTION by Councilor Litwin, SECOND by Councilor Carpenter, to approve the consent agenda as amended and take the actions indicated for items 7.1-7.18.

VOTING: unanimous; motion carries.

8. DELIBERATIVE AGENDA

8.1 Tobacco License Application and Tobacco Substitutement Endorsement License Application (2024-2025): CSC Quick Stop, 1563 North Avenue

MOTION by Councilor Shannon, SECOND by Councilor Broderick, to approve the 2024-2025 Tobacco License Application and Tobacco Substitutement Endorsement License Application for CSC Quick Stop, 1563 North Avenue.

VOTING: unanimous; motion carries.

8.2 Planning Director Appointment – Mayor

Mayor Mulvaney-Stanak spoke about Interim Director Dillard’s work as the chief planner as well as serving as the interim planning director and his exemplary qualifications for an appointment as the planning director.

MOTION by Councilor Doherty, SECOND by Councilor Bergman, to confirm the appointment of Charles Dillard to the position of the Director of the Office of City Planning.

VOTING: unanimous; motion carries.

8.3 BTV Presentation on Noise Compatibility Program Updates

Aviation Director Longo provided the Council with an update on the Airport’s Noise Compatibility Program. He began by noting that any funding from the Federal Aviation Administration (FAA) for noise mitigation requires airports to have a Noise Compatibility Program. He said that BTV’s program consists of acquiring properties, offering residential sound insulation, sales assistance, and purchase assurance. He noted that acquisition/demolition are only now being offered for properties in the 75 DNL or greater area. Director of Planning Lackey provided an update on the Residential Sound Insulation Program, of which there are five phases, and they are currently including about fifty homes for sound insulation per phase. Director Longo also noted that they have worked on HVAC systems at the Champlain Elementary School, installed three noise monitors in the community, and that no property has wanted purchase assurance or sales assistance to date. He then spoke about the Airport’s Noise Exposure Map, which was recently updated. He noted that the number of dwelling units that are potentially eligible within the 65 or greater DNL contour maps has decreased about 10% from the Airport’s prior Noise Exposure Map.

Councilor Neubieser asked how residents can access sound mitigation funding, and Director Longo replied that the only eligible funding is within the noise contour areas outlined in the exposure map.

Councilor Barlow asked how a change in VTANG’s mission would impact this noise mitigation funding. Director Longo replied that any change would require NEPA action and would require a significant timeframe (of about a year) related to changing the type of operation.

Councilor Litwin asked how DNL is calculated and asked for a more detailed calculation of DNL by hour. Director Longo replied that DNL is the only allowable method by the FAA for noise contour maps, and noted that the methodology and algorithm are publicly available.

Councilor Bergman said that having an understanding of the context of previous noise maps would be helpful, as would a more simplified version of the map at a future Council meeting.

8.4 Mayor and BTV Update on Resolution Re: F35 Congressional Delegation Request

Mayor Mulvaney-Stanak and Aviation Director Longo provided an update on a City Council resolution from August of this year, which contained resolved clauses assigned to the Administration for a report-back, specifically an update on a meeting that was held between the Administration and VTANG on September 24, 2024.

Director Longo reminded the Council that the resolution required the Administration to meet with VTANG to discuss collaborative noise mitigation efforts, VTANG's contributions to the Airport's capital infrastructure, and how this resolution could impact VTANG's future operations at the Airport. He spoke about collaborative noise mitigation efforts through the previously-mentioned Noise Exposure Map exercise, as well as noise mitigation efforts from VTANG around flight path changes to the F-35s, operational changes to reduce noise in the community, including changes to how planes take off, but acknowledged that these changes take time to get approval for implementation. He noted another noise mitigation effort around supplemental Department of Defense funding that could increase the Airport's funding for its Sound Insulation Program. He then spoke about VTANG's contribution to the Airport's capital infrastructure, which includes aircraft rescue and firefighting equipment and building infrastructure at no cost to the Airport or community. He said that having this funding reduces the Airport's operating costs by about \$4 million annually and gives the Airport a competitive advantage with airline partners by reducing airline rates and charges. He also spoke about other projects through which VTANG has contributed to the Airport's capital infrastructure, which include apron and runway rehabilitation projects, and an MOU around reducing greenhouse gas emissions and mitigating aircraft noise.

Mayor Mulvaney-Stanak then spoke about how this resolution may impact VTANG's future operation at BTV. She noted that since the passage of this resolution in August, both Winooski and South Burlington have passed similar resolutions, which has helped to create a more regional statement on this issue that a mission change should be considered. She said that when she met with VTANG leadership on September 24, they said that the resolution would not have an immediate impact on the operations of VTANG because a mission change is determined at the federal level by the Secretary of the Air Force or a higher authority within the Department of Defense. She noted that they explored additional questions about a possible mission change, given that other bases across the country have gone through mission changes or replacements, such as what a mission change could be, how it could impact jobs, how it could impact VTANG's ability to contribute to disaster relief efforts, and how it could impact fire services contributions. She said that they also explored questions around the positive impacts of a mission change.

MOTION by Councilor Bergman, SECOND by Councilor Grant, to suspend the rules and complete the deliberative agenda.

VOTING: unanimous; motion carries.

Councilor Barlow asked about other investments the Airport receives that it may not if it didn't have a military base. He also said that there needs to be a more concrete definition of "harmful" as it relates to the resolution. Councilor Bergman pointed out that there are thousands of houses on the noise exposure map that are being insulated at a rate of 50 per year, which will take the next 47 years to complete, and this isn't occurring because nobody's being harmed by the noise from the F-35s. He pointed out that these maps do a good job of concretely quantifying the harm. Mayor Mulvaney-Stanak noted that the Administration has tried to be careful about the presentation and reference to the harmful noise definition, which is also in the underlying resolution.

Councilor Grant said that many constituents have emailed, called, and come to public forum and have given very detailed accounts of the effects of this noise on community members.

Councilor Litwin noted that he had been in communication with someone in a leadership level at a base in Georgia about a suggestion to receive text-based alerts when F-35 flights were going to go off, and asked if someone in the Administration could follow up on this.

8.5 City's Top 5 Legislative Priorities

Mayor Mulvaney-Stanak noted that these top five priorities are the result of outreach to department heads, the City's legislative delegation, the City Council, and constituents, as well as a compilation of legislative items that will be monitored during the legislative session. These priorities include addressing Vermont's housing emergency, providing more resources for acute mental health and substance use needs, properly funding the judicial and pre-trial monitoring systems, appropriating state funding for critical water infrastructure, and gun reform.

MOTION by Councilor Shannon, SECOND by Councilor Grant, to endorse the top five legislative priorities as outlined the memo as the City's top five legislative priorities.

DISCUSSION:

- **Councilor Shannon proposed a friendly amendment to the language in priority #4, to include "explore flexible options for Burlington's TIF districts and/or other financing options to help the City improve needed water infrastructure to allow more housing development to occur within the City."**
- **Councilor McKnight said that this is a great foundation to push for these priorities in the next legislative session.**
- **Councilor Carpenter said it will be important to find creative ways to fund infrastructure, as that will be critical to building more housing.**
- **Councilor Grant said that she agrees with these priorities, but would add a sixth on climate, especially given the change at the federal level.**
- **Councilor Broderick agreed with Councilor Grant regarding climate as a priority. He also said that in terms of infrastructure, the City should also specifically emphasize public transportation infrastructure, public utilities, and capital projects.**
- **Councilor Bergman said that it will be important to monitor the City's mass transit system as a priority, given the public comment heard today. He said that robust state funding for permanently affordable rental housing and shared equity homeownership are also laudable priorities to support.**
- **Councilor Litwin said that if the City wants to build more housing, he would suggest keeping laser-focused on the water infrastructure priority (to a comment made by Councilor Broderick).**
- **Councilor Neubieser said the only realistic path forward is for the legislature and Governor to ensure that the wealthiest Vermonters are paying their fair share in order to increase revenue for the State. He said that the City knows how to do what it has set out to do, but it needs the funding from the State level to do so.**

VOTING: unanimous; motion carries.

8.6 Resolution: March 4, 2025 Annual City Meeting – Proposed Charter Change Regarding Redistricting By City Council (Councilor Bergman)

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

DISCUSSION:

- **Councilor Bergman said this was before the Council last week but that there were some technical errors that needed to be resolved prior to approval, which were caught and rectified. He said that this takes the City's electoral districts out of the charter and allow the Council to propose them to the voters and then adopt them after that. He said that they are presenting this to the NPAs as well and then moving toward getting it put on the ballot.**

VOTING: unanimous; motion carries.

8.7 Ordinance: Ch. 18 Housing Article V. Regulation of Conversion of Rental Housing to Condominiums or Cooperatives (Ordinance Committee) ****AGENDA ITEM REMOVED****

No discussion – agenda item removed.

8.8 Ordinance: ZA-24-03 Emergency Shelters

MOTION by Councilor Shannon, SECOND by Councilor Bergman, to waive the reading and set for public hearing.

DISCUSSION:

- Councilor Shannon said that this came forward as a result of changes in the legislature regarding the definition of “emergency shelter” and that these changes align with that definition, as well as add a definition of “occupancy agreement” that is consistent with legislative intent. She also noted changes to the use table to allow emergency shelters in places they were not allowed before (institutional), disallowing them in some places where they had previously been allowed (residential low and residential medium), and allowing them where they had previously been conditional use (residential mixed and residential high).
- Councilor Bergman said that he would still like to look at having emergency shelters in some of the lower density residential zones, as there are shelters that would be appropriate and helpful to be in those zones.
- Councilor Carpenter said there can be a path forward for shelters in lower density areas, as long as there is an acknowledgement that they will also need services. She said that the City should not be permitting a shelter without support services and should not be permitting a shelter without 24-hour services.

VOTING: unanimous; motion carries.

8.9 Ordinance: CH. 21 Offenses and Misc. Provisions Article I, In General, Sec. 21-45 – 21-49 Trespass (Ordinance Committee)

MOTION by Councilor Shannon, SECOND by Councilor McKnight, second reading, waive the reading and adopt the ordinance as amended by the Ordinance Committee and adopt the associated resolution regarding privacy trespass policy.

DISCUSSION:

- Councilor Shannon noted that now, in addition to law enforcement and property owner or tenant, the following can now communicate a trespass order: community service officers, community support liaisons, urban park rangers, park patrol, the City’s contracted security services, or any other City official authorized to enforce the City’s ordinances. She said that it also adds graffiti and defacement of property as well as public urination or defecation in City Hall Park as a ticketable offense, as well as add them (and retail theft) to the list of prohibited activities on Church Street Marketplace, which may result in a no-trespass order. She said this also requires the development of a policy around how trespass notices will be given and who can deliver them and how.
- Councilor Neubieser said it is important to be realistic with expectations of how this would decrease these types of activities.
- Councilor Grant agreed with some of these updates, though she is deeply troubled about the inclusion of urination and defecation in the ordinance, given that the City simply does not have enough public bathrooms. She said that there is a cruelty here that does not sit well with her. She said that this would fine people who don’t have the money to pay the fines and that beyond that, there is no mechanism to enforce this. She said she does not believe in giving the public unrealistic expectations around enforcement.

MOTION by Councilor Grant, SECOND by Councilor Broderick, to postpone this item until a date certain of December 9, 2024 to further examine questions around realistic enforcement of this ordinance.

DISCUSSION (on motion to postpone):

- Mayor Mulvaney-Stanak expressed support for postponement, as the community advisors around public safety have been working to map the public restrooms, propose ways to fill the gaps that exist, and come up with a plan for how to maintain those facilities, which ties into the changes in this ordinance.

VOTING: 5-7; motion fails (Councilors Barlow, Carpenter, Doherty, Litwin, McKnight, Shannon, Traverse dissenting).

MOTION TO AMEND by Councilor Broderick, SECOND by Councilor Grant, to remove lines 230 and 337.

DISCUSSION OF AMENDMENT:

- Councilor Broderick said that public urination and defecation are acts that generally arise from systemic issues such as homelessness, poverty, and lack of access to public restrooms. He said that until clean, safe, accessible restrooms are available, he does not support punitive measures.
- Councilor Grant said that inferring to the public that these are enforceable offenses when they are not is misleading, saying that it is ineffective.
- Councilor Barlow said that there are a number of ordinances that are on the books that aren't consistently enforced, but that this is a tool that could be in the City's toolbox to deter people from urinating and defecating in City Hall Park and on the Church Street Marketplace.
- Councilor Shannon said that there is a public facility in City Hall Park and that City Hall's bathrooms are available to the Church Street Marketplace during business hours. She said that though these are not enough, they are at least existing facilities. She said that urinating and defecating in City Hall Park and the Church Street Marketplace should never be tolerated, as it is a health hazard.
- Councilor Litwin said these are two very specific, heavily-used spaces, and that a line needs to be drawn somewhere.
- Councilor Bergman said he is sympathetic to the problem of people having nowhere to go, but he does not support this amendment. He said that there is an appeals process for these fines where they can be waived in circumstances where there is no other place to go, though it requires an individual to know about and be able to navigate the appeals processes.
- Councilor McKnight said that ordinances are enforced by City staff and she trusts those staff not to be cruel when enforcing them. She also expressed dismay that this amendment is being supported by several Councilors and the Mayor and asked where the boundary is in terms of clear behavior.
- Councilor Neubieser said there is an indignity to this conversation that is deeply frustrating to him.
- Councilor Grant said she is disturbed by the number of people in the City who have been put in the position where they feel that they have to publicly relieve themselves. She said this is happening everywhere, not just on the Church Street Marketplace and City Hall Park, and that it is extremely important to be truthful to the public regarding their current expectations.

VOTING ON AMENDMENT (by roll call): Councilor Barlow – nay, Councilor Bergman – nay, Councilor Broderick – aye, Councilor Carpenter – nay, Councilor Doherty – nay, Councilor Grant – aye, Councilor Kane – nay, Councilor Litwin – nay, Councilor McKnight – nay, Councilor Neubieser – nay, Councilor Shannon – nay, City Council President Traverse – nay (2 ayes, 10 nays); motion fails.

DISCUSSION (CONT'D):

- Councilor Carpenter noted that this is a trespass order, which are progressive in nature and are meant to deal with repeat offensive behavior over a period of time.
- Councilor Litwin noted that the City just passed a speed limit ordinance that only one officer is ticketing for, during overtime shifts, and from a Governor's program, so he pushed back on the reluctance of having ordinances on the books that are unenforceable.

VOTING (by roll call): Councilor Barlow – aye, Councilor Bergman – aye, Councilor Broderick – nay, Councilor Carpenter – aye, Councilor Doherty – aye, Councilor Grant – nay, Councilor Kane – aye, Councilor Litwin – aye, Councilor McKnight – aye, Councilor Neubieser – aye, Councilor Shannon – aye, City Council President Traverse – aye (10 ayes, 2 nays); motion carries.

8.10 Memorandum Authorizing Expanded Downtown Security Services

MOTION by Councilor Barlow, SECOND by Councilor McKnight, to approve and authorize the Chief Administrative Officer to make a FY25 budget adjustment that transfers up to \$60,0000 to the CSM from the BPD FY25 budget and to authorize the Director of Business & Workforce Development to enter into a contract between the CSM and BPOA for security services to be provided under the terms and conditions set forth in this memorandum.

DISCUSSION:

- Councilor Barlow spoke about how retail theft and public safety concerns are impacting sales for businesses downtown. He said that additional patrols can help curb crime and antisocial behavior, and will give shoppers an added sense of security. He noted that BPOA are supportive of this additional opportunity. He noted that if the Administration would like to explore other sources of funding, there are no restrictions from this proposal on doing so. He said that if there are difficulties filling shifts with Burlington police officers, he would be open to exploring other ways to augment the security situation, such as with sheriffs and officers from other agencies.
- Councilor Bergman asked that the City Attorney's Office take a look at the agreement from last year if it had been used as a template, and Mayor Mulvaney-Stanak replied that City Attorney Brown's office will conduct a full legal review of last year's agreement. She also noted that there is not much headroom in the Police Department's budget, and asked for Councilor support to help secure other private funding mechanisms.
- Councilor Grant noted that she had had concerns with last year's legal agreement, as Council was not given the opportunity to review the contract itself between the City and BPOA. She said that she is relieved that the agreement from last year will go under full legal review, as it put the City's officers and residents at risk. She said she will support this year's agreement if the Council is able to review the contract prior to its execution.
- Councilor Grant made a friendly amendment to add to the end of the motion ", subject to review and approval of the City Attorney's Office and delivery of any executed contract to the City Council for review."
- Councilor Doherty questioned the necessity of this amendment, given that all contracts are subject to review by the City Attorney's Office prior to being executed.
- Councilor Grant said that this agreement was never posted publicly last year, and said that this is why this amendment is being made.
- Councilor Kane noted concerns with BPOA's bandwidth already, saying that this resolution would stretch them even more thinly.
- Councilor Neubieser asked about what this resolution would do in terms of adding public dollars to BPOA, which would essentially be a private entity in this relationship. City Council President Traverse *passed the gavel to Councilor*

Shannon and responded that there is a historic precedent of the BPOA contracting with the City to provide additional security services, and that there is language in the collective bargaining agreement that the City is among the parties that may itself contract with the BPOA. Councilor Neubieser asked why police officers can't just do this through overtime, and City Council President Traverse responded that the City is already running hot on its overtime budget, and that this would put increased funding into overtime rates to incentivize officers to participate in this additional holiday-related security activity.

- Councilor Grant said that the City runs into trouble where it tries to define what is already in the job duties of police officers (patrolling the downtown area during regular times) as a special event, which it isn't.
- Councilor McKnight noted that the sheriff's department is booked solid and not able to participate in this, and that the previous contracts with state police and private contractors weren't satisfactory, hence why this would lean on the BPOA.

VOTING: 11-1; motion carries (Councilor Kane dissenting).

8.11 Resolution: March 4, 2025 Annual City Meeting – Charter Change Re: Ban On Firearms In Any Establishment With A Liquor License (Councilor Bergman)

MOTION by Councilor Bergman, SECOND by Councilor Doherty, to waive the reading of the version referenced on CivicClerk, suspend the rules to not refer to Charter Change Committee, and adopt the resolution.

DISCUSSION:

- Councilor Bergman noted that in September, the Council passed a gun resolution that asked for the General Assembly to adopt the City's charter change. He said that they have received communication back from representatives who have suggested that this be put on the ballot for a vote, which is what this does. He said that guns and alcohol do not mix and that this should be put in front of the voters.

VOTING: unanimous; motion carries.

9. COMMITTEE REPORTS

9.1. Verbal reports
None.

10. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

10.1. Verbal reports
None.

11. ADJOURNMENT

11.1 Motion to Adjourn

The meeting adjourned without objection at 12:30 AM.

RScty: AACoonrad