



**Regular City Council Meeting - Monday, December 7, 2020, 7:00
pm **VIRTUAL MEETING**
12/7/2020**

BURLINGTON CITY COUNCIL

REMOTE MEETING WITH CALL-IN NUMBER

BURLINGTON, VERMONT

MINUTES OF MEETING

December 7, 2020

MEMBERS PRESENT: Karen Paul

Max Tracy

Chip Mason

Joan Shannon

Ali Dieng

Brian Pine

Jack Hanson

Franklin Paulino

Perri Freeman

Jane Stromberg

Sarah E Carpenter

Zoraya Hightower

OTHERS PRESEN Miro Weinberger

Katherine Schad

Eileen Blackwood

Olivia LaVecchia

Jordan Redell

Lori Olberg



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Amy Bovee

Shirin Hart

Jabulani Gamache

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Tracy at 7:05 PM.

MOTION by Councilor Stromberg, SECOND by Councilor Pine, to amend/adopt agenda as follows:

- **note revised version for consent agenda item 5.20 (per CAO Schad);**
- **note written materials and motion for consent agenda item 5.21 Communication: Jon Adams-Kollitz, Parks Project Coordinator, Sophie Sauve, Parks Comprehensive Planner, Cindi Wight, Director, Department of Parks, Recreation & Waterfront (BPRW), re: Burlington Bike Path Rehabilitation Phase 3b Design - Amendment;**
- **note revised version of the excel spreadsheet as part of the consent agenda item 5.23 City of Burlington Retained Perpetual Lease Interests List to be voted on at the December 7, 2020 Regular City Council Meeting (per Assistant City Attorney Sturtevant);**
- **add to the consent agenda item 5.24 Communication: Lucy Circe, re: Documents from Lucy Circe re: Agenda 6.02 Constitutionality of proposed new ordinance with the motion to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 5.25 Communication: Emma Kouri, South Prospect Street, re: City council meeting tonight, community controls of police with the motion to "waive the reading, accept the communication and place it on file";**
- **note proposed amendment for agenda item 6.02 Resolution: March 2, 2021 Annual City Meeting--Just Cause Evictions Charter Change (Charter Change Committee)(per Councilor Carpenter);**
- **note additional written materials for agenda item 6.03 Resolution: March 2, 2021 Annual City Meeting--Independent Community Control Board To Oversee Investigation And Discipline Of Police Misconduct Charter Change (Charter Change Committee);**
- **note revised version, title change and sponsor for agenda item 6.04 REVISED Resolution Relating to March 2, 2021 Annual City Meeting - Charter Change Re: Additions to Airport Commission (Councilor Paul)(per City Attorney's Office);**
- **note written material, revised title and sponsor for agenda item 6.05 Resolution: Charter Change re Regulation of Thermal Energy Systems in Residential and Commercial Buildings (per City Attorney's Office);**
- **note proposed amendment to remove this agenda item and place it on the December 14, 2020 Special City**





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Council Deliberative Agenda (per Councilor Mason)

MOTION TO AMEND by Councilor Freeman, **SECOND** by Councilor Stromberg, to extend public forum and hear from all members of the public who have signed up to speak, and to suspend the rules and complete the agenda.

MOTION TO AMEND by Councilor Hightower, **SECOND** by Councilor Paulino, to hear public forum no later than 11:00 pm, and to approve the consent agenda, and recess the meeting until December 14, 2020.

VOTING ON AMENDMENT TO THE AMENDMENT (by roll-call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, City Council President Tracy – nay (7 ayes, 5 nays); Motion carries.

MOTION TO AMEND by Councilor Hanson, **SECOND** by Councilor Mason, to keep the decarbonization item (item 6.05) on the deliberative agenda for the recessed December 14, 2020 City Council meeting.

VOTING: unanimous; motion carries

VOTING ON AMENDED AMENDMENT (by roll-call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – aye, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, City Council President Tracy – aye (10 ayes, 2 nays); motion carries.

MOTION TO RECONSIDER THE QUESTION (of adopting the agenda as amended) by Councilor Freeman, **SECOND** by Councilor Stromberg.

VOTING (by roll-call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – aye, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, City Council President Tracy – aye (8 ayes, 4 nays); motion carries.



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MOTION to CALL THE QUESTION by Councilor Pine, SECOND by Councilor Hightower.

VOTING (by roll-call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – nay, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – nay, City Council President Tracy – nay (7 ayes, 5 nays); motion fails.

MOTION by Councilor Freeman, SECOND by Councilor Hightower, to extend the agenda to complete the public forum for members of the public who have signed up to speak.

VOTING (on amendment) (by roll-call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, City Council President Tracy – aye (11 ayes, 1 nay); motion carries.

VOTING ON MOTION AS AMENDED (by roll-call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – nay, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, City Council President Tracy – aye (11 ayes, 1 nay); motion carries.

2. REPORT OF BURLINGTON POLICE COMMISSION IN RESPONSE TO RESOLUTION 4.20 REGARDING STRONGER DISCIPLINARY MEASURES IN POLICE ENCOUNTERS INVOLVING BRUTAL OR EXCESSIVE FORCE

2.01 Report Of Burlington Police Commission In Response To Resolution 4.20 Regarding Stronger Disciplinary Measures In Police Encounters Involving Brutal Or Excessive Force

Chair Gamache said that through the passage of Resolution 4.02 in September, the Police Commission was tasked with researching stronger disciplinary measures in police encounters involving excessive use of force. He said that the Commission recommends that the Burlington Police Officers' Association (BPOA) contract be revised to state that conduct that might have been redressed through certain disciplinary action can be treated differently going forward, as the standard of just cause within the contract could potentially be limiting on future disciplinary actions. The Commission also recommends that restrictive records retention limitations in the BPOA contract be reviewed and reconsidered when the contract is renegotiated. The Commission further noted that an impediment to stronger police disciplinary measures is cultural resistance and the unwillingness to entertain increased external scrutiny. It recognized that staffing needs will be a short-term concern as the department's staffing levels fall but said that these concerns should not play a role when determining courses of action for disciplining officers. The Commission's report summarizes the updates to Burlington's Use of Force policy (DD05) made since February of 2020, and also highlights the passage of Act 165, a statewide standard and policy for law enforcement use of force, which will go into effect in July of 2021. It recommends a review of DD05 to ensure consistency with Act 165, as well as stronger enforcement of DD05.

Councilor Paul observed that the report recommends actions around revising the BPOA contract. She asked if changes to



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disciplinary practices could be made now, or whether they depend on revisions to the contract. City Attorney Blackwood replied that an employer is required to bargain the terms and conditions of employment with employees, and that changes in disciplinary practice would need to be negotiated between the employer and employee. Commissioner Hart added that this document was not meant to represent a legal opinion, but simply recommendations.

Councilor Dieng asked about the retention of records and why records are only kept for one year. Chair Gamache replied that he does not know about the origins of the requirement limits. City Attorney Blackwood replied that it is not unusual in collective bargaining agreements for unions to push hard to limit the time that documentation can be held against their employees.

3. PUBLIC FORUM

3.01 Verbal Comments

Forum opened at 7:54 PM.

COMMENTS:

- Ashley Laporte spoke in support of community-controlled policing as it relates to the charter change focused on police discipline. This proposed policy contains significant community input, especially BIPOC and other marginalized community members, it ensures that there is discipline and investigatory power from an independent community body; it also proposes that the board be well-resourced; significantly different from the current Police Commission structure. We have a right as the community to hold the police accountable. Spoke in disfavor of the counterproposal proposed by the Mayor and expressed frustration at the lack of sincere engagement from Councilors.
- Jadah Bearden spoke about the work done by the public to participate in the charter change committee meetings and said that community-centered mutual aid and community care needs to happen now.
- Jess Laporte expressed her disappointment in the Council's facilitation of the public process. She said the public tries to effectuate a lot of turnout to engage in the political process in multiple different ways, but that it feels to her and many others that public input has little influence on some City Councilors' decisions around this particular charter change.
- Marcia Johnson spoke in support of the charter change related to police discipline, commending its independence from the police department.
- Zanevia Wilcox recited a poem called "A Letter to Our City's Leaders", which spoke of the continuation of police abuse in Burlington, called for separate and independent power and full transparency, and said that this board is an opportunity to disrupt and break down racist systems.
- Alyssa Chen spoke in favor of the community-controlled policing charter change, saying that it would protect the most marginalized members of the Burlington community.
- Zully Palacios spoke as a representative of the migrant justice community, which represents the migrant farmworkers in Vermont. She spoke about her experiences with the policing discriminating against them and abusing their power, and as a result, that her community does not feel safe or supported. She supports the creation of the independent body to monitor the work of the police and have better accountability.
- Brian Cina spoke in support for putting the proposed charter change regarding community-controlled police on the March ballot. He spoke about the importance of the balance of power not only at the federal level, but at the local



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oversight level, through a quasi-disciplinary body with independence from the police department.

- Sarah Burch spoke in support of the charter change proposal for community-controlled policing. She said the community is frustrated about the lack of accountability for violent police officers and actions. She said the currently-proposed charter change represents a massive amount of research and work. She noted that dismantling systemic racism means that the system itself has to change.
- Rory Malone spoke in support of the charter change proposal for community-controlled policing, saying that the people should be able to decide who is policing them.
- Phoebe Paron spoke in favor of the community-controlled policing charter change, calling out its independent oversight board, investigatory and disciplinary power, and its composition requirements to include BIPOC members and community members who have experienced houselessness, incarceration, disabilities, drug use, and mental illness as important features.
- Mary Collett voiced her support for the charter change proposal for community-controlled policing. She spoke in support of the creation of an independent board.
- Leif Taranta spoke echoed the points of other speakers, saying that the police have had extremely negative impacts on the most marginalized in the community.
- Grace Pfeil spoke in favor of proposed charter change for community-controlled policing, saying that the BIPOC community has invested countless hours helping to develop this proposal.
- Tsuki spoke in favor of the proposed charter change for community-controlled policing.
- Alexander Kovacs spoke in favor of an independent police accountability board, as outlined by ACLU guidelines.
- Will Dunkley expressed thanks to the BIPOC leaders for their work on the charter change proposal for community-controlled policing. He said that this charter change, as well as the just-cause eviction charter change, should be on the ballot in March for the voters' consideration.
- Peggy Owens Sands spoke in support of the proposed community-controlled police charter change and urged the Council to honor the Racial Justice Resolution it passed in June. She noted that the proposal was put together in consultation with the ACLU of Vermont, the Racial Justice Alliance's Operation Phoenix Rise, and the Battery Park Movement, representing a truly collaborative community process.
- Miranda Holbrook spoke in favor of the proposed community-controlled police charter change, and urged the Council to allow it on the March ballot.
- Nell Carpenter voiced frustration about Mayor Weinberger's counterproposal.
- Alie Sarhanis spoke in favor of the proposed community-controlled police charter change, fully supporting the creation of an independent, transparent body with investigatory and disciplinary power of the police force.
- Sara Noel spoke in support of the proposed charter change for community-controlled policing. She said it is a great opportunity to implement real transformative change and urged Councilors to vote to include it on the March ballot.
- Sophie Cassel spoke in favor of both the proposed charter change for community-controlled policing and the just-cause eviction charter change.
- Dana Keyes-Gibbons spoke in support of the creation of an independent community control board to oversee the Burlington Police Department. She said it is important that the board is completely new, not an adjustment to an existing board or structure.
- Deirdre Graham spoke in support of the proposed community-controlled police charter change.
- Arima Minor spoke in emphatic support for the resolution for community-controlled police, saying that it will provide for the safety and enjoyment of the City for all members of the community.
- Jorge Rios Garcia spoke about the inclusion of the Latinx community in democracy and urged the City Council to approve the inclusion of the proposed community-controlled policing charter change on the ballot, so that the community as a whole can decide whether they want this change.
- Daniel Munteanu spoke in favor of the proposed community-controlled policing charter change, as well as his experience of being a first-generation American.
- Hannah spoke in support for the charter change for community oversight of policing, as well as the just-cause



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eviction charter change.

- Tessa McGann spoke in support for the charter change for community-controlled police. She urged City Councilors to adopt the charter change for the sake of combating racism as a public health crisis, adding that the change was developed by the experts who have done the work to research the issues.
- Lilla Fortunoff spoke in favor of the charter change for community-controlled policing.
- Emily Bremer voiced her support for the charter change for community-controlled police.
- Maggie Chadwell spoke in support of the proposed charter change for community-controlled policing, saying that it is a vital step to reform the police and improve public safety. She said that the power to investigate and discipline officers must be put in the hands of the community.
- Anne Lawson urged the City Council to adopt the community-controlled policing charter change as proposed. She spoke in disfavor of the Mayor's counterproposal, which was released at the last minute.
- Andy Sebranek spoke in favor of the community-controlled policing charter change.
- Jabari Jones spoke in support of the proposal to put a police control board on the ballot. He said it would raise the bar on police oversight and discipline, saying that allowing the police to police themselves is perpetuating harm and not safety.
- Becky Laird spoke in favor of the proposed charter change for community-controlled policing.
- Ava Fusco spoke to support the proposed charter change for community-controlled policing. She urged City Councilors to adopt this resolution, saying that the lives of community members are hanging in the balance.
- Sitak spoke about her experience as a Black student at Champlain College and spoke in support of the charter change for community-controlled policing.
- Fern Aguda-Brown spoke in support of the proposed charter change for community-controlled policing.
- Trish O'Kane spoke in support of putting the community-controlled policing charter change on the ballot in March. She urged City Council to support the resolution so that all community members can live in Burlington without fearing the police.
- Mark Hughes spoke in favor of the charter change for community-controlled policing.
- Christine Hughes said that the proposed charter change for community-controlled policing is a good first step toward dismantling racist systems. She noted that the current system enables police to escape accountability and that they, like every other industry, need more rigorous oversight measures.
- Emma Redden spoke in favor of the just-cause charter change. She also spoke in favor of the community-controlled policing charter change.
- Galandrielle Richmond suggested that City resources could be used more effectively when it comes to police oversight. She spoke in support of the proposed charter change that would create an independent police oversight board.
- Tyler Pastorok spoke in support of the proposed charter change that would establish an independent community control board for police.
- Grace Horelick spoke in favor of a charter change for community-controlled policing and the creation of an independent police oversight board.
- Emily Wanzer voiced her support for the proposed charter change for community-controlled policing and urged City Council to vote to approve the placing of this proposed charter change on the March ballot. She also spoke in support of the just-cause eviction charter change.
- Julia Masuga spoke in support of the charter change for community-controlled policing. She also spoke in favor of the thermal regulation charter change.
- Em Bauer spoke in support of community-controlled policing, citing specifically the creation of an independent police oversight board. She also spoke in favor of the just-cause eviction charter change.
- Trav Fryer spoke in support of the proposed community-controlled policing charter change, saying that the police should be accountable to the community.
- Meg Trogolo spoke in favor of the proposed community-controlled policing charter change.



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- William Keeton voiced support for the proposed community-controlled policing charter change.
- Kimberly Chadwell spoke in favor of getting the proposed charter change for community-controlled policing on the March ballot for voter consideration.
- Grace Ahmed spoke in favor of the proposed community-controlled policing charter change.
- Jake Van Wolvelear spoke in support of proposed charter changes for both just-cause eviction and community-controlled policing, saying that these measures support the right for community members to feel safe in our city.
- Maria Castine spoke in favor of the proposed charter changes for community-controlled policing and just-cause eviction.
- Alana Redden spoke in support of the proposed policing charter change, which would create a 100% community-led board to oversee disciplining and monitoring of the police.
- Ian Lund spoke in favor of the proposed policing charter change.
- Giselle Glaspie spoke in support of the just-cause eviction charter change, saying that landlords should not have the right to threaten renters with evictions for no cause.
- Christine Fleming spoke in favor of the charter change for regulation of thermal energy systems in commercial and residential buildings, saying it is an important step in climate action.
- Alex Karambelas spoke in support of the proposed community-controlled policing charter change, reminding City Council that with the June racial justice resolution, they committed to reforming policing this year.
- Lydia Kern voiced her support for the proposed community-controlled policing charter change, saying that it is a good opportunity to raise the bar in terms of progress on police reform.
- Amy Malinowski urged the City Council to support the proposed community-controlled policing charter change, saying that it is thoughtfully constructed and has received feedback and input from many stakeholders and community members.
- Emma Galvin spoke in favor of the proposed community-controlled policing charter change.
- Steven Margolin pointed out two problems with the current police system, saying that the Chief of Police is a hindrance to disciplinary actions and additionally that the limit of only holding discipline records for 1 year inhibits the ability to track and analyze patterns of police behavior. He said that this demonstrates that the police cannot police themselves.
- Wiley Redding urged the City Council to listen to the people of Burlington, who are telling them to allow the proposed policing charter change on the March ballot.
- Sophia Hodson spoke in favor of the proposed community-controlled policing charter change.
- Jessie Gustafson voiced support for the proposed charter change for community-controlled policing.
- Tia Hunt spoke in support of the proposed community-controlled policing charter change, saying that it is a step to combatting racism as a public health emergency.
- Leanne Shulman spoke in favor of the just-cause charter change as well as the proposed community-controlled policing charter change. She urged the City Council to approve them for placement on the March ballot.
- Andrew Giger urged support for the proposed charter change for community-controlled policing.
- Abby Hodson spoke in favor of the proposed charter change for community-controlled police, saying that a lot of energy, research, and time went into this proposal. She encouraged City Council to place this on the March ballot for the consideration of the voters.
- Aleya Feinberg spoke in support of the just-cause eviction charter change and the community-controlled policing charter change.
- Lillian Vinson voiced support for the community-controlled policing charter change.
- Rachel Smith spoke in support of the proposed charter change for community-controlled policing, saying that this past year has shown just how important it is to have community control over policing. She also spoke in favor of the just-cause eviction charter change being placed on the ballot.
- Sarah Sciortino spoke in favor of the just-cause eviction charter change, the community-controlled policing charter change, and the charter change for regulation of thermal energy systems in commercial and residential buildings.



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- Christie Delphia spoke in support of the just-cause eviction charter change, urging City Councilors to take action and allow voters to vote on this change on the March ballot.
- Hana Saydek voiced support for charter change regarding the community control of police.
- Emma Chaffee spoke in favor of the charter change for community-controlled police, saying that the community control of police is a necessity that is past due, and supports the Battery Park Movement and Racial Justice Alliance Phoenix Rise initiative.
- Joey Corcoran spoke in favor of the community-controlled policing charter change, saying that a community-controlled police disciplinary board seems very similar to the State's Office of Professional Regulation, to ensure the restoration of trust and level of safety for all residents.
- Zoe Koeninger spoke in favor of the charter change regarding the community control of police.
- Liz Kessler spoke in favor of the community-controlled police charter change, saying that it creates a space for the voices of the marginalized in our community.

(Amy stopped at 11:33PM)

- Mary Lacy spoke in support of the community control of police board, saying that the community needs accountability from an independent and resourced body, and that the City deserves to be able to vote on it in March.
- Oskar Flemer spoke in support of putting control of the BPD into the hands of the community, per the charter change proposed by Councilor Freeman.
- Skyler Pearse spoke about the need for an independent disciplinary board that is separate from the BPD, to hold the police accountable to their actions. She spoke in support of the community-controlled policing proposed charter change.
- Matt Kimball voiced support for the charter change to create an independent community-controlled board for the police.
- Amanda Shehan spoke about the proposed charter change for just-cause eviction. She said she has reservations about the language as proposed, which does not allow enough flexibility for landlords to evict tenants who create hostile or threatening environments for other tenants. She said that this charter change could make people feel unsafe. She said that the proposal is onerous for landlords.
- Deborah Kraft voiced her support for community-controlling policing, saying that the police department needs an independent body of community members to provide input when police officers need to be disciplined.
- Tom Proctor spoke about the just-cause eviction proposed charter change. He said he is not in favor of tying the City's hands by creating loopholes that big landlords will use to continue evictions, though he supports the general idea.
- Alyssa Breda thanked BIPOC and marginalized community members for putting their time and energy into the proposed charter change for community-controlled policing. She expressed frustration that the City is not listening to these members of the community.
- Erhard Mahnke spoke in support of the just-cause eviction charter change. He also spoke about the policing charter change, saying that independent oversight of the police is needed from an independent, separate body.
- Eric Maier voiced frustration at the current actions of some politicians in the City.
- Forrest voiced his support for community control of police and the proposed policy for charter change.
- Jonathan Silverman spoke in favor of the proposal for University Place, saying that more bike lanes and the creation of a one-way street would make it a lot safer, and would set a precedent for other road and traffic patterns in Burlington.
- Alex Sturges expressed support for the proposed policy for a completely independent community-controlled board with full investigatory and disciplinary power to function alongside the current Police Commission, with a makeup of marginalized and BIPOC individuals.
- Emily Tardie spoke in favor of the proposed charter change for community-controlled policing, highlighting the



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independent nature and BIPOC composition of the board.

- Sonya Buglion-Gluck spoke about how other towns look to Burlington when developing policies, and spoke specifically about the Town of Essex Selectboard and its exploration of community-controlled policing. She said that Burlington's decisions around policy have effects beyond its City limits.
- Jimmy Martucci voiced his agreement and demand to pass the resolution for a proposed charter change around community-controlled policing. He said that the passage of this resolution is a requisite for passing any other meaningful police reform in Burlington.
- Linnea Willey expressed frustration at the Mayor's last-minute counterproposal around community-controlled policing. She spoke in support of the charter change and said Burlington could help pioneer the restructuring of public safety.

Forum closed at 12:20 AM.

4. CLIMATE EMERGENCY REPORTS

4.01 Climate Emergency Reports

5. CONSENT AGENDA

5.01 Motion to adopt the consent agenda 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.

5.03 Communication: C/T Office, October 19, 2020 Regular City Council Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.04 Communication: C/T Office, re: October 19, 2020 Local Control Commission Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.05 Communication: C/T Office, re: October 19, 2020 City Council With Mayor Presiding Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.06 Communication: C/T Office, re: October 19, 2020 Board of Civil Authority Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.07 Communication: C/T Office, re: November 9, 2020 Regular City Council Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.08 Communication: C/T Office, re: November 9, 2020 Local Control Commission Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.



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5.09 Communication: C/T Office, re: November 9, 2020 Board of Civil Authority Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.10 Communication: C/T Office, re: November 9, 2020 Full Board of Abatement of Taxes Meeting, Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.11 Communication: C/T Office, re: November 16, 2020 Special City Council Meeting Regarding CityPlace Burlington Mediation Preparation,

Draft Minutes - waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting.

5.12 Communication: JoAnn Lafayette, re: Abatement of Taxes – waive the reading, accept the communication and place it on file.

5.13 Communication: Steven A. Locke, Fire Chief, re: EMS & Ambulance Service Provider Stabilization Grant Award - approve and authorize the acceptance of the EMS and Ambulance Service Provider Stabilization grant award in the amount of \$182,578.00 as outlined in Chief Locke's memo dated, November 20, 2020.

5.14 Communication: Corey Mims, PE, Public Works Engineer and Laura Wheelock, PE, Senior Public Works Engineer, re: VTrans Finance and Maintenance Agreement Burlington NH PC21(1) for US7/I-189 Concrete Pavement Repair - authorize the Director of Public Works to execute the Finance and Maintenance Agreement State of Vermont and City of Burlington for Burlington NH PC21(1) Contract Number: FM0404 – subject to City Attorney Approval.

5.15 Communication: Luke McGowan, CEDO Director, Katie Kinstedt, CEDO Assistant Director for Administration and Finance and Tony Berry, Human Resources Manager, re: Reclassification of Housing Program Specialist I to Housing Program Specialist II - approve the:

1) Reclassification of the Community Development Specialist I – Grants Management, CEDO, a Regular, Full-time, Exempt, Non-union, Grade 16, position to Community Development Specialist II – Grants Management, a Regular, Full-time, Exempt, Non-union, Grade 17, position;

2) Reclassification of the Community Development Specialist II – AmeriCorps, CEDO, a Regular, Full-time, Exempt, Non-union, Grade 17, position to Community Development Specialist II – Homelessness and Equity, a Regular, Full-time, Exempt, Non-union, Grade 18, position;

3) Reclassification of the Housing Program Manager, CEDO, a Regular, Full-time, Exempt, Non-union, Grade 19, position to a Regular, Full-time, Exempt, Non-union, Grade 20, position.

5.16 Communication: County Assistant Judges, re: Pre-Budget Meeting - waive the reading, accept the communication and place it on file.

5.17 Communication: Burlington International Airport, re: Authorization to Amend Champlin Associates Contract for Operation and Maintenance of Airport's Underground Injection Control Systems - authorize the Director of Aviation to execute necessary amendments to the Burlington International Airport's current contract with Champlin Associates for the provision of operation and maintenance services for Underground Injection Control Systems by extending the term to end on December 31, 2022 and raising the maximum limiting amount by up to \$113,238.00, from \$47,182.50 to up to \$160,420.50 total, subject to final review and approval by the City Attorney's Office.



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5.18 Communication: Burlington International Airport, re: Authorization to Sign Contract for Window Washing Services with Home Window and Maintenance Service - authorize the Director of Aviation to enter into a contract for window washing services with Home Window and Maintenance Service for an amount up to \$108,157.50, subject to final review and approval by the City Attorney's Office.

5.19 Communication: Martha Keenan, Capital & Asset Program Manager, Department of Public Works, re: Budget Amendment for Carryforward of Capital from Fiscal Year 2020 to Fiscal Year 2021 - approve and authorize a budget amendment in the amount of \$3,983,880.13, to be transferred to and from the accounts described in the accompanying memo, to carryforward remaining Capital Budget funds from Fiscal Year 2020 to Fiscal Year 2021.

5.20 Communication: Katie Kinstedt, Asst. Director Admin & Finance, CEDO and Luke McGowan, Director Community & Economic

Development Office (CEDO), re: Local Government Expense Reimbursement (LGER) Grant Acceptance, 01140CRF20LGE0132 - approve the acceptance of Local Government Expense Reimbursement (LGER) Grant, number 01140CRF20LGE0132, and authorize the CEDO Assistant Director, Administration & Finance to take all necessary steps to effectuate the acceptance of the grant.

5.21 Communication: Jon Adams-Kollitz, Parks Project Coordinator, Sophie Sauve, Parks Comprehensive Planner, Cindi Wight, Director, Department of Parks, Recreation & Waterfront (BPRW), re: Burlington Bike Path Rehabilitation Phase 3b Design – Amendment - approve and authorize the execution of a contract amendment with Vanasse Hangen Brustlin, Inc. (VHB) for a price not to exceed \$63,710 for the Burlington Bike Path Rehabilitation Phase 3b Design project, plus a project contingency of \$9,557 for a total of \$73,267, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract amendment for a total of \$183,207 and any related documents needed to carry out the project, subject to City Attorney's Office review.

5.22 FIO Document – for information only.

5.23 Resolution: Release Of Certain Glebe And Perpetual Lease-Land Interests And Adoption Of City Of Burlington Perpetual Lease Land Interests List (Councilor Mason) - waive the reading and adopt the resolution.

5.24 Communication: Lucy Circe, re: Documents from Lucy Circe re Agenda 6.02 Constitutionality of proposed new ordinance – waive the reading, accept the communication, and place it on file.

5.25 Communication: Emma Kouri, South Prospect Street, re: City council meeting tonight, community control of police – waive the reading, accept the communication, and place it on file.

MOTION by Councilor Stromberg, SECOND by Councilor Paul, to amend/adopt the consent agenda, taking the actions as indicated for items 5.01-5.25.

VOTING: unanimous; motion carries.

6. DELIBERATIVE AGENDA

6.01 Presentation: Laura Wheelock, Senior Public Works Engineer and Phillip Peterson, Associate Public Works Engineer, re: University Place Streetscape Improvements

Not discussed at this time.



Regular City Council Meeting - Monday, December 7, 2020, 7:00 pm **VIRTUAL MEETING 12/7/2020**

6.02 Resolution: March 2, 2021 Annual City Meeting--Just Cause Evictions Charter Change (Charter Change Committee)

Not discussed at this time.

6.03 Resolution: March 2, 2021 Annual City Meeting--Independent Community Control Board To Oversee Investigation And Discipline Of Police Misconduct Charter Change (Charter Change Committee)

Not discussed at this time.

6.04 Resolution: March 3, 2020 Annual City Meeting – Charter Change Re: Additions To Airport Commission (Charter Change Committee)

Not discussed at this time.

6.05 Resolution: Proposed Charter Change re Regulation of Thermal Energy Systems in Residential and Commercial Buildings

Not discussed at this time.

7. COMMITTEE REPORTS

7.01 Verbal Reports

None at this time.

8. CITY COUNCIL – GENERAL AFFAIRS

8.01 Verbal Reports

None at this time.

9. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

9.01 Verbal Reports

None at this time.

10. MAYOR – GENERAL AFFAIRS



**Regular City Council Meeting - Monday, December 7, 2020, 7:00
pm **VIRTUAL MEETING**
12/7/2020**

10.01 Verbal Reports

None at this time.

11. ADJOURNMENT

11.01 Motion to adjourn

The City Council meeting recessed at 12:33 AM.

RScty: AACoonrad