



City Council Public Safety Committee *In-Person and Remote***
- Tuesday, October 5, 2021 at 5:30 pm
10/5/2021**

Public Safety Committee

Tuesday, October 5, 2021

Sharon Bushor Conference Room, City Hall, Burlington, Vermont

FINAL MINUTES

Members Present: Councilor Paul (Chair), Councilor Hightower (Virtual), Councilor Stromberg (Virtual)

Staff Present: Jared Pellerin (Assistant City Attorney)

Meeting called to order at 5:34 p.m.

1. Agenda

1.01 Motion to adopt/amend agenda

Motion to adopt agenda as written.

Motion by Councilor Hightower, Seconded by Councilor Stromberg.

Final Resolution: Motion Passes

Yes: Unanimous/Councilor Paul, Councilor Hightower, Councilor Stromberg

No:

1. Public Forum

2.01 Public Forum

Alex Karambelas: Addressed the desire to see an independent ad hoc committee, outside that of the Burlington Police Commission, to oversee police discipline.



City Council Public Safety Committee *In-Person and Remote*** - Tuesday, October 5, 2021 at 5:30 pm 10/5/2021**

Grace Pfeil: Spoke to the CNA report and asked that the Committee fully review the report and work to implement the changes to the Police Department, as suggested by the analysis. Spoke to the fact that she is concerned that the Police Commission will be spread too thin by adding additional responsibilities to their duties. Asked the Committee to consider creating a separate independent body to oversee police discipline. Discussed concern over qualifications for selection criteria for members of the Police Commission.

Gene Bergman: Discussed suggestions to proposed resolution on police oversight. Mr. Bergman recommended the Committee make changes to lines 38 and 85 of the proposed draft of the resolution. Discussed with the Committee the idea of an ad hoc hearing officer.

1. Minutes

3.01 Approval of Minutes of 9/30/21

Motion to adopt and approve the draft minutes from the September 30th, 2021 meeting of the Public Safety Committee by Councilor Hightower, Seconded by Councilor Stromberg.

Final Resolution: Motion Passes

Yes: Unanimous/Councilor Stromberg, Councilor Paul, Councilor Hightower

1. Committee Discussion/Possible Action

4.01 Continued Discussion on Police Oversight Resolution

DISCUSSION:

Councilor Paul opened the discussion of the resolution by walking through the history of the legislation and how they had arrived to the current draft. Councilor Paul commended her fellow Councilors for their efforts and expressed her feeling that they could bring forth a resolution for the full Council's consideration at their next meeting.

Councilor Paul asked Assistant City Attorney, Jared Pellerin, to report on the question that the Committee had asked at their last meeting, as to whether or not a charter change would be necessary to create an entirely new, independent oversight board? Attorney Pellerin indicated that he had looked into the question and also discussed the idea with City Attorney, Dan Richardson and after reviewing the law and consulting with one another, it was the City Attorney's opinion that a charter change would need to be taken up and passed, in order to delegate the specific powers and duties the Committee was considering, to an entirely new and independent entity.



City Council Public Safety Committee *In-Person and Remote***
- Tuesday, October 5, 2021 at 5:30 pm
10/5/2021**

The Committee then revisited the proposed edits that had been provided to them by Gene Bergman at their September 30th meeting. The Committee discussed and accepted the changes to line 20-24 of the whereas clause. The Committee discussed the change to the resolution that sought to delegate the oversight and discipline to an independent board. In light of what was discussed with the City Attorney's office, they decided that this was not something they could pursue at this time and would leave the duties and oversight as prescribed with the Police Commission.

Councilor Hightower asked that the changes to Line 63 and 64, as proposed by Mr. Bergman, be included. Councilor Paul and Councilor Stromberg indicated that they were fine with that additional language being added.

Police Commissioner, Melo Grant, was present and she engaged the Committee by discussing the reputation of the Police Commission and the misconception that the Police Commission was an arm of the police department. She wanted to be absolutely clear that the Police Commission is not tied to the BPD and is independent of the department. She spoke to the fact that she has found the NACOLE trainings to be inspiring and enlightening. As a result of the trainings, Commissioner Grant informed the Committee that the Commission has changed their procedures. As for the resolution, Commissioner Grant worries about the pushback that the resolution will bring. Councilor Paul spoke to the fact that the administration was in favor of the resolution and that it had been shared with the Mayor's office, the Police Chief and the BPOA.

Councilor Stromberg stated that she still wished to explore the possibility of an ad hoc, independent advisory board and she didn't wish to close the door on that idea quite yet. Mr. Bergman floated the idea that if an independent body couldn't be established quite yet, that the option always remained for the City Council to act as the hearing officer on issues of police discipline and they could ultimately be responsible for making the decision to uphold, overturn or amend the Chief's decision on issues of police discipline.

Councilor Paul indicated that it had taken a lot to get the resolution to the place that it is currently in and that she felt the citizens of Burlington wanted to "get started" on reform and that the resolution may not be perfect but it is a step in the right direction. She indicated that a charter change can still be sought and that may be what happens next but because of the time it takes to get a charter change through the State Legislature, there was a need to do what they could now.

A motion was made by Councilor Stromberg to move the resolution to the City Council for their consideration with the inclusion of the amendments as agreed upon by the Committee during the meeting this evening. Motion was seconded by Councilor Hightower.

Motion Carried Unanimously

All those in favor: Councilor Paul, Councilor Hightower, Councilor Stromberg





City Council Public Safety Committee *In-Person and Remote***
- Tuesday, October 5, 2021 at 5:30 pm
10/5/2021**

No: N/A

1. Any Other Business

The Committee heard from Mr. Jeff Nick from the Church Street Market Place Commission. Mr. Nick spoke to the fact that he felt the Market Place was being left out of conversations regarding an uptick in violence around the Church Street Marketplace and City Hall Park. He asked that a meeting being held to discuss public safety concerns and that the Committee engage the business district. Councilor Stromberg and Councilor Hightower said they would encourage such a meeting as well and would discuss it with Chair Paul, as she had to leave the meeting early. They ensured Mr. Nick that they would try to get a meeting set up and would be in touch with him about an appropriate time and place.

1. Adjournment

Motion to Adjourn by Councilor Hightower, Seconded by Councilor Stromberg.

Final Resolution: Motion Passes

Yes: Unanimous/Councilor Stromberg. Councilor Hightower

No:

The meeting was adjourned at 6:52 p.m.