

**Public Safety Committee
Thursday, August 17, 2023
Remote via Zoom
Burlington, Vermont
APPROVED MINUTES**

Members Present: Karen Paul (Chair), Melo Grant, Tim Doherty

Staff Present: Jared Pellerin (Acting City Attorney), Kyle Clauss (Assistant City Attorney), Jon Murad (Police Chief), Michael LaChance (Fire Chief), Cindi Wight (Burlington Parks, Recreation & Waterfront Director), Mellissa Cain (Burlington Parks, Recreation & Waterfront Staff Member)

Public Present: Jeff Nick, Romeo von Hermann, John Wheeler

Meeting called to order at 6:07 PM by President Paul.

**1. Adopt the Agenda
1.01 Adopt the Agenda**

Motion to Adopt Agenda as amended where Public Forum would be moved to follow the Designated Hearing Panel.

*Motion by President Paul, Seconded by Councilor Grant
Final Resolution: Motion Passes
Yes: Unanimous*

**2. Adopt Draft Minutes from May 9, 2023
2.01 Adopt Draft Minutes from May 9, 2023**

Per Councilor Grant's request, the Draft Minutes from May 9, 2023 were tabled until the next meeting. Attorney Pellerin confirmed the City Attorney's Office would provide the Committee with the recording from May 9th for review.

2.02 Adopt Draft Minutes from July 10, 2023

*Motion to Adopt Draft Minutes from July 10, 2023.
Motion by Councilor Doherty, Seconded by Councilor Grant
Final Resolution: Motion Passes
Yes: Unanimous*

**3. Designated Hearing Panel
3.01 Appeal of Notice of Trespass by Justin Marriott**

The Committee ruled to reinstate the appellant's trespass order for the remaining 26 days of the initial trespass order issued by Burlington Parks, Recreation, & Waterfront in light of the appellant's absence from the hearing. No testimony was taken.

Notice of trespass hearing closed at 6:26 PM by President Paul.

4. Public Forum

4.01 Verbal Comments

Jeff Nick shared feedback from conversations with business owners and customers in Downtown area who all expressed extreme concern over retail theft, graffiti, drug dealing and drug use. Nick urged City Council to take meaningful action, referencing an email Nick sent to Councilors in which Nick made several suggestions of ways the Council may take action, including:

- Organizing a task force and involving businesses
- Streamlining Burlington's trespass process
- Assigning more officers to Church Street
- Raising state leaders' awareness of Burlington's ongoing public safety issues

Councilor Grant assured Nick that the Committee would discuss these issues and ideas later on in the meeting and expressed willingness to meet outside the Public Safety Committee meeting for further discussion.

Romeo von Hermann, a commissioner on the Church Street Marketplace Commission who also works in the Downtown area at the transit center, agreed with Jeff Nick's concerns and advocated for the city finding compassionate solutions that do not compromise on what businesses, tourists, and residents need urgently.

John Wheeler, a Burlington resident and community business owner of Ski Rack and Patagonia Burlington, described an incident that occurred between a store manager and an individual attempting to steal from the store. Wheeler clarified that the stores have policies in place that do not ask store employees to put themselves in harm's way in the event of retail theft, etc. but that did not prevent a female staff member from being assaulted by the other person. Wheeler said police did respond and a report was filed, but emphasized that retail theft is not just a matter of businesses losing money but putting employees' safety at risk, along with business owners, residents, and customers, and asked that cooperation take place between the necessary parties to overcome this long-standing problem.

Public Forum closed at 6:48 PM.

5. Consent Agenda

5.01 Chief's Report: Chief Jon Murad, Burlington Police Department

5.02 Chief's Report: Chief Michael LaChance, Burlington Fire Department

Motion to Accept the Consent Agenda and take the actions indicated.

Motion by Councilor Doherty, Seconded by Councilor Grant

Final Resolution: Motion Passes

Yes: Unanimous

Discussion:

Councilor Grant had some comments and questions regarding Chief LaChance's report:

- Councilor Grant asked Chief LaChance for clarification on the definitions of 'minimum staffing overtime' versus 'mandatory staffing overtime.' Chief LaChance responded that BFD has a minimum of 22 people on staff at all times to adequately staff all firetrucks and ambulances. 'Mandatory minimum staffing overtimes' refers to when BFD staff are mandated to stay overtime as opposed to volunteering to stay overtime. 'Minimum staffing overtime' refers to when staff volunteer to stay overtime.
- Councilor Grant also asked for more information on BFD's deferred maintenance issues regarding the replacement of a concrete floor. Chief LaChance responded that it was added to the report because while Facilities is aware of it, the project has been slow to move forward due to its scope and funding, but it has become a serious safety hazard for BFD staff. President Paul added that the list of Capital and Deferred Maintenance for the city is long and is close to \$50 million but agreed it would be valuable to find out where this issue was in the queue. Chief LaChance said that while a couple of projects are being pushed through, the apparatus floor has been on multiple fiscal year agendas and is critical to BFD's performance.
- Councilor Grant opened the discussion of deferred maintenance to Chief Murad, to which Chief Murad responded that some of the deferred maintenance issues are being addressed through construction for the expanded CAIP team, involving internal reconstruction of the building. Chief Murad explained that many of the maintenance issues are due to the fact that the building was never designed to be a police station. Councilor Grant also asked about air quality issues, and Chief Murad responded that he was not aware of any air quality issues within the police station.
- Councilor Grant raised spending on fleet replacement and billing for transport, wondering if this was an area where BFD could generate more revenue. Chief LaChance said the Department is looking at fleet spending for FY25 for an ambulance with a 3-year build time. Chief LaChance added the cost for fleet vehicles are rising and that the City is not required to pay at the time of ordering but after they are built, meaning the City has some time to come up with funds from the time an order is placed. In regards to billing for transport, President Paul wondered how the City is being paid for people who get transported but have no address. Additionally, President Paul expressed concern over the overdose statistics for Burlington this month, in comparison to the entire year. Chief LaChance said the company who collects funds for these cases have their own process and collect funds at a high rate. Chief LaChance also shared that the BFD has a financial hardship waiver that patients can fill out.

6. Discussion of Forums on Drug Activity

6.01 Discussion of Forums on Drug Activity

Councilor Grant proposed starting public forums where individuals could share their experiences within Burlington as it relates to drug activity and its impacts to demonstrate to state legislators and other representatives the seriousness of this public safety problem. President Paul and Councilor Doherty expressed support for this initiative. Councilor Doherty added these forums should highlight issues with retail theft, public safety, and quality of life, along with opioid addiction and said efforts should be made by the Council to incrementally improve conditions in addition to public forums.

Councilor Grant referred to Burlington's drug activity as a crisis and proposed that there be updates on it at every City Council meeting, similar to the climate change reports. Councilor Grant also emphasized the need for the Council to be collectively engaged on this to elevate awareness at the state level, to educate legislators on the root causes so that decisions are made at the state level in a meaningful way with Burlington's priorities in mind.

Councilor Doherty advocated for the need for local solutions as well, such as acknowledging the reality of the limitations of Burlington's police force and coming up with other solutions that are more achievable in the short-term.

President Paul responded all City Councilors have the right to bring to the Council any issue they think is important and put it on the agenda, so there is certainly a way to move forward with these proposed actions. President Paul also said the need for stronger representation in Montpelier is why she prioritized doubling the budget for legislative representation and that her goal was to push for the annual meeting with representatives and City Council members to meet in October, which would give Councilors the opportunity to articulate Burlington's priorities ahead of the next legislative session. President Paul also said there is a RFP in progress for hiring a lobbyist.

Chief LaChance added that in addition to the lack of safety felt among residents, business owners and employees, emergency responders also feel unsafe and that the extent to which emergency services has been used to address drug activity is not sustainable.

Romeo von Hermann asked that the transit team be involved in the conversation going forward as well.

7. Other Committee Business

7.01 Other Committee Business

The next meeting date was set for Thursday, September 7th.

President Paul requested any items Councilors want on the agenda be communicated prior to end of next week in time for posting the agenda.

Councilor Grant said she would start working on the ideas she has and gave a shout out to Kyle Blake, President of the Burlington Firefighters Association, for suggesting that Burlington city employees provide testimonials on drug activity, which inspired Councilor Grant's ideas on forums for the broader public.

8. Adjournment

8.01 Motion to Adjourn

Motion to Adjourn the Meeting

Motion by President Paul, no objection.

Final Resolution: Motion passes

Yes: Unanimous

The meeting was adjourned at 8:22 PM.