



Burlington City Council Ordinance Committee Meeting ***In-Person and Remote*** - Wednesday, October 19th at 4:30 PM 10/19/2022

ORDINANCE COMMITTEE

Tuesday, October 19, 2022

Via Zoom (Remote)

DRAFT MINUTES

Members Present: Councilor Traverse (Chair), Councilor Hightower, Council President Paul (Ex-Officio)

Staff Present: Kim Sturtevant (Acting City Attorney), Lee Perry (Assistant Director of DPW – Maintenance Division), Bill Ward (Director of Permitting & Inspections), Sarah Montgomery (Associate City Clerk)

Others in Attendance: W. Dwight Aseltine, Sharon Bushor, Chris Hughes,

Meeting called to order at 4:40 PM.

1.0 Agenda

1.01 Motion to adopt/amend agenda

Motion to Adopt Agenda as is.

Motion by Councilor Hightower, Seconded by Councilor Paul

Final Resolution: Motion Passes

Yes: Unanimous

2.0 Public Forum

No comments.

3.0 Adopt Minutes from 10/12/2022

Motion to Adopt Minutes from 10/12/2022 with one change.

Motion by Councilor Paul, Seconded by Councilor Hightower

Final Resolution: Motion Passes

Yes: Unanimous.



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4.0 Committee Discussion

4.01 Discussion of Recycling Carts

Lee Perry: Some definitions have been changed, a set of collection schedules to avert missed pickups/missed stops, uniform model cart (no bins anymore), change the penalty to a civil offense, removing the invalid probate authority delegated to Public Works Commission.

Councilor Paul: She has heard from people that there are concerns about the difficulty in moving the bins, the cost of purchasing the toters, the narrowness of sidewalks/streets, etc. Have we gone through every single nuance to be able to address the potential pushback from passing this ordinance change?

Lee Perry: We have 'backdoor pickup' where employees will grab the recycling bins themselves to assist those who are not as able, elderly, etc. We can look into promoting this service further.

Dwight Aseltine: Questioned the reasoning for needing to enact the ordinance change and why it is more of a struggle to collect recycling from the bins in the winter months. Lee responded by demonstrating the maneuver for lifting the bins, which gets heavier in the winter due to rain/snow, and allows for more litter to get loose due to the bins being uncovered, the toters fix both issues.

Councilor Hightower: Emphasized the need for communication of pickup schedule to the public as they generally won't be reading the ordinance. Lee said DPW's public information manager has plans to promote on numerous accessible platforms for the public to learn of the new time. The 50/50 cost split between the City and the consumer seems fair. And good to see the toters are made out of recycled plastics.

Sharon Bushor: Addressed the power being given to the DPW Commission versus the Council. Supportive of the ordinance change, and believes the councilors have added more relevant constituent concerns to the rollout process of this provision.

The Councilors questioned removing the language regarding the re-delegation of authority away from DPW Commission, back to the Council as a whole. The Councilors want to make sure they still maintain some authority as they work more intimately with the material on a focused level. Attorney Sturtevant said she would insert some language to ensure that the DPW Commission still maintains some authority over issues the Council prefers them to review.

Motion to Send the Ordinance back to the City Council for a 2nd Read.

Motion by Councilor Hightower, Seconded by Councilor Paul

Final Resolution: Motion Passes

Yes: Unanimous.





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Councilor Traverse was not present for the vote.

4.02 Discussion of Vacant Buildings/Dangerous Structures

The agenda item was delayed until the next Ordinance Committee meeting to ensure all Councilors could attend the discussion.

4.03 Discussion of Ranked Choice Voting

The group discussed the changes made to the RCV ordinance based on last meeting's feedback.

Chris Hughes was promoted to a panelist to join the discussion.

Councilor Traverse: Raised concern about the language pertaining to the final candidates. Rather than only announcing the one outright winner, the committee believes that the voters want to see the final two candidates after the total vote is tallied. Additionally raised concerns about defining some of the terms in the ordinance, like 'unresolved write-in', 'excluded', 'skipped ranking'. Generally hopes for definitions to be fleshed out further for clear consistency with voters.

Chris H and Councilor Traverse talked through some specific language to better reflect the intent of the voting process if/when a tie occurs between multiple candidates.

Sarah M: Made note to include in the ordinance that over-voted rankings would be skipped, otherwise they clerks would count the votes prior to moving into the next round. For example, with over-votes skipped, a third choice vote would become a second choice vote.

Councilor Traverse: I don't think we need to include nay language in the ordinance relating to pausing between rounds that should be left to the discretion of the ward clerks and election officials as it would just be deemed standard practice.

Motion to Send the Ordinance back to the City Council for Vote.

Motion by Councilor Paul, Seconded by Councilor Traverse

Final Resolution: Motion Passes



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Yes: Unanimous.

Councilor Hightower was not present for the vote.

Motion to Amend the Ordinance based on the discussion had that evening.

Motion by Councilor Traverse, Seconded by Councilor Paul

Final Resolution: Motion Passes

Yes: Unanimous.

Councilor Hightower was not present for the vote.

Scheduling of future meetings:

Thursday, November 3rd or Tuesday, November 22nd (TBD based on schedules)

5.0 Adjournment

Motion to Adjourn.

Motion by Councilor Paul, Seconded by Councilor Traverse

Final Resolution: Motion Passes

Yes: Unanimous

The meeting was adjourned at 6:32 PM.