



Regular City Council Meeting - Monday, December 13, 2021, 6:15 pm **In-Person in Contois Auditorium, 2nd Floor, City Hall OR REMOTELY via ZOOM
12/13/2021**

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, 2ND FLOOR, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

December 13, 2021

MEMBERS PRESENT: Karen Paul

Chip Mason

Max Tracy

Joan Shannon

Ali Dieng

Perri Freeman

Jack Hanson

Zoraya Hightower

Jane Stromberg

Sarah E Carpenter

Mark Barlow

Joe Magee

OTHERS PRESENT: Miro Weinberger

Katherine Schad

Dan Richardson

Jordan Redell

Lori Olberg

Amy Bovee

Rachel Jolly



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Jennifer Hill

Barbara Shaw-Dorso

1. CALL TO ORDER and AGENDA

1.01 Motion to amend/adopt agenda

The meeting was called to order by City Council President Tracy at 6:23 PM.

MOTION by Councilor Stromberg, SECOND by Councilor Magee, to adopt the agenda.

VOTING: unanimous; motion carries.

2. WORK SESSION: INTRODUCTION/ORIENTATION TO THE BURLINGTON COMMUNITY JUSTICE CENTER

2.01 Presenters: Rachel Jolly, CEDO Assistant Director, CJC, Jennifer Hill, Pretrial Services Coordinator and Barbara Shaw-Dorso, Victim Services Manager

Rachel Jolly began the presentation by discussing restorative practices, noting that they work to strengthen connections between individuals in a community to foster a sense of belonging. Jennifer Hill spoke about the standard justice and traditional legal system, noting that the overarching goals are deterrence, restitution, and justice for the victim. She noted that in restorative justice practices, the community is more involved and there is overlap in responsibilities between the community, the affected party, and the responsible party.

Ms. Jolly outlined the principles of restorative practices, which include engagement with those impacted and the community, responsibility for addressing needs and repairing the harm, and restoration to repair any harm done by the wrongdoing. She noted that restorative justice reduced re-offense after violent and property crimes, reduced crime victims' post-traumatic stress symptoms and related costs, reduced crime victims' desire for violent revenge, achieved greater satisfaction among victims and offenders, and exceeded compliance rates as compared to court-ordered sanctions.

Ms. Jolly outlined the Burlington Community Justice Center's mission and vision, to address the roots and impacts of crime and conflict in the community. Ms. Shaw-Dorso outlined the various CJC programs. She also outlined the revenue streams for the CJC, with a total budget of \$1.3 million.

Councilor Stromberg asked about the City's contribution to the CJC's revenue over time, and Ms. Jolly outlined the funding over the past several years.



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Councilor Dieng asked if there are situations where individuals do not want to participate. Ms. Hill replied that she outreaches affected parties multiple times, and her percentage of connecting with affected parties/victims is around 75-80%.

3. PUBLIC FORUM

3. 01 Verbal Comments

Forum opened at 7:37 PM.

COMMENTS:

Burlington residents – in person:

- Selene Colburn expressed support for the full decriminalization of sex work, and criticized the sexist and classist language in the City's charter regarding sex work. She also spoke about funding at the State level to support victims of sex trafficking.
- Tara Bragg spoke against the demolition of the Sears Lane encampment.
- Andrew Simon spoke about the Pine Street Barge Canal; he presented the Council with a petition to create a park out of the barge canal site and implement bioremediation practices.
- Faried M. said that the retention bonuses given to the Burlington Police Department could have gone to housing for Sears Lane residents.
- Christopher Aaron Felker said that City Council should set a better example for acting civilly and also urged them to restore the 3-minute time limit for each public speaker.
- Michele Morin spoke against the decriminalization of sex work.
- Miguel Figueroa spoke against the demolition of Sears Lane.
- Andrew Kranichfeld spoke against the demolition of Sears Lane, saying that the City waged war against the residents of Sears Lane.
- Lee Morrigan spoke about why motel programs don't work, and spoke about their personal experience with homelessness. She said that there is a false narrative around people not accepting offers of help or shelter, if they are unhoused.
- Cheryl M. Boutilier said that Burlington has a great need for affordable housing, since the current definition of 'affordable' isn't truly affordably for most people. She spoke against proof of vaccination requirements. She noted that many sidewalks are in disrepair and that there is a lot of garbage that isn't being picked up.
- Julie Macuga expressed extreme concern about the destruction of Sears Lane, especially since many community support organizations were not previously aware of the administration's plan to bulldoze the site.
- Sam S. spoke in support of the residents of Sears Lane.
- Aspen Overy spoke about what was lost in the destruction of Sears Lane.

Burlington residents – viz Zoom:

- John Caulo spoke about Sears Lane, saying that the clearing of the encampment was long overdue. He does not believe that clearing the site is a war on homelessness.
- Abbey Jermyn voiced support for the charter change on sex work, saying that sex work and sex trafficking are not the same thing and that it is dangerous to conflate them.
- Ericka Redic spoke about the charter change around decriminalization of prostitution, noting that there is often a



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rise in the use of drugs and other criminal activity in areas that have decriminalized sex work. She said that the profession should not be legitimized because it commodifies people.

- Leif Taranta spoke in support of the sex work decriminalization charter change, saying that decriminalization protects consensual sex workers.
- Liam Noble spoke in support of the residents of Sears Lane.

Non-Burlington residents – in person:

- Maggie Kerrin spoke about prostitution around New England, saying that more resources are needed for support and mental health services, noting that prostitution represents a lack of choice.
- Ryan Allen spoke against the City's treatment of its unhoused residents.

Non-Burlington residents – via Zoom:

- Patricia Grant spoke about her personal experience with sex trafficking. She spoke against decriminalizing sex work.
- Robin Miller spoke about her experience with sex trafficking, rape, and assault. She spoke against decriminalizing sex work.
- Christine Rigó spoke in support of the charter change around decriminalizing sex work.
- Henri June Bynx spoke in support of the charter change around decriminalizing sex work.
- Savannah Sly spoke about her experience as a sex worker, expressing her support for decriminalizing sex work, particularly removing antiquated and stigmatizing language from Burlington's city charter.
- Mary Speta spoke against the charter change that would decriminalize sex work.
- Elisa Johnson spoke against decriminalizing the sex trade in Burlington, saying that it commodifies consent and exploits vulnerable people.
- Jay Benke spoke as a survivor of sex trafficking and asked that the proposed charter change language be amended.
- Grace Pfeil spoke on behalf of a resident of Sears Lane, opposing its destruction.
- Michael Shively spoke about the sex trafficking charter change resolution.
- Esperanza Fonseca spoke as a survivor of prostitution and urged City Councilors to retain the ability to hold exploiters accountable.
- Ivan spoke in support of Sears Lane residents.

Forum closed at 8:52 PM.

4. CLIMATE EMERGENCY REPORTS

4.01 Climate Emergency Reports

None at this time.

5. CONSENT AGENDA

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

5.02 Communication: C/T Office, re: Accountability List - waive the reading, accept the communication and place it on file.



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5.03 Communication: C/T Office, re: Minutes, October 18, 2021 City Council With Mayor Presiding Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.04 Communication: C/T Office, re: Minutes, October 18, 2021 Regular City Council Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.05 Communication: C/T Office, re: Minutes, October 25, 2021 Local Control Commission Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.06 Communication: C/T Office, re: Minutes, October 25, 2021 Regular City Council Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.07 Communication: C/T Office, re: Minutes, November 8, 2021 Full Board of Abatement of Taxes Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.08 Communication: C/T Office, re: Minutes, November 8, 2021 Board of Civil Authority Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.09 Communication: C/T Office, re: Minutes, November 8, 2021 Regular City Council Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.10 Communication: C/T Office, re: Minutes, November 15, 2021 Board of Civil Authority Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.11 Communication: C/T Office, re: Minutes, November 15, 2021 Regular City Council Meeting, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.12 Communication: C/T Office, re: Minutes, December 1, 2021, Public Informational Hearing re 12/7/21 SCE Ballot Questions, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.13 Communication: C/T Office, re: Minutes, December 1, 2021, Special City Council Meeting re Masking Ordinance, Draft - waive the reading, accept the communication, place it on file and adopt the minutes at the December 20, 2021 Regular City Council Meeting.

5.14 Communication: Christopher-Aaron Felker, Chairman, Burlington Republican Party, re: Municipal Mask Mandate Ordinance - waive the reading, accept the communication and place it on file.

5.15 Communication: John DiGiuseppe, re: No masks, no mandates! - waive the reading, accept the communication and place it on file.

5.16 Communication: Sherry Alix, re: I do not support Mask Mandates in Burlington - waive the reading, accept the communication and place it on file.

5.17 Communication: Sandi Drury, re: No to requiring masks and vaccinations - waive the reading, accept the communication and place it on file.

5.18 Communication: Risa Rae, re: Vote NO on mandates & fines! - waive the reading, accept the communication and place



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it on file.

5.19 Communication: Julian Martinez, re: Mandates! - waive the reading, accept the communication and place it on file.

5.20 Communication: Max B, re: Strongly OPPOSED to these purposed mandates!!!! - waive the reading, accept the communication and place it on file.

5.21 Communication: Christa Bevan, re: mask mandate - waive the reading, accept the communication and place it on file.

5.22 Communication: Leah Olave, re: Mask Mandates - waive the reading, accept the communication and place it on file.

5.23 Communication: Andy Loughney, re: Opposition to mask mandate - waive the reading, accept the communication and place it on file.

5.24 Communication: Geri Procaccini, re: Vaccine mandates - waive the reading, accept the communication and place it on file.

5.25 Communication: Jill Allyn, re: My body, my choice / vote no on mandates - waive the reading, accept the communication and place it on file.

5.26 Communication: Anthony + Krista Tomaselli, re: Opposition to mask & covid injection ordinances - waive the reading, accept the communication and place it on file.

5.27 Communication: Gayle Brown, re: Vote NO, to Discrimination - Basic Human Rights are being violated - waive the reading, accept the communication and place it on file.

5.28 Communication: Jeff Euber, re: please forward to City Council members for tonight's meeting - waive the reading, accept the communication and place it on file.

5.29 Communication: Cristina Payne, re: mask and vaccinatins mandates - waive the reading, accept the communication and place it on file.

5.30 Communication: Robin Guyette, re: Burlington mask mandate - waive the reading, accept the communication and place it on file - waive the reading, accept the communication and place it on file.

5.31 Communication: Julie Bomengen, re: Please do not mandate vaccinations and masks - waive the reading, accept the communication and place it on file.

5.32 Communication: Pastor Todd Callahan, re: Mask Mandate Meeting - waive the reading, accept the communication and place it on file.

5.33 Communication: Brenda Carpenter, re: Masks/vaccination mandates - waive the reading, accept the communication and place it on file.

5.34 Communication: John Barkhausen, re: Against Health Mandates - waive the reading, accept the communication and place it on file.

5.35 Communication: Gary Payne, re: mask and vaccination mandates - waive the reading, accept the communication and place it on file.

5.36 Communication: Katie Powell, re: Mask mandate-please vote no - waive the reading, accept the communication and place it on file.





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5.37 Communication: Ryan LaRose, re: I oppose this mandate - waive the reading, accept the communication and place it on file.

5.38 Communication: Susan Bowen, re: I support free breathing and bodily autonomy - waive the reading, accept the communication and place it on file.

5.39 Communication: Nancy Kenney, re: Please reject Covid vaccine mandates in Burlington - waive the reading, accept the communication and place it on file.

5.40 Communication: Michelle Helms, re: Mask mandates - waive the reading, accept the communication and place it on file.

5.41 Communication: Pamela Driver, re: Mask & Vaccination ordinance - waive the reading, accept the communication and place it on file.

5.42 Communication: Kayla Kelly, re: Vaccine mandates are tyrannical - no to vaccine mandates! - waive the reading, accept the communication and place it on file.

5.43 Communication: Greg Probst, re: Face Covering Mandate - waive the reading, accept the communication and place it on file.

5.44 Communication: Cheryl Titus, re: Please do not mandate vaccines, it is criminal to make people do this. - waive the reading, accept the communication and place it on file.

5.45 Communication: Lisa Walton, re: mask mandates and penalties -- Please vote NO - waive the reading, accept the communication and place it on file.

5.46 Communication: Paul McTaggart, re: Mask/Vaccine Mandates - waive the reading, accept the communication and place it on file.

5.47 Communication: Allison Teague, re: Vote against health mandates - waive the reading, accept the communication and place it on file.

5.48 Communication: Jen Johnson, re: Oppose any vaccination requirements - waive the reading, accept the communication and place it on file.

5.49 Communication: Richard Levey, re: Please Oppose Mask and Vaccine Mandates - waive the reading, accept the communication and place it on file.

5.50 Communication: Taryn Mason, re: Tonight's meeting - waive the reading, accept the communication and place it on file.

5.51 Communication: Anita Kelman, re: Mask mandate - waive the reading, accept the communication and place it on file.

5.52 Communication: Kathleen Iselin, re: NO! TO MASK MANDATE!!! - waive the reading, accept the communication and place it on file.

5.53 Communication: Karen Stoneman, re: Mask mandates - waive the reading, accept the communication and place it on file.

5.54 Communication: Allison Cassavechia, re: Against Burlington Mask / Vax Mandate - waive the reading, accept the communication and place it on file.





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- 5.55 Communication: Horace Reider, re: mask mandate meeting - waive the reading, accept the communication and place it on file.
- 5.56 Communication: Leyla Torres, re: DO NOT Mandate Masks or Vaccines!!! - waive the reading, accept the communication and place it on file.
- 5.57 Communication: Jeffrey Wager, re: Mandatory anything - waive the reading, accept the communication and place it on file.
- 5.58 Communication: Peter Garritano, re: Ordinance - waive the reading, accept the communication and place it on file.
- 5.59 Communication: Brenda Bolieu, re: Mandates - waive the reading, accept the communication and place it on file.
- 5.60 Communication: Chris Heimert, re: Masks/Vaxx Mandates - waive the reading, accept the communication and place it on file.
- 5.61 Communication: Laurie Hanson, re: Mandates in Burlington - waive the reading, accept the communication and place it on file.
- 5.62 Communication: Judith Ruskin, re: Mask mandates - waive the reading, accept the communication and place it on file.
- 5.63 Communication: Brian Wheel, re: Burlington Mask Mandate - waive the reading, accept the communication and place it on file.
- 5.64 Communication: Jana Kato, re: Mask and vaccine mandates - waive the reading, accept the communication and place it on file.
- 5.65 Communication: Wendy Stone, re: Mandate opposition - waive the reading, accept the communication and place it on file.
- 5.66 Communication: Jennifer Kiel, re: City council meeting regarding masks, vaccination - waive the reading, accept the communication and place it on file.
- 5.67 Communication: Angela Fortier, re: masks and vaccination - waive the reading, accept the communication and place it on file.
- 5.68 Communication: Chris Heimert, re: Masks - waive the reading, accept the communication and place it on file.
- 5.69 Communication: Chris Heimert, re: Forced Mask Supporters Must Answer! - waive the reading, accept the communication and place it on file.
- 5.70 Communication: Brian Wheel, re: Burlington Mask Mandate (2) - waive the reading, accept the communication and place it on file.
- 5.71 Communication: Tina Horne, re: Regarding vaccination mandate and mask mandate - waive the reading, accept the communication and place it on file.
- 5.72 Communication: Olga Lopatina, re: Burlington physician is OPPOSED to enforcement of mandates and vaccinations - waive the reading, accept the communication and place it on file.
- 5.73 Communication: Lorraine Miller, re: Mandates - waive the reading, accept the communication and place it on file.
- 5.74 Communication: Bailey Russell, re: Opposition against mask and vaccine mandates - waive the reading, accept the



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communication and place it on file.

5.75 Communication: Kelly Fairchild, re: Mask Mandates - waive the reading, accept the communication and place it on file.

5.76 Communication: Jennifer Stella, re: I oppose your mandate - vote no - waive the reading, accept the communication and place it on file.

5.77 Communication: Kendra Bowen, re: Against Mask Mandates - you will hurt small businesses - waive the reading, accept the communication and place it on file.

5.78 Communication: Elizabeth Scheuerman, re: far enough - waive the reading, accept the communication and place it on file.

5.79 Communication: Lisa Williams, re: NO Mask or Vaccine Mandates - waive the reading, accept the communication and place it on file.

5.80 Communication: Mary Metcalf, re: resolution - waive the reading, accept the communication and place it on file.

5.81 Communication: Lory Lyon, re: MY BODY MY CHOICE!! NO MANDATES!! - waive the reading, accept the communication and place it on file.

5.82 Communication: Senja Curran, re: No mandates - waive the reading, accept the communication and place it on file.

5.83 Communication: Eric Sigsbey, re: Mask mandate and Vax requirements - waive the reading, accept the communication and place it on file.

5.84 Communication: Dr. Victoria Dubin Master, re: Mask, Vaccination Ordinance. - waive the reading, accept the communication and place it on file.

5.85 Communication: Dawn Mize, re: mask and vaccine mandates - waive the reading, accept the communication and place it on file.

5.86 Communication: Jacqueline Ford, re: Church street and retailers - waive the reading, accept the communication and place it on file.

5.87 Communication: Carlene Wiegel, re: Mandates - waive the reading, accept the communication and place it on file.

5.88 Communication: Danielle Wood, re: Our bodies our choice - waive the reading, accept the communication and place it on file.

5.89 Communication: Chris Heimert, re: IM (@ianmSC) / Twitter - waive the reading, accept the communication and place it on file.

5.90 Communication: Daniel Cohen, re: Police Chief Search - waive the reading, accept the communication and place it on file.

5.91 Communication: Jules Lees, Member, Conservation Board, re: Resignation - waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Jules Lees thanking them for their time served as a member of the Conservation Board.

5.92 Communication: Bill Keogh and Jeff Munger, Members, Vehicle for Hire Licensing Board, re: Resignations - waive the reading, accept the communication, place it on file, advertise the vacancies and send a letter of appreciation to Bill Keogh and Jeff Munger thanking them for their time served as members of the Vehicle for Hire Licensing Board.



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5.93 Communication: Robert Brewer, Member, DAB Alternate, re: Resignation - waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Robert Brewer thanking him for his time served as an Alternate member on the DAB.

5.94 Communication: Jonathan S. Springer, Esq., Springer Law Office, PLLC, re: Wireless Facility Modification regarding the facility at 285 Intervale Road, Burlington, VT - waive the reading, accept the communication and place it on file.

5.95 Communication: State of Vermont, Department of Health, re: 2021 Local Health Annual Report - waive the reading, accept the communication and place it on file.

5.96 Communication: Mary Danko, Library Director, re: Request for authorization to execute a contract with and make payment to Dore & Whittier, for the Fletcher Free Library Remodel Project: Schematic Design Phase - authorize the Director of Fletcher Free Library to execute a contract with Dore + Whittier for the schematic design of the Fletcher Free Library in an amount of up to \$183,000.00 with a 5% contingency, totaling \$192,150.00, subject to review and approval of the City Attorney's Office.

5.97 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront and Melissa Cate, Superintendent of Recreation Facilities, re: Sublease of Space at CORE, 20 Allen Street - approve and authorize the subletting of Room 219 in the Old North End Community Center to the Janet S. Munt Family Room and Vermont Adult Learning to utilize classroom and clinic space on the terms provided in and substantially in conformance with the attached sublease and to authorize Mayor Miro Weinberger to execute the sublease and any related documents needed to carry out the sublease agreement, subject to the review of the City Attorney's Office.

5.98 Communication: Steve Roy, Senior Water Resources Engineer and Mike Schramm, Water Resources Engineer, re: Request for Approval to Execute Contract for Fire Alarm System Upgrades at the North and East Wastewater Treatment Plants - authorize the Director of Public Works to execute a contract with MEI Electrical Contractors for design/build services for the upgrade to the fire alarm systems at the North & East Wastewater Treatment Plants for up to \$146,435, with an additional \$36,600 in contingency, totaling \$183,035, subject to final review and approval by the City Attorney's Office.

5.99 Communication: Marie Friedman, Chief Financial Officer and Nic Longo, Acting Director of Aviation, re: Request for Approval of a \$1,015,505 Budget Neutral Amendment to the FY2022 Burlington International Airport Budget - approve a budget neutral amendment to the Fiscal Year 2022 Burlington International Airport budget in the amount of \$1,015,505 by increasing the accounts as described in the affiliated memorandum.

5.100 Communication: Jeffrey A. Padgett, Division Director for Parking and Traffic, re: Authorization to Make a Charitable Donation Fines for Food Pilot Program - authorize the Director of the Department of Public Works to make a charitable donation to Feeding

Chittenden in an amount equal to one-half of revenues received from delinquent parking ticket during the period of December 15, 2021 through January 15, 2022.

5.101 Communication: Katherine Schad, CAO, Martha Keenan, Capital & Special Projects Director, Lise Veronneau, BPD and Lee Perry, Assistant Director Public Works Maintenance Division, re: Use of Impact Fees to purchase 5 vehicles for use by Community Support Liaisons (CSLs) and Community Service Offices (CSOs) - approve the use of Police Impact Fees in the amount of \$153,975 to purchase five CSO and CSL vehicles.

5.102 Communication: Capital Committee, re: Use of \$1.5M of ARPA Funds to balance FY22 Capital Budget per City Council Budget approved on June 28, 2021 - approve the utilization of ARPA funds to the General Fund Capital Budget for \$1,533,000 from the Revenue reimbursement of General Fund revenue losses related to Calendar Year 2020.



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5.103 FIO Documents – for information only.

5.104 Resolution: Authorization For Reimbursement From Revenue Bonds For Electric Department Capital Improvements (Board of Finance) - waive the reading and adopt the resolution.

5.105 Resolution: Authorization To Accept U.S. Department Of Housing And Urban Development Home-ARP Grant (Board of Finance) - waive the reading and adopt the resolution.

MOTION by Councilor Stromberg, SECOND by Councilor Magee, to amend/adopt the consent agenda and take the actions as indicated for items 5.01-5.105.

VOTING: unanimous; motion carries.

6. DELIBERATIVE AGENDA

6.01 Communication: Burlington and Winooski City Councils, re: Pupil Weighting Factors Report

MOTION by Councilor Shannon, SECOND by Councilor Hightower, to endorse and adopt the letter and authorize the City Council President and Mayor to sign the letter on behalf of the City Council and the Administration of the City of Burlington.

DISCUSSION:

- Councilor Shannon said that the cities of Burlington and Winooski as well as other communities in Vermont have been short-changed in education funding by a per-pupil spending methodology that was established through Act 60. She said that a report was commissioned in 2019 to determine a more accurate calculation for per-pupil spending. She said that in order to achieve equity, the new weights must be implemented. She said that though a task force was formed to develop new weights, no substantive action has come out of it yet.
- Councilor Barlow gave an example of the inequity in some of the weighting for Burlington and Winooski, noting that English language learning programming is more expensive to implement than other types of programming. He said that the legislative delegation should focus on the recommendations in the report.

VOTING: unanimous; motion carries.

6.02 Resolution: Councilor Compensation (Charter Change Committee)

This item was removed from the agenda and was not discussed at this time.

6.03 Resolution: Sex Workers (Charter Change Committee)



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MOTION by Councilor Freeman, SECOND by Councilor Magee, to waive the reading and adopt the resolution.

DISCUSSION:

- **Councilor Freeman clarified that the resolution does not decriminalize sex work, since there is still State statute that needs to be adhered to.**
- **Councilor Magee said that this resolution would not make decriminalization more unlikely, also citing State statute. He expressed support for the charter change, as it would update the classist and sexist antiquated language currently in the charter, as well as bring the language more in alignment with statute.**
- **Councilor Stromberg spoke in support of the resolution, saying that the conversation around it in the public sphere has helped to destigmatize sex work.**

VOTING: unanimous; motion carries.

7. COMMITTEE REPORTS

7.01 Verbal Reports

Councilor Hightower said that the Joint Committee has been dissolved and all issues will be referred to and taken up by the Public Safety Committee.

Councilor Paul said that the Public Safety Committee is meeting on December 15 at 5:30 PM and will discuss the CNA report and moving forward with its recommendations.

Councilor Shannon said that the Park, Arts, and Culture Committee reviewed many qualified applicants for the Dog Task Force and appointed members, which is now working on organizing its first meeting.

Councilor Hanson said that the Transportation, Energy, and Utilities Committee will reschedule its December meeting to some time in early January.

Councilor Carpenter said that Community Development and Neighborhood Revitalization Committee will use its January meeting to discuss funding that has been made available to combat homelessness.

8. CITY COUNCIL – GENERAL AFFAIRS

8.01 Verbal Reports



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Councilor Hightower spoke about her personal experience with homelessness and the trauma that removing people from their homes causes. She said that houseless people should have had supports in place prior to being unhoused by the destruction of Sears Lane.

Councilors Stromberg, Hanson, and Magee also spoke against the destruction of Sears Lane.

Councilor Shannon said that Sears Lane was unsafe for first responders and noted that the Mayor ensured that all residents had housing arrangements prior to closing the encampment. She noted safety concerns that were raised.

9. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

9.01 Verbal Reports

City Council President Tracy noted that appraisal applications are due on December 15th.

10. MAYOR – GENERAL AFFAIRS

10.01 Verbal Reports

Mayor Weinberger noted that the City is testing water for the Omicron variant on a weekly basis, and that the variant has not yet been detected in this testing. He also noted that a masking ordinance is in place.

Mayor Weinberger also noted that New Years Eve celebration events are being scheduled virtually and in person.

Mayor Weinberger spoke about Sears Lane, noting that statements put out by the Progressive caucus contain inaccuracies. He noted that Sears Lane was deemed unsafe by the Fire Chief and that inaction would have created harm rather than reducing it.

11. COMMUNICATION: CITY ATTORNEY RICHARDSON, RE: STATE OF VERMONT OPIOID SETTLEMENT AGREEMENTS AND ELECTION TO JOIN AGREEMENTS **likely open and executive session**

11.01 Communication: City Attorney Richardson, re: State of Vermont opioid settlement agreements and election to join agreements **likely open and executive sessions**

City Attorney Richardson said that the State of Vermont through the Attorney General's Office has negotiated a multi-billion dollar deal with five of the companies involved in opioid production and distribution. He said that there is a distributor settlement and a manufacturer settlement. He said that the settlements are both very complicated, saying that they rival the tobacco litigation of the 1990s. He said he offered an executive session to give legal advice to the Council, noting that the question before them is whether they will join the settlements. He said that Vermont has settled and part of



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the agreement was that the major subdivisions of the State are made potential parties to the settlement. He said that the City stands to receive more from the manufacturer than the distributor settlement. He said that out of that money that comes to Vermont, it would be bucketed as 15% to subdivisions (municipalities), 15% to the State, and 70% to an abatement program. He noted that the deadline for joining the settlement agreement is January 2.

MOTION by Councilor Hanson, SECOND by Councilor Stromberg, that the Council find that premature general public knowledge of information concerning the legal advice of the City Attorney with regards to the legal components and ramifications of the Vermont Opioid Settlements would clearly place the City at a substantial disadvantage.

VOTING: unanimous; motion carries.

MOTION by Councilor Hanson, SECOND by Councilor Stromberg, that based upon that finding, the Council go into executive session to (a) receive confidential attorney-client communications pursuant to 1 VSA §313(a)(1)(F) and (2) to discuss a pending or probable civil litigation matter, 1 VSA §313(a)(1)(E), to include the City Attorney, Council, Mayor, and Chief of Staff.

VOTING: unanimous; motion carries.

The City Council entered into executive session at 10:08 PM.

12. ADJOURNMENT

12.01 Motion to Adjourn

RScty: AACoonrad