



December 21, 2015

Regular City Council Meeting - Monday, December 21, 2015 - Contois Auditorium, City Hall - will begin after the Local Control Commission Meeting adjourns -

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: amend action for consent agenda item 3.30 Resolution: Approval of Amendment of Government Access Change Trust Agreement (Channel 17)(Councilor Ayres) to "waive the reading, adopt the resolution and refer the Channel 17/Town Meeting Television FY17 Municipal Budget proposal communication (one of the attachments) to the Board of Finance (per Councilor Bushor); note revised version of consent agenda item 3.32 Resolution: Authorization to Execute Interfund Loan to Pay for Public Improvements in The Downtown TIF District Re Municipal Parking Garage Repair Project (Board of Finance)(per City Attorney's Office); add to the consent agenda item 3.35 Communication: Sarah Muyskens, 276 South Union Street, Support for the Draft Development Agreement with Project Partners on Former Burlington College Land with the action to "waive the reading, accept the communication and place it on file"; note additional written material for agenda item 4.07 Resolution: Accept the Downtown Parking and Management Plan (Councilor Tracy)(per Mayor's Office); remove from the agenda 4.10 Resolution: Supporting Safe Recovery (Councilors Colburn, Giannoni, Hartnett, Knodell, Tracy, Roof, Ayres)(per Councilor Colburn); add Councilor Paul as a co-sponsor to agenda item 4. 11 Resolution: Voting Locations and Improving Voter Participation (Councilors Roof, Colburn)(per Councilor Roof); note proposed amendment to this resolution (per Councilor Wright)

2. Public Forum: time certain: 7:30 pm

2.01 Verbal Comments

Type: Information, Procedural

3. Consent Agenda

3.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the following actions as indicated

3.02 Communication: C/T Office, re: Accountability List

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication and place it on file

 Communication Accountability List 122115 cc
mtg.xlsx



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3.03 Communication: C/T Office, re: Regular City Council Meeting Minutes, August 10, 2015

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, August 10, 2015 - begins right after Local Control Commission Meeting - Contois Auditorium, City Hall

3.04 Communication: C/T Office, re: Special City Council Worksession Minutes, September 2, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Special City Council Worksession - Wednesday, September 2, 2015, 5:30 pm - 7:30 pm, Conference Room 12, City Hall

3.05 Communication: C/T Office, re: Local Control Commission Meeting Minutes, September 8, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Local Control Commission Meeting - Tuesday, September 8, 2015, 7:00 pm - Contois Auditorium, City Hall

3.06 Communication: C/T Office, re: Regular City Council Meeting Minutes, September 8, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Tuesday, September 8, 2015 - begins after the Local Control Commission Meeting adjourns - Contois Auditorium, City Hall

3.07 Communication: C/T Office, re: Local Control Commission Meeting Minutes, September 21, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, September 21, 2015 - 7:00 pm - Contois Auditorium, City Hall



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3.08 Communication: C/T Office, re: City Council With Mayor Presiding Meeting Minutes, September 21, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, September 21, 2015 - Contois Auditorium, City Hall

3.09 Communication: C/T Office, re: Full Board of Abatement of Taxes Meeting Minutes, September 21, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Full Board of Abatement of Taxes Meeting - Monday, September 21, 2015 - Contois Auditorium, City Hall

3.10 Communication: C/T Office, re: Regular City Council Meeting Minutes, September 21, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 21, 2015 - begins after the Local Control Commission Meeting adjourns - Contois Auditorium, City Hall

3.11 Communication: C/T Office, re: Special City Council Worksession Minutes, October 13, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Special City Council Worksession re: Tentative Contracts (expected executive session), Tuesday, October 13, 2015, 6:15 pm, Conference Room 12, City Hall

3.12 Communication: C/T Office, re: City Council With Mayor Presiding Meeting Minutes, October 13, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Tuesday, October 13, 2015 - begins after the Regular City Council Meeting adjourns- Contois Auditorium, City Hall



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3.13 Communication: C/T Office, re: Regular City Council Meeting Minutes, October 13, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Tuesday, October 13, 2015 - 7:00 pm - Contois Auditorium, City Hall

3.14 Communication: C/T Office, re: Regular City Council Meeting Minutes, October 26, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, October 26, 2015 - 7:00 pm - Contois Auditorium, City Hall

3.15 Communication: C/T Office, re: Regular City Council Meeting Minutes, November 9, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, November 9, 2015 - 7:00 pm - Contois Auditorium, City Hall

3.16 Communication: C/T Office, re: Regular City Council Meeting Minutes, November 16, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, November 16, 2015 - 7:00 pm - Contois Auditorium, City Hall

3.17 Communication: C/T Office, re: City Council With Mayor Presiding Meeting Minutes, November 16, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2015 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, November 16, 2015 - Contois Auditorium, City Hall -



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3.18 Communication: Jannine Wright, Deputy Chief of Police, re: End of Taser device lifecycle and replacement with new stock

Type: Action (Consent), Communication

Recommended Action: authorize the BPD to enter into a contract with Taser International for the purchase of 75 new Tasers and the accompanying Taser Assurance Plan in the amount of \$160,180.50 and authorize Chief Del Pozo or his designee to execute the contract, subject to prior review and approval by the City Attorney and Chief Administrative Officer

BOF Taser Memo - CIP FY 16 DRAFT 121115 (002).pdf

3.19 Communication: C/T Office, re: Sweep Accounts & Other Bank Accounts

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication and place it on file

112515_ Sweep Report For BOF_UseMe.xlsx

3.20 Communication: C/T Office, re: Airport Expenditures Unaudited - October 2015 Financial

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication and place it on file

Copy of 121115_October_Financial.xlsx

3.21 Communication: Lisa Jones, Staffperson, Housing Board of Review, re: Loyal Plouf's resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy and send Loyal Plouf a letter of appreciation thanking him for his time served on the Housing Board of Review

Loyal Plouf's Resignation Letter from Housing Board of Review.pdf

3.22 Communication: Martha R. Lang, Ph.D., re: ZA-16-05 UVM Medical Center

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Martha Lang's Opposition to ZA-16-05 UVM Medical Center.pdf



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3.23 Communication: C/T Office, re: For Information Only Documents

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication and place it on file for information only

 FIO Documents.pdf

3.24 Communication: Neil Mickenberg, re: City Council Consideration of the Railyard Enterprise Project

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 Communication Neil Mickenberg, re City Council Consideration of the REP.docx

3.25 Resolution: Authorization for General Obligation Refunding Bonds (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Treasurer – Authorize General Obligation Refunding Bonds not to exceed \$8,750,000.pdf

3.26 Resolution: Creation of Full Time Limited Service Service Support Technician (OT) Position - Burlington Telecom (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BOFCC Packet for Creation of Service Support Technician (OTT) 12 21 15.pdf

 HR – BT – Creation of Full Time Limited Service Support Technician (OTT).pdf

3.27 Resolution: Authorization to Execute Contract with JP Sicard, Inc. Corporation for The Little Eagle Bay Outfall Repair Project (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 DPW - Little Eagle Bay Outfall Channel Repair, Contract with JP Sicard, Inc.pdf

 BoF-CC_ Memo Little Eagle Bay_packet_12-9-2015.pdf



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3.28 Resolution: Authorization to Accept \$100,000 Vermont Department of Environmental Conservation Grant In Support of Citywide Stormwater Master Planning (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution



BOF-CC_Memo_ERP_StormwaterMasterPlannin
gGrantAcceptv4_12-19-2015.pdf



DPW - Accept Citywide Stormwater Master
Planning Grants from Vt. Dept. of Environmental
Conservation.pdf

3.29 Resolution: Consent to Heritage Aviation, Inc.'s Adoption of an Employee Stock Ownership Plan (ESOP) and Transfer of All or a Portion of Stock to Said ESOP (Councillor Paul)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution



12 21 15 Heritage ESOP City Council
Memo.pdf



Consent - City of Burlington - 890 Lease - 12
2015.docx



Consent - City of Burlington - ASH Lease - 12
2015.docx



Consent - City of Burlington - West Lease - 12
2015.docx



BIA - Heritage Aviation's Adoption of
Employee Stock Ownership Plan (ESOP),
Transfer of Stock to ESOP.pdf

3.30 Resolution: Approval of Amendment of Government Access Change Trust Agreement (Channel 17)(Councillor Ayres)

Type: Action (Consent), Resolution

Recommended Action: waive the reading, adopt the resolution and refer the Channel 17/Town Meeting Television FY17 Municipal Budget Proposal communication (one of the attachments) to the Board of Finance

****refer the Channel 17/Town Meeting Television FY17 Municipal Budget Proposal communication (one of the attachments) to the Board of Finance (per Councillor Bushor)****



Mayor - Channel 17 - Approval of Amendment
of Government Access Trust Agreement.pdf



2015 Amendment for Essex Essex Junction
Representation_20151102.doc



Channel17MunicipalProposal_20151103.doc



Trust Agreement_1990_pt1.pdf

3.31 Resolution: Authorization to Amend The Fiscal Year 2016 Budget For The Waterfront Access North Project (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution



WAN Budget Amendment Request - BOF-CC
Memo 12-10-15.doc



CEDO – Waterfront Access North – Amend
FY 2016 Budget.pdf



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3.32 Resolution: Authorization to Execute Interfund Loan to Pay for Public Improvements in The Downtown TIF District Re Municipal Parking Garage Repair Project (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****note revised version (per City Attorney's Office)****

 RESOLUTION TIF INTERFUND LOAN RE
MunicipalGarageRepair 121715.docx

 Revised Version CEDO - Interfund Loan to
Pay for Public Improvements in Downtown TIF
District re Municipal Parking Garage Repair
Project.pdf

 Interfund Loan Resolution Memo 121615.pdf

3.33 Resolution: Resolution of The City of Burlington Vermont Authorizing the Taking of Certain Actions in Connection with the Execution and Delivery of not to Exceed \$5,200,000 Refunding Certificates of Participation (Lakeview Garage Project) Series 2016 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Lease Agreement - Lakeview Garage
(00144019xC0EA5).pdf

 Site Lease 2016 COPS
(00144022xC0EA5).pdf

 Trust Agreement - 2016 COPS
(00144020xC0EA5).pdf

 Treasurer – Lakeview Garage Project
Refunding Certificates of Participation Series
2016.pdf

3.34 Resolution: Resolution of The City of Burlington Vermont Authorizing the Taking of Certain Actions in Connection with the Execution and Delivery of not to Exceed \$1,500,00 Refunding Certificates of Participation (DPW Facility Project) Series 2016 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Treasurer - DPW Facility Project -Refunding
Certificates of Participation Series 2016.pdf

3.35 Communication: Sarah Muyskens, 276 South Union Street, re: Support for the Draft Development Agreement with Project Partners on Former Burlington College Land

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 Burlington College City Council final letter
(1).docx



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4. Deliberative Agenda

4.01 Communication: Mayor Miro Weinberger, re: Appointment of Assistant City Attorney

Type: Action, Discussion, Information

Recommended Action: consider and approve Justin St. James as the newest Assistant City Attorney

Justin St. James - Cover Letter and Resume
-.pdf

12-17-15 Assistant City Attorney appointment
memo.pdf

4.02 Communication: Mayor Miro Weinberger, re: Appointment of Fire Chief

Type: Action, Discussion, Information

Recommended Action: consider and approve the appointment of Fire Chief Steven Locke as the City's new Chief Engineer of the Burlington Fire Department (BFD)

12-10-15 Fire Chief appointment - Mayor
memo.pdf

Fire Chief Press Release.pdf

Steven Locke - cover letter and CV.pdf

4.03 Indoor Entertainment Permit Application (2015-2016): Pingala Cafe & Eatery, 1 Mill Street, Suite 138

Type: Action, Discussion

Recommended Action: approve 2015-2016 Indoor Entertainment Permit Application for Pingala Cafe & Eatery with all standard conditions

Indoor EP Pingala Cafe.pdf

4.04 Outdoor Entertainment Permit Application (2015-2016): Pingala Cafe & Eatery, 1 Mill Street, Suite 138

Type: Action, Discussion

Recommended Action: approve 2015-2016 Outdoor Entertainment Permit Application for Pingala Cafe & Eatery with all standard conditions

Outdoor EP Pingala Cafe.pdf



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4.05 Appointment: Church Street Marketplace Commission (Term expires 6/30/16)

Type: Action, Discussion

 Communication CT Office, re Board and Commission Vacancies.pdf

 CSM Application Mark Kalloz.pdf

 CSM Application James Lockridge.pdf

 CSM Application Michael Ly.pdf

 CSM Application Linda Magoon.pdf

4.06 Appointment: Church Street Marketplace Commission (Term expires 6/30/17)

Type: Action, Discussion

 CSM Application Linda Magoon.pdf

 Communication CT Office, re Board and Commission Vacancies.pdf

 CSM Application Mark Kalloz.pdf

 CSM Application James Lockridge.pdf

 CSM Application Michael Ly.pdf

4.07 Resolution: Accept the Downtown Parking and Transportation Management Plan (Councilor Tracy)

Type: Action, Discussion, Resolution

Recommended Action: waive the reading and adopt the resolution

****Note: Downtown Parking and Transportation Management Plan (141 pages) has been added per Mayor's Office****

 Dan Bradley Letter to Council - Parking v12-15-15 signed.pdf

 City Council Memo on Downtown Parking Study v 12-15-15.pdf

 EXECUTIVESUMMARY Final Dec 2015.pdf

 Parking public engagement summary v12-15-15.pdf

 DPW – Downtown Parking and Transportation Management Plan.pdf

 DowntownParkingandTransportationPlanFinalDraftMedRes.pdf



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4.08 Resolution: Former Burlington College Property Development Agreement (Councilors Bushor, Wright and Ayres)

Type: Action, Discussion, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution Relating to Former Burlington College Property Development Agreement.pdf

City-VLT Parkland Agreement 12-2-15 DRAFT.pdf

20151201 Former Burlington College Property Development Agreement w-Exhibits.pdf

Former BC 12 Acres Appraisal (15089 BTV College land R).pdf

4.09 The Railyard Enterprise Project - Supporting The Advancement of The Railyard Enterprise Project Phase 2 Alternatives 1B, 2 and 5B Into An Environmental Permitting Process (NEPA) (Councilors Shannon, Mason and Tracy)

Type: Action, Discussion, Information, Resolution

Recommended Action: waive the reading and adopt the resolution

DPW – Railyard Enterprise Project – Advance Phase 2 Alternatives 1B, 2 & 5B into Environmental Permitting Process.pdf

City Council REP Memo - December 21 2015 v12-15-15.pdf

4.10 REMOVED Resolution: Supporting Safe Recovery (Councilors Colburn, Giannoni, Hartnett, Knodell, Tracy, Roof, Ayres)

Type: Resolution

Recommended Action: waive the reading and adopt the resolution**waive the reading and adopt the resolution as amended**

****Note:** Councilors Paul and Shannon will be added as additional co-sponsors (per Councilor Colburn)**

****Note:** proposed amendment per Councilor Colburn

Supporting Safe Recovery (drug prevention, training, etc.).pdf

Amendment to Safe Recovery resolution.docx



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4.11 Resolution: Voting Locations and Improving Voter Participation (Councilors Roof, Colburn)

Type: Action, Discussion, Information, Resolution

Recommended Action: waive the reading and adopt the resolution

****Note:** Councilor Paul will be added as an additional co-sponsor (per Councilor Roof)**

****Note proposed amendment to this resolution (per Councilor Wright)****

 Proposed Amendment Voting Locations Resolution Per Councilor Wright.pdf

 Clerk - Voting Locations & Improving Voter Participation (Polling Places - Universal and Additional Polling Locations).pdf

5. Committee Reports

5.01 Verbal Reports

Type: Information, Procedural

6. City Council - General Affairs

6.01 Verbal Reports

Type: Information, Procedural

7. City Council President - Council Updates

7.01 Verbal Reports

Type: Information, Procedural

8. Mayor - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. Adjournment



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adjourns -**

9.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

10. Informational Statement

10.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142)

Type: Information