



November 10, 2014

City Council Meeting - Monday, November 10, 2014, 7:00 p.m., Contois Auditorium, City Hall

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Approve/amend the agenda

Type: Action, Procedural

Recommended Action: Motion to approve the agenda as amended: Note proposed amendments: note title change and supporting documentation for agenda item 4.08 Resolution: Downtown Tax Increment Financing District: VEPC Phase Filing Authorization (Board of Finance) (per the Mayor's Office and City Attorney's Office); add to the consent agenda item 4.15 Communication: Neale F. Lunderville, Interim General Manager, BED, re: BED Billing Issue: 60-day Update with the consent action to "waive the reading, accept the communication and place it on file." (per COS Kanarick; CAO Rusten and BED Interim General Manager Lunderville); note proposed amendments for agenda item 5.03 Resolution: Exploration of Feasibility of Offering Municipal Sale of Gasoline to Customers (Councilors Tracy, Colburn, Brennan, Siegel) (per Councilor Tracy); change order of agenda items 5.04 Ordinance: HEALTH - Smoking prohibitions at city parks (Parks, Rec & Waterfront Commission and Councilors Shannon, Paul and Mason)(1st reading) NOW 5.05 and 5.05 Ordinance: HEALTH - Smoking in outdoor places prohibited (Councilors Mason, Paul, Shannon, Brennan, Hartnett, Blais)(2nd reading) NOW 5.04 (per Councilor Mason) and remove from the agenda item 5.06 Ordinance: PEDDLERS AND SOLICITORS License applications, review, fees, locations (Clerk/Treasurer's Office; Ordinance Committee)(2nd reading) (per Councilor Mason.)

2. CCTA Update: Chapin Spencer and Pablo Bose, CCTA Representatives for the City

2.01 CCTA Update

Type: Communication, Discussion, Information

3. Public Forum: Time Certain (7:30 p.m.)

3.01 Public Forum

Type: Information, Procedural

4. Consent Agenda

4.01 Approve/amend the consent agenda taking the actions as indicated

Type: Action (Consent), Procedural

Recommended Action: Motion to approve/amend the consent agenda taking the actions as indicated



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4.02 Resolution: Incorporation of Memorandum of Understanding Into The Easement to The Chittenden County Transportation Authority (CCTA) for the Development of A New Transit Center on St. Paul Street with Additional Bus Berths and Passenger Shelters Located on Pearl Street and Cherry Street (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CCTA – Incorporation of MOU into Easement for Development of a New Transit Center on St. Paul & Bus Berths & Shelters on Pearl & Cherry Sts..docx

CCTA MOU.pdf

4.03 Resolution: Approval of Amendment No. 13 to Wood Fuel Transportation Agreement Between New England Central Railroad and Burlington Electric Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BED – Approval of Amendment #13 to Wood Fuel Transportation Agreement with New England Central Railroad.docx

Communication John Irving BED Contract Amendment with New England Central Railroad.docx

Amendment No. 13 to Wood Fuel Transportation Agreement.docx

4.04 Resolution: Authorization to Accept U.S. Department of Housing and Urban Development Lead Hazard Control Grant (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CEDO – Accept U.S. Dept. of Housing & Urban Development Lead Hazard Control Grant.docx

4.05 Resolution: Authorization Reimbursement of CEDO's Waterfront TIF District FY 2014 Related Costs (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CEDO - Authorization re Reimbursement of Waterfront TIF District FY 2014 Related Costs.docx

TIF Waterfront Related Costs - attachment.pdf



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4.06 Resolution: Reorganization - Parks and Recreation Department - Parks Division - Reclassification and Title Changes to Parks Maintenance Worker Positions, One Parks Maintenance Specialist Position and One Arborist Tech Position and Re-categorization of One Limited Service Full Time Maintenance Specialist Bike Path Position to Regular Full Time (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Parks Division Re-organization_Full Packet
CC.pdf

HR - Parks Division Reorganization.docx

4.07 Resolution: Appointment of Acting Inspectors for Wards Two and Six (Councilor Shannon)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Clerk - Appointment of Acting Inspectors for
Wards Two and Six (11-10-14).docx

4.08 Resolution: Downtown Tax Increment Financing District: VEPC Phase Filing Authorization (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Note: supporting documentation to follow

11-10-14 BOF CC VEPC all edits final.pdf

CEDO -Title Change - Downtown Tax
Increment Financing District - VEPC Phase Filing
Authorization.docx

4.09 Communication: Lori Olberg, Clerk/Treasurer's Office, re: Accountability List

Type: Action (Consent), Communication

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

Communication Accountability List 111014 cc
mtg.xlsx

4.10 Communication: William A. Mason, Chair, re: Cost Control Committee

Type: Action (Consent), Communication

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

Communication William A. Mason, Chair, Cost
Control Committee.pdf



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4.11 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes for October 14, 2014

Type: Action (Consent), Minutes

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

 [View Minutes from Board of Finance](#)

4.12 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes for October 20, 2014

Type: Action (Consent), Communication, Minutes

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

 [View Minutes from Board of Finance](#)

4.13 Communication: CAO's Office, re: Financial Reports

Type: Action (Consent), Communication

Recommended Action: waive the readings, accept the communications and place them on file

 [101714_September- Financial.xlsx](#)

 [102017_Sweep Report_v2.xlsx](#)

 [Budget Amendments - First Quarter 2015.xls](#)

4.14 Communication: Amy Bovee, Executive Secretary, re: October 27, 2014 Minutes, Special Public Hearing on the Permit Process

Type: Action (Consent), Communication, Minutes

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

 [View Minutes from Special Public Hearing Re: Reforming Burlington's Permit System - Monday, October 27, 2014, 7:00 p.m., Contois Auditorium, City Hall](#)

4.15 Communication: Neale F. Lunderville, Interim General Manager, BED, re: BED Billing Issue: 60-Day Update

Type: Action (Consent), Communication

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

 [BED_60Day_Billing_Update.pdf](#)

5. Deliberative Agenda



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5.01 Indoor Entertainment Permit Application (2014-2015): Bento, 197 College Street

Type: Action

Recommended Action: approve the indoor entertainment permit application for Bento with the following conditions:*all standard conditions*BPD cabaret training to be completed before issuance of permit

 Indoor Entertainment Permit Application for Bento.pdf

5.02 Appointment: Fence Viewer (Term Expires 6/30/15)

Type: Action

Recommended Action: motion to nominate Charlie Giannoni

 Fence Viewer Application Charlie Giannoni.pdf

5.03 Resolution: Exploration of Feasibility of Offering Municipal Sale of Gasoline to Customers (Councilors Tracy, Colburn, Brennan, Siegel)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Note proposed amendments per Councilor Tracy

 Gas resolution amendments.docx

 11-06-14 Fueling Memo to City Council.doc

 Gas Prices – Concern re High Prices and Feasibility of Offering Municipal Sale of Gasoline to Consumers.docx

5.04 Ordinance: HEALTH - Smoking in outdoor places prohibited (Councilors Mason, Paul, Shannon, Brennan, Hartnett, Blais)(2nd reading) Was Agenda item 5.05, changed per Councilor Mason

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Was Agenda item 5.05, changed per Councilor Mason

 Health – Smoking in outdoor places prohibited, Sec. 17-8B. (Church St. Marketplace).docx



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5.05 Ordinance: HEALTH - Smoking prohibitions at city parks (Parks, Rec & Waterfront Commission and Councilors Shannon, Paul and Mason)(1st reading) Was Agenda item 5.04, changed per Councilor Mason

Type: Action, Ordinance - First Reading

Recommended Action: consider this first reading and refer to the Ordinance Committee

Was Agenda item 5.04, changed per Councilor Mason

Health – Smoking Prohibitions at City Parks, ,
Sec. 17-8A.docx

5.06 Ordinance: PEDDLERS AND SOLICITORS License applications, review, fees, locations (Clerk/Treasurer's Office; Ordinance Committee)(2nd reading) Agenda item removed per Councilor Mason

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

proposed amendment: agenda item removed per Councilor Mason

Peddlers and Solicitors - Permits & Fees, Sec.
23-3, 23-4, 23-6, 23-9, 23-10.docx

6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural

7. City Council - General Affairs

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 Adjourn

Type: Action, Procedural

Recommended Action: Motion to adjourn