



October 17, 2022

Regular City Council Meeting - Monday, October 17, 2022, 6:45 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: add to the consent agenda item 6.31 Communication: Robert Bristow Johnson, re: Burlington 8 Wards v16.pdf; add to the consent agenda item 6.32 Communication: Sinead Murray, Ward 8 Inspector of Elections, re: Resignation; add to the consent agenda item 6.33 Communication: Daniel Gaviria, re: Trash and syringes in Callahan Park

2. Redistricting Update and Presentation **6:45 pm - 7:15 pm**

2.01 Redistricting Update and Presentation: Creation of Additional 8-Ward Redistricting Map as requested by the Working Group; Nancy Stetson, Senior Policy and Data Analyst

Type: Information, Presentation

note presentation slides for this agenda item per Nancy Stetson, posted on Monday, October 17, 2022, at 2:09 pm, LO

 [October17 CityCouncil 8 Ward Maps.pdf](#)

 [Redistricting Update Oct17.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. Communication Regarding CityPlace Update **expected executive session**

4.01 Presentation: David Farrington, Scott Ireland, Al Senecal, Patrick O'Brien, Partners, CityPlace Partners, re: CityPlace (20 mins.) (verbal)

Type: Information, Presentation

note presentation slides for this agenda item per Dave Farrington, posted on Tuesday, October 18, 2022, at 1:25 pm, LO

 [221014 CPB Presentation Poster Board.pdf](#)

 [CHT 3D from NW.pdf](#)

 [CHT 221012_Site Plan Overview.pdf](#)

 [City Place Ph 1 Traffic Plan - 221011B.pdf](#)



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4.02 Communication: David G. White, Brian Pine and Tim Sampson, Esq., re: CityPlace Update

****expected executive session****

Type: Action, Communication, Information, Procedural

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).

5. Climate Emergency Reports (5 - 10 mins.)

5.01 Climate Emergency Reports

Type: Information

6. Consent Agenda

6.01 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

6.02 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 101722 cc mtg updated
101222 LO.xlsx

6.03 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 at the October 24, 2022 Regular City Council Meeting

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

6.04 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 at the October 24, 2022 Regular City Council Meeting

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



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6.05 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 at the October 24, 2022 Regular City Council Meeting

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

6.06 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 at the October 24, 2022 Regular City Council Meeting

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

6.07 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 at the October 24, 2022 Regular City Council Meeting

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

6.08 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 at the October 24, 2022 Regular City Council Meeting

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

6.09 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 at the October 24, 2022 Regular City Council Meeting

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



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6.10 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 at the October 24, 2022 Regular City Council Meeting

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

6.11 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 at the October 24, 2022 Regular City Council Meeting

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

6.12 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 at the October 24, 2022 Regular City Council Meeting

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

6.13 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 at the October 24, 2022 Regular City Council Meeting

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

6.14 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 at the October 24, 2022 Regular City Council Meeting

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



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6.15 Request to Execute a Contract for Construction with McFarland Johnson, Inc. (MJ) for the Siting, Preliminary Design and Permitting of the Burlington Technical Center (BTC) at BTV - Airport

Type: Action (Consent)

Recommended Action: to authorize the Director of Aviation to execute a contact with McFarland Johnson Inc., Inc. in an amount up to \$547,427.33 with a 15% contingency, totaling up to \$627,541.43, for the design and permitting of the Burlington Technical Center Project, subject to review and approval of the City Attorney's Office

 20221011 Burlington Technical Center at BTV Engineering - SignContractdocx

 2- Checklist - Burlington Technical Center Project.docx

6.16 Request to accept a Federal Aviation Administration Grant for the North Terminal Renovation Project and Execute a Contract for Construction with Engelberth Construction Inc. - Airport

Type: Action (Consent)

Recommended Action: 1. ☐ To authorize the Director of Aviation to execute a grant from the Federal Aviation Administration and accept an amount up to \$1,684,917, with a 15% contingency, totaling up to \$1,937,654.55, as allowed under the grant, for the construction of the North Terminal Renovation Project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To authorize the Director of Aviation execute contracts with Engelberth Construction Incorporated in a cumulative amount of up to \$1,715,430.00, with a 15% contingency, totaling up to \$1,972,744.50, as allowed by the grant, for the construction of the North Terminal Renovation Project, subject to review and approval of the City Attorney's Office. ☐

 20221011 North Terminal Renovation Grant Acceptance and SignContract.docx

 2- Checklist - N. Terminal Renovations.docx

6.17 Request to Execute A Contract for Construction with Jacobs Engineering Group, Inc. for the Design and Permitting of the North Concourse Replacement Project and Budget Neutral Amendment to Fiscal Year 2023 budget - Airport

Type: Action (Consent)

Recommended Action: to authorize the Director of Aviation to execute a contact with Jacobs Engineering Group, Inc. in an amount up to \$908,200.00, with a 15% contingency, totaling up to \$1,044,430.00, as allowed under a potential FAA grant, for the design and permitting of the North Concourse replacement Project, subject to review and approval of the City Attorney's Office

 20221011 North Concourse Replacement Engineering - Sign Contract-.docx

 2- Checklist - North Concourse Replacement.docx



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6.18 Request to accept a Federal Aviation Administration Grant for the South Apron and TW G Extension Project and Execute contracts for construction with Engineers Construction, Inc. and construction inspection services with Hoyle, Tanner and Associates and Budget Neutral Amendment to Fiscal Year 2023 Budget - Airport

Type: Action (Consent)

Recommended Action: 1. ☐ To authorize the Director of Aviation to execute a grant from the Federal Aviation Administration and accept an amount up to \$5,576,315.99, with a 15% contingency, totaling up to \$6,412,763.39, as allowed under the grant, for the construction of the South Apron and TW G Extension Project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To authorize the Director of Aviation execute a contract with Engineers Construction Inc. in a cumulative amount of up to \$6,149,517.50, with a 15% contingency, totaling up to \$7,071,945.12, as allowed by the grant, for the construction of the South Apron and TW G Extension Project, subject to review and approval of the City Attorney's Office. ☐ 3. ☐ To authorize the Director of Aviation a execute contract with Hoyle, Tanner and Associates in a cumulative amount of up to \$473,100.00, with a 15% contingency, totaling up to \$544,065.00, as allowed by the grant, for the construction inspection services of the South Apron and TW G Extension Project, subject to review and approval of the City Attorney's Office. ☐ 4. ☐ To approve a budget amendment to the Fiscal Year 2023 Burlington International Airport for the South Apron Project, by increasing the accounts as set forth above. ☐

20221011 South Apron and TW G ext. Grant Acceptance and Sign Contracts -docx

2- Checklist - South Apron.docx

6.19 Authorization to Update Contracts for the Elmwood Emergency Shelter Community - CEDO

Type: Action (Consent)

Recommended Action: to approve Contract Amendment No. 1 to the GoliathTech of Vermont contract for site work services for the Elmwood Shelter Community, to increase the maximum limiting amount from \$147,195 to \$213,635.00, and to authorize Brian Pine, Director of the Community Economic Development Office, to execute this Contract Amendment No. 1 (subject to the review and approval of the City Attorney), for a total contract amount of \$203,635 with a contingency of \$10,000

Memo - Elmwood Shelter Contracts Update.pdf

BOF CC Checklist Elmwood Contract Update.docx

Contract Amendment 1 10042022.pdf

6.20 Great Streets Main Street Design Contract Amendment #5 with Vanasse Hangen Brustlin, Inc. - DPW

Type: Action (Consent)

Recommended Action: to authorize the Director of Public Works to execute Amendment #5 to the design contract, subject to City Attorney review and approval, with Vanasse Hangen Brustlin, Inc. (VHB) in the amount of \$462,130.00, bringing the total contract value up to \$2,125,795.00, and authorize the use of an additional \$319,000.00 (15%) in contingency funds to be available to use toward any necessary future contract amendments, and further authorize execution of any such necessary amendments upon review and approval by the City Attorney's Office, for a total authorized amount of \$2,444,795.00 for the development of the design of the Great Streets Main Street project

BOF_CC Memo Main Street_VHB Contract - Ravine Sewer Amendment_Oct2022_FINAL.pdf



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6.21 Communication: Dina K. John, re: Previous Nanny For Miro/Nominate for East District Council

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Communication Dina K. John re Previous Nanny For Miro Nominate for East District Council.pdf

6.22 Communication: Jim Lockridge, re: 1994 Memorial Ballot and Vote

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Communication Jim Lockridge, re 1994 Memorial Ballot and Vote.pdf.attachment.html.pdf

6.23 Communication: Shireen Hart, Member, Police Commission, 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 Shireen Hart thanking her for her time served as a member of the Police Commission

Communication Shireen Hart, Member, Police Commission, re Resignation.pdf

6.24 Atlas Environmental - Encumbrance Application - Soil Vapor Points - DPW

Type: Action (Consent)

Recommended Action: to approve the Encumbrance Application for Atlas Technical Consulting, LLC, requesting use of the public right-of-way and authorize the Mayor to enter into a license agreement with the Applicant for use of the portion of the right-of-way outlined in the Application, subject to review by the City Attorney's Office

FINAL ENC Packet-Atlas Environment-Elmwood Ave.pdf

6.25 Green Castle Group - 15 Hungerford Terrace - Encumbrance Permit Application - DPW

Type: Action (Consent)

Recommended Action: to approve the Encumbrance Application for 15 Hungerford Terrace requesting use of the public right-of-way for construction related activities as detailed in Attachment A, and authorize the Mayor to enter into a license agreement with the Applicant for use of the portion of the right-of-way outlined in the Application, subject to review by the City Attorney's Office

FINAL ENC Packet-15 Hungerford Ter..pdf



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6.26 Special Event Outdoor Entertainment Permit Application (Friday-Sunday, November 19 - December 23, 2022): Burlington City Arts & Love Burlington, City Hall Park, BTV Winter Market

Type: Action

Recommended Action: approve the Special Event Outdoor Entertainment Permit Application (Friday-Sunday, November 19 - December 23, 2022) for Burlington City Arts & Love Burlington, City Hall Park, Dancing by Patrons: no; Amplified Music: yes

Special Event Outdoor EP Application BCA and Love Burlington, City Hall Park, BTV Winter Market, November 19 - December 23, 2022.pdf

6.27 Special Event Indoor and Outdoor Entertainment Permit Application (Saturday, December 31, 2022): Burlington City Arts & Love Burlington, Highlight 2022, various locations around the City, 2 pm - 12:30 am

Type: Action (Consent)

Recommended Action: approve the Special Event Indoor and Outdoor Entertainment Permit Application (Saturday, December 31, 2022), Burlington City Arts & Love Burlington, Highlight 2022, various locations around the City, 2 pm - 12:30 am, dancing by patrons: yes; amplified music: yes

Special Event Indoor and Outdoor Entertainment Permit Application BCA and Love Burlington, Highlight 2022.pdf

6.28 Communication: Eric Farrell, re: Proposed Parking Ordinance

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Memo from Eric Farrell Regarding Parking and TDM Requirements.docx

6.29 Communication: Michael J. Buscher, ASLA, PLA - Owner Principal Landscape Architect, re: ZA-22-07 Article 8: Maximum Parking Limits & TDM amendment

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

2022-10-04 TJBA Parking Memo.pdf

6.30 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf



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6.31 Communication: Robert Bristow Johnson, re: Burlington 8 Wards v16.pdf

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Communication Robert Bristow Johnson re Burlington 8 Wards v16.pdf.pdf

6.32 Communication: Sinead Murray, Ward 8 Inspector of Elections, re: Resignation

Type: Action (Consent), Communication

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

Communication Sinead Murray, Ward 8 Inspector of Elections, re Resignation.pdf

6.33 Communication: Daniel Gaviria, re: Trash and syringes in Callahan Park

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file

Communication Daniel Gaviria, re Trash and syringes in Callahan Park.pdf

7. Deliberative Agenda

7.01 Tobacco License Application (2022-2023): Vermont Hemp Craft LLC, 191 College Street #100

Type: Action

Recommended Action: approve the 2022-2023 Tobacco License Application for Vermont Hemp Craft LLC, 191 College Street #100

Tobacco License Application for Vermont Hemp Craft LLC.pdf

7.02 Appointment: Winooski Valley Park District, Term Expires 6/30/24

Type: Action

WVPD Applicant Andrew Gregg.pdf



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7.03 Railyard Enterprise Project - Preferred Alternative Selection - DPW (15 mins.)

Type: Action

Recommended Action: to approve the selection of Alternative 1B as the Preferred Alternative for the Railyard Enterprise Project

note presentation slides for this agenda item per Olivia Darisse, posted on Monday, October 17, 2022, at 6:26 pm, LO

CC Final_Revised Memo_REP Preferred
Alternative 10.17.2022.pdf

2022 10 17 REP City Council
Presentation_Final.pdf

7.04 Ordinance: CDO--PARKING Minimum and Maximum Parking Requirements and Transportation Demand Management ZA#22-07 (Ordinance Committee) (4th reading) (20 mins.)

Type: Action

Recommended Action: waive the reading and adopt the ordinance

Ordinance - ZA 22-07 - CDO Article 4 and 8 re
Min. and Max. Parking PH 9-12-22 (FINAL).pdf

ZA-22-07 Memo for CC_20221007.pdf

7.05 Vote on Hearing: Orlando's Bar and Lounge Outdoor Entertainment Permit

Type: Action

Recommended Action: move to accept the recommendation from the license committee to hold a hearing regarding the sworn complaint made against Orlando's Bar and Lounge alleging violations of its Entertainment Permit and to schedule the hearing on Monday, October 24, 2022, during the Regular City Council Meeting

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



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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

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