



November 18, 2019

Regular City Council Meeting - Monday, November 18, 2019, 7:00 pm, Contois Auditorium, City Hall

 [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: add to the consent agenda item 5.17 Communication: Cindy Cook, re: Serious Safety Issues on East Avenue and throughout the city with the action to "waive the reading, accept the communication, place it on file and send copies to the TEUC Members"; note written materials for agenda item 6.01 Communication: Mayor Miro Weinberger, re: Appointment of the Executive Director of the Church Street Marketplace (per COS Redell); note Kesha Ram's withdrawal request regarding agenda item 6.03. Appointment: Special Committee to Review Policing Policies (per Kesha Ram): not revised version of agenda item 6.07 Resolution: Accessibility To The Certificate Of Compliance 1-5 Year System As An Important Tool In Evaluating Landlord Accountability (Revised)(Councilor Paul)(per Councilor Paul); remove from the consent agenda item 5.05 Communication: Amy Bovee, Assistant City Clerk and Beth Anderson, CAO, re: Request to close early on the Monday before elections and place it on the Deliberative Agenda as item 6.08 (per Councilor Hanson)

2. Resolution: Recognizing Deputy Fire Chief Aaron Collette For Completing The Executive Fire Officer Program

2.01 Resolution: Recognizing Deputy Fire Chief Aaron Collette For Completing The Executive Fire Officer Program (Full City Council)

Type: Action, Recognition, Resolution

Recommended Action: waive the reading and adopt the resolution

 Fire - Recognizing Deputy Fire Chief Aaron Collette for completing the Executive Fire Officer Program.pdf

 Signed CC Resolution Recognizing Deputy Fire Chief Aaron Collette For Completing The Executive Fire Officer Program.pdf

3. Communication: Adam Roof, Burlington City Councilor, Ward 8 (5 mins.)

3.01 Communication: Adam Roof, Burlington City Councilor, Ward 8, re: Requesting Support for the BTV Low - Barrier Shelter Soup Drive (5 mins.)

Type: Communication, Information

 Shelter Soup Drive Communication.docx

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

4.01 Verbal Comments

Type: Information, Procedural



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5. Consent Agenda

5.01 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 actions as indicated: add to the agenda item 5.17 Communication: Cindy Cook, re: Serious Safety Issues on East Avenue and throughout the city with the action to "waive the reading, accept the communication, place it on file and send copies to the TEUC Members"; remove from the agenda item 5.05 Communication: Amy Bovee, Assistant City Clerk and Beth Anderson, CAO, re: Request to close early on the Monday before elections and place it on the Deliberative Agenda as item 6.08 (per Councilor Hanson)

5.02 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 111819 cc
mtg LO.xlsx

5.03 Communication: Jeffrey Herwood, Clerk/Treasurer's Office and Beth Anderson, Chief Administrative Officer, re: Vermont Brewers Association Refund

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Chief Administrative Officer (CAO) to refund gross receipts Admission taxes paid by the Vermont Brewers Association inappropriately submitted totaling \$7,549.10, and to authorize the CAO to make the budget amendments necessary in the FY19 budget to reflect the repayment

Communication re Vermont Brewers
Association Refund.pdf

5.04 Communication: Rich Goodwin, Director Financial Operations and Darlene Bayko, Banking and Cash Operations Manager, re: Investment Performance Summary: FYTD 09/30/19

Type: Action (Consent), Communication, Information

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

111819_102919_ Investment Quarterly Update
ending 09.30.19 +baa+rgg +FINAL .jsj.docx

111819_Burlington_VT__Quarterly Investment
Summary_DB +RG_v2.xlsx

111819_BOF CC Checklist_Nov2019.docx

5.05 Communication: Amy Bovee, Assistant City Clerk and Beth Anderson, CAO, re: Request to close early on the Monday before elections **now agenda item 6.08**

Type: Action (Consent), Communication, Information

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

Notice of Closing at Elections_11 18 19.pdf

Checklist for Closing Early.pdf



November 18, 2019

Regular City Council Meeting - Monday, November 18, 2019, 7:00 pm, Contois Auditorium, City Hall

5.06 Communication: Carl H. Fowler, PF 11/04/19 CC Response to the May 23, 2019 Memo between VTRANS, VHB Consultants and Amtrak

Type: Action (Consent), Communication

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

Communication Carl H. Fowler re PF 110419
CC Response to the May 23, 2019 Memo
between VTRANS, VHB Consultants and Amtrak
.pdf

5.07 Communication: Lea Terhune, re: PF 11/04/19 CC Remove the Mural From the Marketplace Now

Type: Action (Consent), Communication

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

Communication Lea Terhune PF 110419 CC
Remove the Mural From the Marketplace Now.pdf

5.08 Communication: David Casey, Member, Board of Health, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy (already did in the Seven Days' November 13, 2019 edition), send a letter of appreciation to David Casey thanking him for his time served as a Member of the Board of Health

Communication David Casey, Member, Board
of Health, re Resignation.pdf

5.09 Communication: Eileen Blackwood, City Attorney and Justin St. James, Assistant City Attorney, re: Memorandum re: Opioid Litigation

Type: Action (Consent), Communication

Recommended Action: to consent to the automatic enrollment of Burlington in the Negotiation Class of In re National Prescription Opiate Litigation

City Council re Opioid Litigation - Negotiation
Class.pdf

City Council re Opioid Litigation - Notice and
FAQ (Attachment #1).pdf

City Council re Opioid Litigation - Attorney
General Donovan to VT LCT (Attachment #2).pdf

5.10 Communication: Steven Goodkind, re: Champlain Parkway Rebuild Option 11/14/19

Type: Action (Consent), Communication

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

Communication Steven Goodkind re
Champlain Parkway Rebuild Option 111419.pdf



November 18, 2019

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5.11 Communication: Luke McGowan, CEDO Director, Deanna Paluba, Director of Human Resources and Lynn Reagan, Human Resources Manager, re: Reclassification of CEDO Assistant Director, Community Justice Center

Type: Action (Consent), Communication

Recommended Action: to approve the reclassification of the Assistant Director, Community Justice Center, a Regular, Full-time, Exempt, Non-union, Grade 19 position to a Regular, Full-time, Exempt, Non-union Grade 21 position

BoF-CEDO CJC reclass v2.pdf

5.12 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf

5.13 Resolution: Burlington Electric Department - Authorization For Renewal Of Contract For Property Boiler And Machinery Insurance - 2020 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BED - Renewal of Contract for Property-Boiler & Machinery Insurance 2020.pdf

H&B Cover letter for Property B&M 2019.pdf

BOF CC Checklist_Nov2019.docx

CommissionProp2019 + baa (003).docx

PROP Prem History 2019.xlsx

Signed CC Resolution BED - Authorization For Renewal Of Contract For Property Boiler And Machinery Insurance - 2020.pdf

5.14 Resolution: Authorization For The Taking Of Certain Actions In Connection With The Amendment Of The Series 2016A Trust Agreement (Lakeview Garage) And The Series 2016B Trust Agreement (DPW Facility)(Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Treasurer - Trust Agreement Amendment - Series 2016A (Lakeview Garage) & Series 2016B (DPW Facility).pdf

111419_BOF CC Checklist_Nov2019.docx

111819_COP Trust Agreement + baa +rgg + baa.EMB_FINAL.docx

Signed CC Resolution Authorization for the Taking of Certain Actions in Connection with the Amendment of the Series 2016a Trust Agreement (DPW Facility).pdf



November 18, 2019

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5.15 Resolution: Authorization To Execute Quitclaim Deed For 69 Monroe Street (Councilor Pine)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Clerk – Quit Claim Deed for 69 Monroe Street (former glebe land).pdf

 Clerk – Quit Claim Deed for 69 Monroe Street (former glebe land) (Attachment).pdf

 Signed CC Resolution Authorization To Execute Quitclaim Deed For 69 Monroe Street.pdf

5.16 Resolution: Authorization To Execute Quitclaim Deed For 120 Park Street (Councilor Pine)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Clerk - Quit Claim Deed for 120 Park Street (former glebe land).pdf

 Clerk - Quit Claim Deed for 120 Park St. (former glebe land) - Attachment.pdf

 Signed CC Resolution Authorization To Execute Quitclaim Deed For 120 Park Street.pdf

5.17 Communication: Cindy Cook, re: Serious Safety Issues on East Avenue and throughout the city

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication, place it on file and send copies to the TEUC Members

 Communication Cindy Cook re Serious Safety Issues on East Avenue and throughout the city .pdf

6. Deliberative Agenda

6.01 Communication: Mayor Miro Weinberger, re: Church Street Marketplace Executive Director Appointment

Type: Action

Recommended Action: Confirm the appointment of Kara Alnasrawi as the Executive Director of the Church Street Marketplace.

Memo added by COS Redell at 5:15 on 11/15/19

note written materials for this agenda item per COS Redell, posted on Monday, November 18, 2019, at 12:44 pm, LO

 11-14-19 Memo to appoint Kara Alnasrawi.pdf

 Kara_Alnasrawi CV_2019.pdf

 11-14-19 Memo to appoint Kara Alnasrawi.pdf



November 18, 2019

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6.02 Communication: CEDO and Department of Permitting & Inspections, re: Review of and recommendations regarding renter protections

Type: Action, Communication

Recommended Action: to accept the communication, and as resolved on October 7th, refer to the Community Development & Neighborhood Revitalization Committee

20191031_TenantRightsResearch_Final.pdf

20191031 Tenant protections_Mayor cover memo.pdf

6.03 Appointment: Special Committee to Review Policing Policies

Type: Action

note Kesha ram's withdrawal request regarding this agenda item per Kesha Ram, posted on Monday, November 18, 2019, at 12:43 pm, LO

Paul Brewer Application Policing Policies Committee.pdf

Kesha Ram Application Policing Policies Committee.pdf

Communication Kesha Ram re Request to Withdraw Application for Policing Policy Committee.pdf

6.04 Communication: Randall Harp, Chair, Special Committee on Policing Policies, re: Update (verbal)

Type: Action, Communication, Information

6.05 Resolution: Adoption Of Findings Of Fact, Conclusions Of Law, And Order Finding Necessity Re: Shelburne Street Rotary Redesign Project (City Council)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Shelburne St. Roundabout - Adoption of Findings of Fact, Conclusions of Law & Order re Necessity.pdf

01 DPW November 18 Necessity Memo_Final.pdf

02 2019-11-12 Necessity Findings.pdf

09 Burlington HES 5000(18) VTrans Memo.pdf

BOF CC Checklist_2019-11-18 Shelburne Roundabout.docx

Signed CC Resolution Adoption of Findings Of Fact, Conclusions Of Law, And Order Finding Necessity re Shelburne Street Rotary Redesign Project.pdf



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6.06 Shelburne Street Roundabout Compensation Hearing Continued

Type: Action, Information, Procedural, Public Hearing

Recommended Action: either: approve a motion to close the compensation hearing and direct City Staff to prepare written findings determining damages to be awarded to the owner of lands affected by the property acquisitions authorized by the Shelburne Street Rotary Redesign necessity order; OR, alternatively, if the City Council decides more time is required: approve a motion to continue the compensation hearing to the Council's March 9, 2020 meeting to allow time for the property owner affected by the above-referenced necessity order for damages to submit a formal request to VTrans for any claimed business losses resulting from the taking of the easements at issue

04 DPW November 18 Compensation Memo_Final.pdf

06 Appendix A - UseTable MCRG.pdf

08 LG Copies of Letters and Emails.pdf

BOF CC Checklist_2019-11-18 Shelburne Roundabout.docx

05 MCRG - Roundabout Issues Memo.pdf

07 LG Record of Negotiations and Attempted Contacts.pdf

09 Burlington HES 5000(18) VTrans Memo.pdf

6.07 Resolution: Accessibility To The Certificate Of Compliance 1-5 Year System As An Important Tool In Evaluating Landlord Accountability (Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note revised version for this agenda item per Councilor Paul, posted on Monday, November 18, 2019, at 12:41 pm, LO

City Council – DPI – Accessibility to COC's 1-5 Year System to Evaluate Landlord Accountability (REVISED).pdf

Signed CC Resolution Accessibility To The Certificate Of Compliance 1-5 Year System As An Important Tool In Evaluating Landlord Accountability (Revised).pdf

City Council – DPI – Accessibility to COC's 1-5 Year System to Evaluate Landlord Accountability.pdf

6.08 Communication: Amy Bovee, Assistant City Clerk and Beth Anderson, CAO, re: Request to close early on the Monday before elections **was consent agenda item 5.05**

Type: Action, Communication, Information

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

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7. Committee Reports



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7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates

9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural

11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements



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12.01 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 711 (Deaf/Hard of Hearing) 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)(Deaf/Hard of Hearing 711)

Type: Information

12.02 The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

Type: Information