



October 24, 2022

Regular City Council Meeting - Monday, October 24, 2022, 6:00 pm, Contois Auditorium 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: remove from the consent agenda item 5.26 Market Factor Adjustment for City Attorney - Mayor's Office (per City Council President Paul); add to the consent agenda item 5.30 Communication: Keith and Penny Pillsbury, Ward 8 Residents, re: Redistricting (per City Council President Paul); add to the consent agenda item 5.31 Communication: Brad Wiltfong, re: Disincentivize Driving by Encouraging Alternative and Public Transportation; add to the consent agenda item 5.32 Communication: Alex Farrell, Parks and Commission, Member, re: Resignation

2. Work Session On Redistricting **6:00 pm - 7:15 pm**

2.01 Public Comments 10 minutes certain

Type: Information

2.02 Work Session

Type: Discussion, Information

note maps and written materials for this agenda item per Nancy Stetson, posted on Friday, October 21, 2022, at 4:24 pm, LO

note 2 maps for consideration per Robert Bristow-Johnson posted on Monday, October 24, 2022, at 5:01 pm, LO

 7 Ward Version 1.pdf

 7 Ward Version 2.pdf

 8 Ward Version 1.pdf

 8 Ward Version 2.pdf

 Map Population Totals.pdf

 Memo on 10.24 CC Maps.pdf

 Burlington 7 Wards v16.pdf

 Burlington 8 Wards v16.pdf

3. Public Forum: Time Certain: 7:30 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 (5 - 10 mins.)



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4.01 Climate Emergency Reports

Type: Information

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: CT Office, re: Accountability List

Type: Action (Consent), Communication, Information

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

 Accountability List for 102422 cc mtg updated
102022 per KP.xlsx

5.03 Communication: C/T Office, re: July 18, 2022 Board of Civil Authority Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Board of Civil Authority Meeting - Monday, July 18, 2022, Contois Auditorium

5.04 Communication: C/T Office, re: July 18, 2022 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Monday, July 18, 2022, 6:00 pm, Contois Auditorium

5.05 Communication: C/T Office, re: July 25, 2022 Special City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Special City Council Meeting - Monday, July 25, 2022, 6:00 pm, Contois Auditorium



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5.06 Communication: C/T Office, re: August 15, 2022 City Council With Mayor Presiding Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, August 15, 2022, Contois Auditorium

5.07 Communication: C/T Office, re: August 15, 2022 Local Control Commission Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, August 15, 2022, Contois Auditorium

5.08 Communication: C/T Office, re: August 15, 2022 Board of Civil Authority Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, August 15, 2022, Contois Auditorium

5.09 Communication: C/T Office, re: August 15, 2022 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, August 15, 2022, 6:00 pm, Contois Auditorium

5.10 Communication: C/T Office, re: September 12, 2022 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 12, 6:00 pm, Contois Auditorium



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5.11 Communication: C/T Office, re: September 19, 2022 Local Cannabis Control Commission Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Local Cannabis Control Commission Meeting - Monday, September 19, 2022, Contois Auditorium

5.12 Communication: C/T Office, re: September 19, 2022 Local Control Commission Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Local Control Commission Meeting - Monday, September 19, 2022, Contois Auditorium

5.13 Communication: C/T Office, re: September 19, 2022 Board of Civil Authority Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Board of Civil Authority Meeting - Monday, September 19, 2022, Contois Auditorium

5.14 Communication: C/T Office, re: September 19, 2022 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the October 17, 2022 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Monday, September 19, 6:30 pm, Contois Auditorium

5.15 Summary of Bond Sale - C/T

Type: Action (Consent), Communication, Information

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

 10242022_ Summary Results of Sale.docx



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5.16 VOREC grant agreement - BPRW

Type: Action (Consent)

Recommended Action: to approve and authorize the acceptance of a \$300,000 VOREC grant from the State of Vermont, and to authorize Cindi Wight, Director of Parks and Recreation to execute the related grant agreement and any related documents needed to carry out the grant, subject to the review of the City Attorney's Office

BOF-CC Memo_VOREC Grant
agreement_final.pdf

BOF CC Checklist_VOREC.docx

5.17 City Place Burlington - Encumbrance Application - Bank and Cherry Street Right-of-Way

Type: Action (Consent)

Recommended Action: to approve the Encumbrance Application for CityPlace Partners requesting to obstruct a portion of the public right-of-way on Bank Street and Cherry Street as detailed in Attachment A, and authorize the Mayor to enter into a license agreement with the Applicant for use of the right-of-way outlined in the Application, subject to review by the City Attorney's Office

FINAL ENC Packet-City Place Burlington-75
Cherry St.pdf

5.18 Authorization to execute contract for support services at Elmwood Community Emergency Shelter November 2022 - June 2023 - CEDO

Type: Action (Consent)

Recommended Action: to approve and authorize the Director of the Community and Economic Development Office to execute a contract with Champlain Valley Office of Economic Opportunity for up to a maximum limiting amount of \$124,992 for the provision of service coordination and housing navigation at the Elmwood Community Emergency Shelter for the period October 17, 2022 □ June 30, 2023, and subject to the final review and approval by the Office of the City Attorney

BoF and CC Memo - CVOEO
10-17-2022.docx

CEDO-CVOEO Services Contract DRAFT
10-11-2022.docx

SignedResolution 02 07 22.pdf

BoF and CC Checklist - CVOEO
10-17-2022.docx

5.19 Oakledge Universally Accessible Playground Projects: Budget Amendment - BPRW

Type: Action (Consent)

Recommended Action: to approve and authorize the Chief Administrative Officer, or their designee, to affect the necessary budget amendment and transfer of \$200,000 in funds from the FY23 Go Bond, Parks Category to the Penny for Parks-Oakledge Park- Playground Project, as further detailed in Attachment B

20221019 OUAP_BA BOF-CC
Memo_FINAL.docx

20220902 Project Budget Amendment_Bike
Path Realignment.pdf

20221018 OUAP_BA BOF-CC
CHECKLIST.docx

20221024 OUAP BA from Bond_DRAFT.xlsx



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5.20 Elks - Quit Claim - BPRW

Type: Action (Consent)

Recommended Action: to approve and authorize the release of any residual property interest to Benevolent and Protective Order of Elks that the City may have in the approximately five-acre parcel of land that the BPOE will retain after transferring an approximately eleven-acre adjacent parcel to the City for its ownership and use (□gifted parcel□), as further described in Attachment A.; and, to authorize the Mayor to execute a quit-claim deed formalizing the release of such interest and conveying such interest to the BPOE in order to facilitate the acceptance of the gifted parcel, subject to City Attorney□s Office review and approval

Memo Elks_quit claim BOF_CC_Final.pdf

BOF CC Checklist_Elks_Quit Claim Deed.docx

5.21 Creation of one new position - BPRW

Type: Action (Consent)

Recommended Action: to approve the creation of the Property Services Caretaker position, a limited-service, full-time, AFSCME Non-Exempt, Grade 15 to 17 position in the Parks, Recreation, and Waterfront Department

note revised version of this memo per BPRW Director Wight, posted on Monday, October 24, 2022, at 1:50 pm, LO

Revised Memo_FY23 Caretaker positionv5.pdf

Memo_FY23 Caretaker positionv3.pdf

BOF CC Checklist_Property Caretaker position.docx

5.22 Perpetual Care Income - Assigned Fund Balance (AFB) carryover - BPRW

Type: Action (Consent)

Recommended Action: to approve and authorize the Chief Administrative Officer to affect a budget amendment by rolling over \$15,000 of Assigned Fund Balance from Perpetual Care Fund income to reserve fund 110-23-104.4720_110, as further detailed in Attachment A

Memo_Perpetual care rolloverv3.pdf

BOF CC Checklist_Perpetual Care reserve fund.docx

5.23 Authorization to Enter into an Inter-municipal Stormwater Services Agreement with the Chittenden County Regional Planning Commission - DPW Water Resources

Type: Action (Consent)

Recommended Action: to authorize Chapin Spencer, Director of Public Works, to execute an inter-municipal agreement with the Chittenden County Regional Planning Commission for regulatory compliance of minimum control measures 1 and 2 of the City□s MS4 permit, subject to review by the City Attorney□s Office

SW MS4 Permitting Agreement -CC Memo_10.24.2022.pdf

CC_Stormwater Agreement_FY23.pdf

CHECKLIST - SW MS4 Permitting Agreement -CC Memo_10.24.2022.pdf



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5.24 Request for Approval to Execute Contract for Emergency Repairs to North Avenue Stormwater Outfall - DPW Water Resources

Type: Action (Consent)

Recommended Action: 1. ☐ To approve and authorize the Director of Public Works to execute a contract with EngineersConstruction Inc. for emergency outfall repair work to the North Avenue stormwater outfall for an amount not to exceed \$324,200, subject to the prior review and approval of the City Attorney. ☐ 2. To approve and authorize CAO Schad to execute a budget amendment to increase the FY23 GL 245-19-000.110 by an amount not to exceed \$324,200 using Fund 245 fund balance.

 North Ave Emergency Outfall Repair Memo_Final.pdf

 BOF CC Checklist_North Ave Emergency Outfall Repair.docx

5.25 Greater Burlington Industrial Corporation (GBIC) Lease Amendment - Airport

Type: Action (Consent)

Recommended Action: to authorize a lease amendment to rectify the associated site plan at the Burlington International Airport with the Greater Burlington Industrial Corporation, subject to final review and approval by the City Attorney ☐ s Office

 20221018AC-BOF-CC Memo GBIC Lease Amendment.docx

 GBIC Lease - 1979.pdf

 Second Amendment to Lease - BTV Airport - GBIC - Establish Premises Location (00488482xA9531).pdf

 1 - Checklist - GBIC Lease Amendment.docx

5.26 Market Factor Adjustment for City Attorney - Mayor's Office ****AGENDA ITEM REMOVED****

Type: Action (Consent)

Recommended Action: authorize and approve the reclassification of the position of City Attorney consistent with the market factor compensation range of \$164,000 to \$194,182

 10-21-2022 City Attorney Market Factor Adjustment.pdf

5.27 FIO Document

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Document.pdf



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5.28 Ordinance: Parks - Addition Of Kieslich Park BCO Section 22 (1st reading)(Councilors Barlow & Carpenter)

Type: Action (Consent), Ordinance - First Reading

Recommended Action: waive the reading, suspend the rules, and place in all stages of passage

Ordinance - Parks - B.C.O Chapter 22 Kieslich Park (FINAL).pdf

Memo_Kieslich Park_Enumerated_Final2.pdf

BOF CC Checklist_Kieslich Park_Parks Enumerated.docx

Signed CC Ordinance Parks-Addition of Kieslich Park BCO Section 22-1.pdf

5.29 Resolution: Appointment of Acting Inspectors of Election for Wards Five, Seven and Eight (Councilor Paul)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - Clerk - Appointment of Acting Inspectors of Election for Wards Five, Seven and Eight (FINAL).pdf

Signed CC Resolution Appointment of Acting Inspectors of Election for Wards Five, Seven and Eight.pdf

5.30 Communication: Keith and Penny Pillsbury, Ward 8 Residents, re: Redistricting

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Communication Keith and Penny Pillsbury, Ward 8 Residents re Redistricting.docx

5.31 Communication: Brad Wiltfong, re: Disincentivize Driving by Encouraging Alternative and Public Transportation

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Communication Brad Wiltfong re Disincentivize Driving by Encourage Alternative and Public Transportation.docx

5.32 Communication: Alex Farrell, Parks and Recreation Commission, Member, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation to Alex Farrell thanking him for his time served as a Member of the Parks and Recreation Commission

Communication Alex Farrell, Parks and Recreation Commission, Member, re Resignation.docx



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6. Communication Regarding CityPlace Update **expected executive session**

6.01 Communication: David White, Brian Pine, Tim Sampson, Esq., re: CityPlace Update **expected executive session**

Type: Action, Communication, Information

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of information concerning contract negotiations and attorney-client communications regarding CityPlace would clearly place the City at a substantial disadvantage with such negotiations; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications and updates on contract negotiations regarding CityPlace, 1 VSA §313(a)(1)(A) and (F).

7. Deliberative Agenda

7.01 Pablo Bose and Christine Hughes, re: Reparations Task Force Report (20 mins.)

Type: Information, Presentation, Report

 Reparations Task Force CC Report.docx

 Signed CC Resolution Establishing A Task Force To Study A Proposal For Reparations And To Consider A City Apology For The Institution Of Slavery revised version.pdf

7.02 Lacey-Ann Smith, Community Outreach Supervisor, BPD, Steven Berbeco, Director, Mental Health Initiative, United Way, Scott Pavak, Substance Use Policy Analyst, CEDO, re: Mental Health Summit Synopsis and Report (20 mins.)

Type: Action, Information, Report

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

 Mental Health Summit Synopsis.docx

7.03 Ordinance: Elections - Rank Choice Voting Implementation (Ordinance Committee)(1st reading) (10 mins.)

Type: Action, Ordinance - First Reading

Recommended Action: waive the reading, suspend the rules, and place into all stages of passage

 Ordinance - Ordinance Committee - BCO Sec. 2-9 RCV Implementation (FINAL).pdf

 Signed CC Ordinance Elections-Rank Choice Voting Implementation.pdf



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7.04 Resolution: Creating a Homeshare Vermont Pilot Incentive Program (CDNR Committee)(10 mins.)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - CDNR - HomeShare Program Creation (FINAL).pdf

Signed CC Resolution Creating a HomeShare Vermont Pilot Incentive Program.pdf

8. Committee Reports (up to 15 mins.)

8.01 Verbal Reports

Type: Information, Procedural

9. City Council - General Affairs (up to 15 mins.)

9.01 Verbal Reports

Type: Information, Procedural

10. City Council President - Council Updates (up to 5 mins.)

10.01 Verbal Reports

Type: Information, Procedural

11. Mayor - General Affairs (up to 10 mins.)

11.01 Verbal Reports

Type: Information, Procedural

12. Adjournment

12.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

13. Informational and Non-Discrimination Statements



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13.01 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