

Ordinance Committee
Tuesday, November 12, 2024
Public Works Front Conference Room
At 645 Pine St. or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

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

Staff Present: Kim Sturtevant (Assistant City Attorney), Hayley McClenahan (Assistant City Attorney)

Public Present: Lori Kettler, Leeanne

Meeting called to order at 9:06 AM.

1. Adopt the Agenda

1.01 Adopt the Agenda

Motion to Adopt the Draft Agenda.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes

2.1 Adopt Draft Minutes from November 5.

Without objection, Councilor Shannon deferred adoption of the draft minutes to the next meeting.

3. Public Forum

No members of the public wished to speak for public forum.

4. Trespass Ordinance Discussion

Councilor Bergman reiterated his request to see the City's private security contracts and his hesitancy to allow private security to enforce trespass notices.

Councilor Brown McKnight said the library uses private security to trespass many people currently and could be a model for how to adjust the ordinance.

Councilor Shannon asked the City Attorney's Office to inquire about the current trespass system at the library and report back to the Committee.

Councilor Shannon said she would like the BPD and the Police Commission to start their trespass directive drafting with a review of the Seattle model.

All councilors agreed that the BPD should explicitly be able to trespass individuals on private property on behalf of the property owner or agent. All agreed the ordinance should include a list of individuals besides the property owner that can issue and enforce trespass notices.

Councilor Shannon suggested a date of January 15th, 2025 to have a report back to the Committee from the Chief of Police about work done on drafting the new directive.

Motion to refer the draft ordinance and its accompanying resolution back to the full City Council.

Motion by Councilor Brown McKnight, Seconded by Councilor Bergman.

Final Resolution: Motion Passes

Yes: Unanimous

5. Dog Task Force Report Review

Councilor Shannon said it very unlikely the City would ever set up and manage an animal shelter. The City could contract with a local one instead.

Attorney McClenahan said the BPD has a contract with kennel just outside Burlington and that is where dogs are taken if they are not reunited with their owner immediately. She continued that the contract allows the kennel not to take aggressive dogs and the BPD knows it is an issue.

Councilor Bergman said the definition of an ‘animal in need’ should be better defined so there are no questions about when the City can enforce the ordinance.

Councilor Shannon suggested striking Section 5-2 or to change the wording to allow the charter-defined poundkeeper to oversee the contract kennel rather than have a separate mayoral appointee.

Councilor Shannon said that Section 5-2a could be struck as the City has empowered CSOs to do the work of an animal control officer. She would like an animal control officer to be specially designated but not require being a sworn officer.

Councilor Bergman asked for the City Attorney’s Office to look into what kinds of certifications and credentials an animal control officer should have.

Councilor Bergman left at 10:43 AM.

Councilor Shannon said she would like further attorney review on Section 5-3 Animal bites.

Councilor Bergman returned at 10:46 AM.

Councilor Brown McKnight said she has concerns about Section 5-3 and how it places the responsibility on the victim to report a dog bite.

Councilor Brown McKnight said she would like to keep the Dog Task Force's recommendation of banning roaming animals, including cats and dogs. She added that the language change from animal owner to animal guardian could pose some legal questions and she would support keeping the term as owner.

Councilor Bergman said he supports having a discussion on what terms should be used and that the issue of roaming and licensing cats is a big conversation to have with the public. He continued that the new Section 5-4(b) needs an outlined due process for the impoundment of nuisance animals.

Councilor Shannon agreed that there needs to be a public discussion on the issues of banning roaming animals and the licensing of cats.

Leeanne said she supports banning roaming animals in the City.

Councilors all agreed to have a meeting sometime in January, 2025 that would be well publicized to have a discussion on roaming and licensing cats.

6. Any Other Committee Business

Next meeting is 11/19 at 11:00 AM.

7. Adjournment

Without objection, Councilor Shannon adjourned the meeting.

The meeting was adjourned at 11 AM.