



November 15, 2021

Regular City Council Meeting - Monday, November 15, 2021, 6:30 pm

****In-Person in Contois Auditorium, 2nd Floor, City Hall OR REMOTELY via ZOOM****

 [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 5.20 Communication: Mary Danko, Library Director, re: Pilot a Branch Library in the NNE with the action to "waive the reading, accept the communication and place it on file"

2. Communication: Burlington International Airport, Nicolas Longo, Acting Director of Aviation, Mayor Weinberger, Attorney Farkas, Jeff Glassberg and City Attorney Richardson, re: lease negotiations update with Beta Technologies Inc. (BETA) at the Burlington International Airport**verbal** EXPECTED EXECUTIVE SESSION--Start time: 6:30 pm, Location: Bushor Conference Room, 1st Floor, City Hall

2.01 Communication: Burlington International Airport, Nicolas Longo, Acting Director of Aviation, Mayor Weinberger, Attorney Farkas, Jeff Glassberg and City Attorney Richardson, re: lease negotiations update with Beta Technologies Inc. (BETA) at the Burlington International Airport**verbal** EXPECTED EXECUTIVE SESSION--Start time: 6:30 pm, Location: Bushor Conference Room, 1st Floor, City Hall

Type: Action, Discussion, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of pending lease negotiations with Beta Technologies, Inc. to which the City is a party or has a stated interest would clearly place the City at a substantial disadvantage; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA §313(a)(1)(F), in a pending contract and lease agreement matter, 1 VSA §313(a)(1)(A).

3. Public Forum: time certain: 7:30 pm - 9:30 pm **See item for signup instructions**

3.01 Verbal Comments

Type: Action, Information, Procedural

To participate in Public Forum in person sign up at the meeting. To participate in Public Forum via ZOOM sign up here: <https://www.burlingtonvt.gov/citycouncil/publicforum> Do not sign up in person and via Zoom - select one only

4. Climate Emergency Reports

4.01 Climate Emergency Reports

Type: Information



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5. Consent Agenda

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

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda and take the actions indicated

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 111521 cc
mtg LO.xlsx

5.03 Communication: Sharon Bushor, re: Short Term Rentals

Type: Action (Consent), Communication

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

Communication Sharon Bushor re Short Term
Rentals.pdf

5.04 Communication: Erikson Hameline, re: Feedback/Complaint

Type: Action (Consent), Communication

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

Communication Erikson Hameline re
Feedback Complaint.pdf

5.05 Communication: Christopher-Aaron Felker, Rob Roper, president of the Ethan Allen Institute, re: Submitting in support of single members districts in Burlington

Type: Action (Consent), Communication

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

Communication Christopher-Aaron Felker,
Rob Roper, president of the Ethan Allen Institute
re Submitting in support of single members in
Burlington.pdf



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5.06 Communication: Amy Bovee, Assistant City Clerk, re: March 1, 2022 Annual City Election Calendar

Type: Action (Consent), Communication, Information

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

note written material for this agenda item per Assistant City Attorney St. James, posted on Friday, November 12, 2021, at 2:19 pm, LO

 2022 Annual City Meeting Election Calendar - Amend CC Schedule for City Council.pdf

5.07 Communication: Cindi Wight, Director of Parks, Recreation & Waterfront and Gary Rogers, Recreation Superintendent, re: Reclassification and retitling of the Recreation Manager position

Type: Action (Consent), Communication

Recommended Action: to approve the reclassification and retitling of the Recreation Manager position, a Regular, Fulltime, Exempt, Non-Union, Grade 18, position to Recreation Manager and CAPRA Coordinator, a Regular, Full-time, Exempt, Non-Union, Grade 20, position

 Final Packet Recreation Manager Retitle and Reclassification 11.15.2021.pdf

5.08 Communication: Chapin Spencer, Director, Lee Perry, Assistant Director DPW Maintenance, Katherine Schad, Chief Administrative Officer, Clerk and Treasurer's Office, re: Budget Amendment for Street Maintenance Salaries and Wages Seasonal/Temporary

Type: Action (Consent), Communication

Recommended Action: to authorize a budget amendment transferring \$87,000 from account 101-00.4875 (Grants Miscellaneous) to account 101-19-152-481.5000_115 (Street Maintenance, Salaries and Wages Seasonal/Temporary)

 BOF-CC Memo FY22 Budget Amendment Salaries Wages Seasonal - Temporary_v3_LP_CS_TPD_edits - 2021.11.09.pdf

 BA_Street Maintenance Salaries and Wages_Seasonal-Temporary_11-8-2021 DPW signed.pdf

 BOF CC Checklist_FY22 Budget Amendment Streets Salaries & Wages Seasonal-Temporary 11-15-2021.pdf



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5.09 Communication: Burlington International Airport, Acting Director of Aviation, Nicolas Longo, re: Request to Execute a Contract for Engineering Design, Permitting and Bidding Services with McFarland and Johnson, Inc. (MJ) for the Taxiway A Mill and Overlay Project

Type: Action (Consent), Communication

Recommended Action: 1. ☐ To authorize the Acting Director of Aviation to execute a contract with McFarland and Johnson, Inc. in an amount of up to \$352,950.00 with a 15% contingency, totaling \$405,892.50, as allowed by a Federal Aviation Administration grant for Engineering Design, Permitting and Bidding Services for the Taxiway A Mill and Overlay Project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To authorize an amendment to the Fiscal Year 2022 Burlington International Airport budget for the Taxiway A Mill and Overlay, as described in the accompanying memorandum. ☐

 2 - 20211115 Taxiway A Mill and Overlay
AC-BOF-CC Memo.DOCX

 2 - Checklist - Airport - Taxiway A Mill and
Overlay.docx

5.10 Communication: Burlington International Airport, Acting Director of Aviation, Nic Longo, re: Request to Execute a Contract for Engineering Design, Permitting and Bidding Services with Jacobs Engineering Group, Inc. (JEG) for the New Gate 12 Jet Bridge Project

Type: Action (Consent), Communication

Recommended Action: 1. ☐ To authorize the Acting Director of Aviation to execute a contract with Jacobs Engineering Group, Inc. in an amount of up to \$110,676.00 with a 15% contingency, totaling \$121,743.60, as allowed by a Federal Aviation Administration Airport Improvement Program grant for Engineering Design, Permitting and Bidding Services for the New Gate 12 Jet Bridge Project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To authorize an amendment to the Fiscal Year 2022 Burlington International Airport budget for the Gate 12 Jet Bridge, as described in the accompanying memorandum. ☐

 3 - 20211115 New Gate 12 Jet Bridge
AC-BOF-CC Memo.DOCX

 3 - Checklist - Airport - New Gate 12 Jet
Bridge.docx

5.11 Communication: Burlington International Airport, Acting Director of Aviation, Nicolas Longo, re: Request to Execute a Contract for Engineering Design, Permitting and Bidding Services with Jones Payne Group, Inc. (JPG) for the ongoing Noise Mitigation - House Insulation Project

Type: Action (Consent), Communication

Recommended Action: 1. ☐ To authorize the Acting Director of Aviation to execute a contract with JEG in an amount of up to \$1,200,000.00 with a 15% contingency, totaling \$1,380,000.00, as allowed by the Federal Aviation Administration noise program grant for Engineering Design, Permitting and Bidding Services for the ongoing ☐ Noise Mitigation ☐ House Insulation Project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To authorize an amendment to the Fiscal Year 2022 Burlington International Airport budget for the ☐ Noise Mitigation ☐ House Insulation project ☐ as described in the accompanying memorandum. ☐

 4 - 20211115 Noise Mitigation - House
Insulation AC-BOF-CC Memo.docx

 4 - Checklist - Airport - Noise Mitigation -
House Insulation.docx



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5.12 Communication: Burlington International Airport, Acting Director of Aviation, Nicolas Longo, re: Request to Execute a Contract for Engineering Design, Permitting and Bidding Services with Hoyle, Tanner and Associates, Inc. (HTA) for the South Apron - Taxiway Golf Extension Project

Type: Action (Consent), Communication

Recommended Action: 1. ☐ To authorize the Acting Director of Aviation to execute a contract with Hoyle, Tanner & Associates, Inc. in an amount of up to \$350,000.00 with a 15% contingency, totaling \$402,500.00, as allowed by a Federal Aviation Administration grant for Engineering Design, Permitting and Bidding Services, for the South Apron ☐ Taxiway Golf Extension Project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To authorize an amendment to the Fiscal Year 2022 Burlington International Airport budget for the South Apron ☐ Taxiway Golf extension as described in the accompanying memorandum. ☐

1 - 20211115 SouthApron-TW G ext.
AC-BOF-CC Memo.docx

1 - Checklist - Airport - SouthApron-TW G
ext..docx

5.13 Communication: Darren Springer, General Manager, Emily Stebbins-Wheelock, Manager of Strategy & Innovation, Lynn Reagan, Human Resources Manager, re: Position Elimination and Creation

Type: Action (Consent), Communication

Recommended Action: to approve the elimination of an Enterprise Data & Integration Specialist, a Regular, Full-time, Exempt, Union, Grade A2, A4, and A6 (depending on tiered level) position and the creation of a Systems & Network Engineer, a Regular, Full-time, Exempt, Union, Grade A2, A4, and A6.5 (depending on tiered level) position

BED IT Position Elim-Create BoF-CC Packet
11-15-21.pdf

BOF CC Checklist Position
Elimination-Creation 11.15.21.docx

5.14 Communication: Paul G. Alexander, Manager of Safety & Risk Management, re: B.E.D.'s Property Boiler and Machinery (B&M) 2021-2022 Insurance renewal

Type: Action (Consent), Communication

Recommended Action: to authorize the General Manager of the Burlington Electric Department to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2021 through 11/20/2022 with a not to exceed premium of \$676,755, as outlined in this memo, subject to review and approval of the City Attorney's Office

Insurance Memo 11.8.2021.docx

BED Quota Share detail-updated 11.08.21.pdf

BED1 21-22 Property H&B Memo on
Letterhead.pdf

PROP Prem History 2021.xlsx

BOF CC Checklist Insurance Rates
11.15.21.docx



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5.15 Communication: Cindi Wight, Director of Parks, Recreation & Waterfront, re: Creation of two (2) new positions and a reclassification and retitling of one (1) existing position within Parks, Recreation & Waterfront

Type: Action (Consent), Communication

Recommended Action: ☐ Creation of a Lead Urban Park Ranger within BPRW, a Regular, Full-time, non-exempt, AFSCME, Grade 16, position, ☐ Creation of an Urban Park Ranger within BPRW, a Regular, Full-time, non-exempt, AFSCME, Grade 15, position, and ☐ Reclassification and retitling of the North Beach Manager position, a Regular, Full-time, Exempt, Non-Union, Grade 18, position to Waterfront & Park Operations Manager, a Regular, Full-time, Exempt, Non-Union, Grade 20, position.

 Final Packet BOF CC Urban Park Ranger Program.pdf

5.16 Communication: Megan Moir, Division Director - Water Resources, re: Creation of a Tiered Plant Operator Position

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the creation of a Plant Operator in Training I, Regular, Full-time, Non-Exempt, Union, Grade 15 and a Plant Operator in Training II, Regular, Full-time, Non-Exempt, Union, Grade 16 position and Plant Operator I, Regular, Full-time, Non-Exempt, Union, Grade 17 position

 11-15-2021-Creation of Tiered Water Plant Operator position.pdf

 BOF CC Checklist_11-15-21_Creation of a Tiered Water Plant Operator Position.docx

5.17 Communication: Megan Moir, Division Director - Water Resources, Chapin Spencer, Director of Public Works, re: Proposed Final Agreements for Two Historical Water Billing Errors

Type: Action (Consent), Communication

Recommended Action: City Council1. To approve and authorize the Mayor to execute a Settlement Agreement and Release between the Burlington Country Club and the City of Burlington in substantial conformity with the attached version, subject to the final review by the City Attorney's Office. 2. To approve and authorize the Mayor to execute a Memorandum of Understanding and Agreement for Resolution for Overbilling of UVMCC by the City of Burlington in substantial conformity with the attached version, subject to the final review by the City Attorney's Office.

 11-15-2021 Proposed Final Agreements Water Billing Errors-packet.pdf

 BOF CC Checklist_11-15-21_Historical Water Billing Errors.docx



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5.18 Communication: Chapin Spencer, Director, Lee Perry, Division Director - Maintenance Division, Megan Moir, Division Director - Water Resources Division, re: Proposed DPW Recruitment & Retention Strategies

Type: Action (Consent), Communication

Recommended Action: To approve and authorize: ☐ Mayor Miro Weinberger to execute the Memorandum of Understanding between AFSCME Local #1343 and the City of Burlington re: DPW Recruitment and Retention; ☐ Reclassification of the Recycle Truck Driver, a Regular, Full-time, Non-exempt, Union, Grade 12, position to a Regular, Full-time, Non-exempt, Union, Grade 14, position; and ☐ Creation of a new Recycle Truck Driver position, a Regular, Full-time, Non-exempt, Union, Grade 14, position. Increasing our FTE count for this position from three (3) to four (4).

Council Memo DPW Proposed Recruitment & Retention Strategies.pdf

DPW Maintenance Division November 2021 - current.pdf

DPW Maintenance Division November 2021 - proposed.pdf

Street Maintenance Worker Job Description November 2021.pdf

Recycle Truck Driver Job Description November 2021.pdf

MOU between AFSCME and DPW .pdf

BOF CC Checklist_Proposed DPW Recruitment & Retention Strategies.pdf

5.19 Resolution: Appointment Of Acting Inspectors of Election For December 7, 2021 Special City Election (Councilor Tracy)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - Clerk - Appointment of Acting Inspectors of Election for December 7 2021 SCE (FINAL).pdf

Signed CC Resolution Appointment Of Acting Inspectors Of Election For December 7, 2021 SCE.pdf

5.20 Communication: Mary Danko, Library Director, re: Pilot a Branch Library in the NNE

Type: Action (Consent), Communication, Information

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

COB.CC.FFL.Communication.11.12.21.docx

6. Deliberative Agenda



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6.01 Special Event Indoor Entertainment Permit Application (one day only): Burlington City Arts, Contois Auditorium, Sunday, December 12, 2021, holiday music concert, 2 pm - 9 pm, YES dancing, YES amplified music

Type: Action

Recommended Action: approve the one day only special event indoor entertainment permit application for Burlington City Arts , Contois Auditorium, Sunday, December 12, 2021, holiday music concert, 2 pm - 9 pm, YES dancing, YES amplified music

 BCA CC Event Application 121221 Holiday
Show.pdf

6.02 Resolution: Recognizing The Rights of Houseless Community Members (Councilors Magee, Stromberg, Hanson, Hightower, Tracy)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 Resolution - Councilor Magee - Recognizing
the Rights of Houseless Community Members
(FINAL).pdf

6.03 Communication: Mayor Miro Weinberger, re: Next Steps for Public Safety - Police Chief Search

Type: Action, Communication, Information

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

 11-12-2021 Next Steps for Public Safety and
Police Chief Search.pdf

7. Committee Reports

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



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9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural

11. Communication: City Attorney Richardson and Mayor Weinberger, re: Union Negotiations Update **verbal EXPECTED EXECUTIVE SESSION**

11.01 Communication: City Attorney Richardson and Mayor Weinberger, re: Union Negotiations Update **verbal EXPECTED EXECUTIVE SESSION**

Type: Action, Discussion, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of upcoming labor relation agreements and their pending negotiations to which the City is a party would clearly place the City at a substantial disadvantage; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA §313(a)(1)(F), in a pending labor relation agreement matter, 1 VSA §313(a)(1)(B).

12. Communication: City Attorney Richardson, re: Litigation Update **verbal EXPECTED EXECUTIVE SESSION**

12.01 Communication: City Attorney Richardson, re: Litigation Update **verbal EXPECTED EXECUTIVE SESSION**

Type: Action, Discussion, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of pending litigation to which the City is a party or has a stated interest would clearly place the City at a substantial disadvantage; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA §313(a)(1)(F), in a pending or probable civil litigation matter, 1 VSA §313(a)(1)(E).

13. Adjournment

13.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

14. Informational and Non-Discrimination Statements



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14.01 This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142). Persons with disabilities, who require assistance or special arrangements to participate are encouraged to contact 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV the Wednesday after the meeting starting at 8:00 pm and repeating at 1:00 am and 7:00 am the following day. 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.

Type: Information