



November 13, 2017

Regular City Council Meeting - Monday, November 13, 2017, 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: remove from the consent agenda Communication: Chapin Spencer, Director, re: Proposed Adjustments to Hours of Enforcement to the deliberative agenda (per Councilor Bushor); add to the consent agenda item 3.26 Communication: Kirsten Merriman Shapiro, Senior Project & policy specialist, CEDO, re: EPA Assessment Grant Application - authorization to apply with the motion "City Council approve and authorization of CEDO's Director Noelle MacKay or her designee to apply for and sign any subsequent documents for the EPA Assessment Grant application" (per CEDO); add to the agenda item 4.07 Resolution: Adopting City Council Voting Process For Selecting A Burlington Telecom Buyer On November 27, 2017 (Councilors Roof, Knodell, Wright)(per Councilor Roof)

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

2.01 Verbal Comments

Type: Information, Procedural

3. Consent Agenda

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

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the following actions as indicated: remove from the agenda Communication: Chapin Spencer, Director, re: Proposed Adjustments to Hours of Enforcement and place it on the Deliberative Agenda; add to the agenda item 3.26 Communication: Kirsten Merriman Shapiro, Senior Project & policy specialist, CEDO, re: EPA Assessment Grant Application - authorization to apply with the motion "City Council approve and authorization of CEDO's Director Noelle MacKay or her designee to apply for and sign any subsequent documents for the EPA Assessment Grant application"

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

Type: Action (Consent), Communication, Information

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

 Communication Accountability List 111317 cc
mtg LO.xlsx



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3.03 Communication: CT Office, re: Special City Council Worksession, July 31, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Special City Council Worksession re: BT matters (expected executive session), Monday, July 31, 2017, 5:00 pm, Contois Auditorium, City Hall

3.04 Communication: CT Office, re: Special City Council Worksession, August 7, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Special City Council Worksession re: BT matters (expected executive session), Monday, August 7, 2017, 6:00 pm - 7:00 pm, Contois Auditorium, City Hall

3.05 Communication: CT Office, re: Local Control Commission Meeting, August 7, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, August 7, 2017, 7:15 pm, Contois Auditorium, City Hall

3.06 Communication: CT Office, re: City Council With Mayor Presiding Meeting, August 7, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, August 7, 2017, Contois Auditorium, City Hall

3.07 Communication: CT Office, re: Regular City Council Meeting, August 7, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, August 7, 2017, 7:00 pm, Contois Auditorium, City Hall



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3.08 Communication: CT Office, re: Special City Council Worksession, August 28, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Special City Council Worksession re: BT sale (expected executive session) ""possible action to follow"", Monday, August 28, 2017, 6:00 pm - 7:00 pm, Contois Auditorium, City Hall

3.09 Communication: CT Office, re: Local Control Commission Meeting, August 28, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, August 28, 2017, 7:15 pm, Contois Auditorium, City Hall

3.10 Communication: CT Office, re: Regular City Council Meeting, August 28, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, August 28, 2017, Contois Auditorium, City Hall

3.11 Communication: CT Office, re: Special City Council Worksession, September 18, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Special City Council Worksession re: Burlington Telecom (expected executive session), Monday, September 18, 2017, 6:00 pm - 7:00 pm, Contois Auditorium, City Hall

3.12 Communication: CT Office, re: Local Control Commission Meeting, September 18, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, September 18, 2017, 7:15 pm, Contois Auditorium, City Hall



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3.13 Communication: CT Office, re: Regular City Council Meeting, September 18, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 18, 2017, Contois Auditorium, City Hall

3.14 Communication: CT Office, re: Local Control Commission Meeting, September 25, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, September 25, 2017, Contois Auditorium, City Hall

3.15 Communication: CT Office, re: Full Board of Abatement of Taxes Meeting, September 25, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Full Board of Abatement of Taxes Meeting - Monday, September 25, 2017 - Contois Auditorium, City Hall -

3.16 Communication: CT Office, re: Regular City Council Meeting, September 25, 2017 Minutes, Draft

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 30, 2017 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 25, 2017, 5:30 pm, Contois Auditorium, City Hall

3.17 Communication: C/T Office, re: Sweep Report for September 2017

Type: Action (Consent), Communication, Information

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

09302017_ Sweep Report For BOF_V2.xlsx



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3.18 Communication: Stephanie Reid, Human Resources Manager, re: Recommendation - Step placement Caleb Manna, Excavation Inspector

Type: Action (Consent), Communication

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

 step placement Caleb Manna October 2017-CC.pdf

3.19 Communication: Stephanie Reid, Human Resources Manager, re: Recommendation - Step placement Matthew Zanchi, Public Works Engineer - Technical Services

Type: Action (Consent), Communication

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

 step placement Matthew Zanchi October 2017-CC.pdf

3.20 Communication: Kelly Devine, BBA Director, re: BBA Position Statement on the Sale of Burlington Telecom (PF 10/30/17 CC)

Type: Action (Consent), Communication

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

 Communication Kelly Devine, BBA Director re BBA Position Statement on the Sale of Burlington Telecom.pdf

3.21 Communication: Julie Devins, re: Burlington Telecom Bid Selection Process and Outcome

Type: Action (Consent), Communication

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

 Communication Julie Devins re Burlington Telecom Bid Selection Process and Outcome.pdf

3.22 FIO Document

Type: Action (Consent), Information

Recommended Action: for information only

 FIO Document.pdf



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3.23 Resolution: Update to Staffing Structure of Burlington Electric Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

HR - BED Update to Staffing Structure
11-13-17.pdf

BED_CC-BoF_103117.pdf

BoF_CC_Checklist_103117.pdf

3.24 Resolution: Authorization to Execute Quitclaim Deed and Agreement to Terminate Railroad Spur With RFC Realty (Councilor Knodell)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Champlain Parkway Railroad Spur -
Authorization to execute Quit Claim Deed and
Agreement to Terminate with RFC Realty.pdf

Agreement to Terminate Railroad Spur - City
of Burlington & RFC Realty 110717.pdf

Council Memo re City Quitclaim Deed
v11-7-2017.pdf

3.25 Resolution: Authorization to Enter into License Agreement with BTC Mall Associates to Permanently Obstruct The City's Right-of-way on Bank St. and Cherry St. (Burlington Town Center/Burlington City Place)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

License Agreement for Encumbrance - BTC
Mall Assoc. (Don Sinex) (Burlington Town Ctr. aka
Burlington City Place) Bank & Cherry Sts.
(Permanent).pdf

BCP Permanent Encumbrance Permit App
FINAL 171020 rev 3.pdf

BTC Mall Assoc ROW License Agreement
Permanent (Final).doc

City Council Memo 75 Cherry St BCP
Permanent Encumbrance (Final).doc

DPW Review form BCP perm encumb.pdf

3.26 Communication: Kirsten Merriman Shapiro, Senior Project & policy specialist, CEDO, re: EPA Assessment Grant Application - authorization to apply

Type: Action (Consent)

Recommended Action: City Council approve and authorization of CEDO's Director Noelle MacKay or her designee to apply for and sign any subsequent documents for the EPA Assessment Grant application

BOF and CC authorization ltr 11 13 17
(002).doc



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4. Deliberative Agenda

4.01 Indoor Entertainment Permit Application (2017-2018): Lincoln's, 191 College Street

Type: Action

Recommended Action: approve the 2017-2018 Indoor Entertainment Permit Application for Lincoln's, 191 College Street with the following conditions: all City permits need to be closed out and with all standard conditions

 Lincoln's Indoor EP Application.pdf

4.02 Indoor Entertainment Permit Application (2017-2018): Safont Corp., d/b/a The Scuffer, 148 Church Street

Type: Action

Recommended Action: approve the 2017-2018 Indoor Entertainment Permit Application for Safont Corp., d/b/a The Scuffer, 148 Church Street with all standard conditions

 The Scuffer Indoor EP Application.pdf

4.03 Communication: Chapin Spencer, Director, re: Proposed Adjustments to Hours of Enforcement **originally part of the consent agenda**

Type: Action, Communication

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

 Memo to Council on Enforcement Changes
11-9-17.pdf

4.04 Public Hearing regarding Burlington Comprehensive Development Ordinance - ZA #18-01 PlanBTV: Downtown Code (this amendment has also been referred to as the Form Based Code (FBC))

Type: Action, Public Hearing

 ZA 18-01 CC PH Notice for 11-13-17.docx

4.05 Ordinance: Comprehensive Development Ordinance - PlanBTV Downtown Code ZA #18-01 (Planning Department, Planning Commission)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: to waive the second reading and adopt ZA #18-01, PlanBTV Downtown Code

 FBC Burlington CCPHDraft 09-18-17.pdf

 ZA 18-01 planBTV Downtown Code--Part
2--CC PH 10-16-17.docx

 ZA 18-01-Appendix A - UseTable CC PH 10-16
-17.docx

 ZA-18-01_CH117rpt.pdf



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4.06 BT Sale: Report from KBTL and Ting (material to be posted later on Board Docs)

Type: Action

 (1) COUNCIL PROCESS FOR SALE OF BT
FINAL VERSION.docx

4.07 Resolution: Adopting City Council Voting Process for Selecting a Burlington Telecom Buyer on November 27, 2017 (Councilors Roof, Knodell, and Wright)

Type: Action

Recommended Action: Waive the Reading and Adopt the Resolution

 (1) COUNCIL PROCESS FOR SALE OF BT
FINAL VERSION.docx

5. Committee Reports

5.01 Verbal Reports

Type: Information, Procedural

6. City Council - General Affairs

6.01 Verbal Reports

Type: Information, Procedural

7. City Council President - Council Updates

7.01 Verbal Reports

Type: Information, Procedural

8. Mayor - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. Adjournment



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9.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

10. Informational Statement

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

Type: Information