



Regular City Council Meeting - Monday, September 22, 2014 9/22/2014

Regular City Council Meeting - Monday, September 22, 2014 (Monday, September 22, 2014)

Generated by Amy Bovee on Wednesday, October 1, 2014

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Members present

Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon, Miro Weinberger

Also present Lori Olberg, Clerk, Scott Schrader, ACAO, Eileen Blackwood, City Attorney, Gene Richards, BTV, Marcy Krumbine, CEDO

Meeting called to order at 7:14 PM

1. Agenda

Action, Procedural: 1.01 Motion to Approve/Amend the Agenda

Meeting convened at 7:13 p.m.

Motion to Approve/Amend the Agenda

Note proposed amendments: remove agenda item 3 and 3.01. Proclamation/Mayoral Proclamation and place it on the agenda as item 1.02. (per City Council President Shannon); remove from agenda item 2.02. Retirement Board Annual Report to the City Council and place it on the October 6, 2014 City Council Deliberative Agenda (per Bob Hooper); remove from the consent agenda item 5.12. Communication: C/T Office, re: July Monthly Financials and place it on the October 6, 2014 City Council Deliberative Agenda (per City Council President Shannon); remove from the consent agenda item 5.13. Communication: C/T Office, re: Sweep Account Reports as of June 30, 2014 (per City Council President Shannon) and remove from the consent agenda item 5.14. Communication: C/T Office, re: Sweep Account Reports as of August 12, 2014 and place it on the October 6, 2014 City Council Deliberative Agenda

Motion by Chip Mason, second by Sharon Bushor.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon



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3. Proclamation

Procedural: 3.01 Moved to agenda item 1.02

Mayor Weinberger stated they completed the Celebrate Burlington event which honored four award winners, Steve Small, Jim Holway, Andy Jones, and Michael Sirotkin. He read a proclamation aloud.

2. Annual Reports To The City Council

Action, Information, Report: 2.01 Airport Commission

Gene Richards, Airport Director, and Jeff Munger, Airport Commission presented. Mr. Munger stated they have met their debt service ratio and their reserves. The Airport has had many obstacles, including the recession, contraction of the airline industry. They remain financially strong. They are marketing heavily to Canada and connect to Montreal with Greyhound. They have been working on addressing Taxi Administration.

Councilor Brennan inquired if there are any plans to expand the bus transportation area. Mr. Richards stated they have accommodations for those waiting for the bus.

Councilor Bushor inquired how many iPads they have available for people to use and how they are advertised. Mr. Richards stated there are ten iPads and a charging area. They have a Mac, PC, and printer available for people to use. It has not been advertised.

Councilor Legrand congratulated the Airport on their positive growth despite the nationwide trend of a decline.

Information, Report: 2.02 Removed

4. Public Forum: Time Certain 7:30 p.m.

Procedural: 4.01 Public Forum

City Council President Shannon opened the Public Forum at 7:30pm.

Ron Ruloff - opposed to Cannabis amnesty.

Ken Axleson - represents Green BTV and supports Cannabis amnesty.

Michael Lee - local voting rights for non-citizen residents of Burlington alternative

Patrick Sullivan - opposed to City acting on Cannabis amnesty. Opposed to local voting rights for non-citizens.

Dave Davidson - supports Cannabis amnesty.

Justin Henry - supports Cannabis amnesty.

Emily Peyton - supports Cannabis amnesty.

Winston Lacoste Jr. - objects to the support of criminals and not holding them accountable. Wants justice.

John Van Hazinga - supports Cannabis amnesty

John William Clancy - concern with Burlington Housing Authority and lack of respect for residents' point of view.



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City Council President Shannon closed the Public Forum at 8:00 p.m.

5. Consent Agenda

Action, Action (Consent), Procedural: 5.01 Motion to Approve/Amend the Agenda

Resolution: Motion to approve the Consent Agenda and take the actions indicated

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Resolution: 5.02 Resolution: Contract Approval for Master Planning Services for PlanBTV: South End (Board of Finance)

Resolution: waive the reading and adopt the resolution

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Resolution: 5.03 Resolution: Lease Purchase of Phase 1 Capital Equipment for Department of Public Works (Board of Finance)

Resolution: waive the reading and adopt the resolution

Motion to approve the Consent Agenda and take the actions indicated





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Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Resolution: 5.04 Resolution: Authorization for Electric Department to Contract for the Replacement of the Superheater at The McNeil Station (Board of Finance)

Resolution: waive the reading and adopt the resolution

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication: 5.05 Communication: C/T Office, re: Accountability List

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Report: 5.06 Report: Board for Registration of Voters

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

Motion to approve the Consent Agenda and take the actions indicated





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Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication, Minutes: 5.07 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, June 9, 2014

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

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication, Minutes: 5.08 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, June 16, 2014

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

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication, Minutes: 5.09 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, June 23, 2014



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

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication, Minutes: 5.10 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, July 7, 2014

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

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication, Minutes: 5.11 Communication: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, July 14, 2014

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

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon



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Communication: 5.12 Removed

Communication: 5.13 Removed

Action (Consent), Communication: 5.14 Removed

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

Motion to approve the Consent Agenda and take the actions indicated

Motion by Sharon Bushor, second by Chip Mason.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

6. Public Hearing: Consolidated Annual Performance & Evaluation Report

Action, Communication: 6.01 Marcy Krumbine, Assistant Director for Community Development, Consolidated Annual Performance & Evaluation Report

Marcy Krumbine, CEDO, stated each year the Council approves a plan outlining how they will spend their Community Development Block Grant funds. They then enact those plans and create this report, the Consolidated Annual Performance Evaluation Report, outlining what they have done. They spent about \$1 million in CDBG Funds, Lead program funds, and local Housing Trust Plan funds. Their current priority is housing. There are several goals that they fell short on, but the report did include a number of highlights and successes.

Councilor Colburn noted the goals around affordable housing have been challenging to meet and inquired how they will tackle that going forward. Ms. Krumbine stated there are goals in the report that are close to being fulfilled. Their goal was to rehabilitate 139 rental units and the report lists that they have done none. However, they are working on their South Meadow project which will meet that goal when all of the units are finished and occupied. There was another indicator for special need and homeless housing, and the Bobbin Mill project will be completed this year. They are working to make a plan to develop more affordable housing units for the City.

City Council President Shannon opened the public hearing at 8:10pm.

John William Clancy spoke on the importance of affordable housing and Burlington Housing Authority.





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Councilor Siegel noted an error in the report on page 41 regarding the Diversity and Equity Plan and requested an update on the status of that plan.

Councilor Knodell noted that they are working on creating a homeless registry.

Councilor Bushor spoke on affordable housing and the leverage of funding. Ms. Krumbine stated the agencies they contract with provide them with a budget showing their funding. The Economic Development area contracts with the Intervale Center and the Women's Small Business Program. They do not contract with many of the other businesses they work with in the same way so they do not receive their budgets. She will work to capture that information. Councilor Bushor noted a section of the report outlining challenges in creating affordable housing.

City Council President Shannon closed the public hearing at 8:21pm.

7. Deliberative Agenda

Action, Ordinance - First Reading: 7.01 Ordinance: HEALTH Regulation of the Slaughter of Livestock and Poultry (Board of Health)(1st reading)

Councilor Bushor encouraged Councilors to submit comments to the Ordinance Committee.

Councilor Siegel expressed concerns regarding requirements surrounding poultry. It would be particularly difficult to have rodent proof wire twelve inches under the ground surrounding then pen. Many pens take up most of people's yard and rodent proof wire is very expensive. She believes that only the coop needs to be predator proof.

consider this first reading and refer it to the Ordinance Committee

Motion by Chip Mason, second by Sharon Bushor.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action, Ordinance - First Reading: 7.02 Ordinance: HEALTH - Humane Treatment of Livestock (Board of Health)(1st reading)

consider this first reading and refer it to the Ordinance Committee

Motion by Chip Mason, second by Sharon Bushor.



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Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action, Resolution: 7.03 Resolution: November 4, 2014 Special City Meeting -- Re Amnesty for Hemp and Cannabis-Only Offenses (Councilors Siegel, Brennan and Colburn)

Councilor Siegel spoke in favor of placing this item on the ballot. This would be a good time for voter input, as the Legislature is considering legalization and taxation of Hemp and Cannabis. The question also asks if they approve of providing amnesty for those who have been convicted of hemp and cannabis related crimes. She withdrew the resolution in hopes that they can preserve the option of putting this on the March ballot.

waive the reading and adopt the resolution

Motion by Rachel Siegel, second by Vince Brennan

Table the Resolution

Motion by Rachel Siegel, second by Vince Brennan.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Nay: Dave Hartnett

Action, Resolution: 7.04 Resolution: November 4, 2014 Special City Meeting - Non-U.S. Citizens Right To Vote In Vermont Municipal and School Elections (Councilors Brennan, Siegel and Colburn)

Councilor Brennan stated he believes that this will bring the community together. Vermont has allowed non-citizens to participate in local affairs in the past. Throughout history, they have decided to have a more diverse and enriched voting population beyond white males. The City of Burlington has an increase population of non-citizens. This would better engage the population and they would be able to make local law that applies to everyone. Having all voices at the table would be a positive move.

waive the reading and adopt the resolution



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Motion by Vince Brennan, second by Rachel Siegel.

Councilor Mason stated the Administration has tasked the City Attorney with doing more research on this issue. He would prefer to wait for that information before acting on this resolution.

Councilor Blais stated he is undecided on this issue and looks forward to having the City Attorney weigh in.

Motion to Postpone to October 20, 2014

Motion by Chip Mason, second by Norm Blais.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action, Resolution: 7.05 Resolution: Reforming Burlington's Permit System (Councilors Wright, Knodell, Hartnett)

Councilor Wright stated this is an issue he has heard a lot about from voters. This calls for a City Council public forum for citizens and developers to express issues that they have had. This is a Statement by the Council that they want to see reform.

Councilor Paul stated there has been a fair amount of work done over the past two years. They heard from landlords and developers in 2013 to hear what their issues were before taking on a permit audit. This issue warrants considerable attention and they will need to work collaboratively on the resolution. She suggested they continue conversations with Department Heads and craft a resolution that acknowledges the work that has been done.

Mayor Weinberger expressed concerns about the resolution. The Charter gives the City Council and Administration authority to make decisions together. This is an important issue that would require significant work and resources from the administration. The resolution suggests that no work has been done in the past three years, which is untrue. This resolution would also put the Council on record as having a bad permit system and bashing City employees for providing conflicting information, which he does not feel is appropriate. This type of audit would pose a major financial challenge in the middle of their fiscal year that they did not budget for. He hopes they can come back to this issue at a future meeting with a resolution that they can all support.





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Motion to Recess was granted by the President

Motion by Jane Knodell, second by Jane Knodell.

Motion to Postpone to October 20.

Motion by Norm Blais, second by Karen Paul.

Final Resolution: Motion Fails

Aye: Tom Ayres, Norm Blais, Bianka Legrand, Chip Mason, Karen Paul, Joan Shannon

Nay: Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Rachel Siegel, Max Tracy, Kurt Wright

Councilor Hartnett stated he does not believe that this is an attempt to upstage the administration. The Mayor has worked hard to get the message out that Burlington is a good place to do business. This simply requests a status update by January, which is a vague requirement. The resolution does not send a bad message.

Councilor Knodell stated it has been good to hear about the work that has been done on the permit system. It is important that the Council remain informed on these issues because they do hear from their constituents. The resolution calls for major changes that will have budget implications. This will not happen overnight, but the Council needs to be engaged in the conversation.

Councilor Bushor spoke in favor of the resolution. She believes that the public forum could be an opportunity for them to determine where they are and hear where they would like to go. She believes that they will learn a lot about what changes have been made. They can then decide where they want to go.

Councilor Tracy stated it is important for the Council to express to the Administration that this should be a priority for them. They appreciate the work that has been done.

Councilor Colburn stated she does not believe this resolution is critical of the administration. It prioritizes citizen concerns that they hear repeatedly.

waive the reading and adopt the resolution with the following amendment: Lines 1-2: Delete "Whereas, despite a



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resolution passed by the City Council in 2011 calling for reform of the permit system in Burlington, to date little change has occurred" and substitute with "Whereas, a resolution passed by the City Council in 2011 called for reform of the permit system in Burlington;" and Lines 22-23: Delete "and to bring that plan forward no later than the last meeting in January 2015" and substitute "and to provide the Council with a status report no later than the last meeting in January 2015."

Motion by Kurt Wright, second by Jane Knodell.

Final Resolution:

Aye: Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Rachel Siegel, Max Tracy, Kurt Wright

Nay: Tom Ayres, Norm Blais, Bianka Legrand, Chip Mason, Karen Paul, Joan Shannon

8. Committee Reports

Information, Procedural: 8.01 Verbal Reports

Councilor Knodell reported on the Community Development and Neighborhood Revitalization Committee.

Councilor Tracy reported on the Transportation, Energy and Utilities Committee.

Councilor Blais reported on License Committee.

Councilor Mason reported on the Ordinance Committee.

Councilor Siegel reported on the Charter Change Committee.

Councilor Colburn reported on the Public Safety Committee.

Councilor Legrand reported on Human Resources Committee.

City Council President Shannon reported on the North Avenue Corridor.

9. City Council - General City Affairs

Information, Procedural: 9.01 Verbal Reports

Councilor Hartnett thanked the Council for their support during his family's health challenges and updated the Council on the search for a school superintendent.

Councilor Bushor reminded the Council of the meeting for the Vermont Cities and Towns and also thanked two members of the Board for the Registration of voters. She also spoke and informed on the act 250 pre-application planning meetings. She also spoke on the formation of Ward 8 Neighborhood Planning Assembly and the joining of that NPA with the Ward 1 NPA for November.

Councilor Tracy spoke on the Open Streets event in the City this weekend.

Councilor Brennan spoke on Keep BT Local.

Councilor Colburn wanted to commemorate and acknowledge Alex Williams.

Councilor Ayers expressed his hope that the City Council can address mental health issues in the near future.



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10. Mayor - General City Affairs

Information, Procedural: 10.01 Verbal Reports

Mayor Weinberger informed the Council on the Police Community BBQ, the Art Hop, the Open Streets and Parks events during the past couple of weeks. He also announced an effort for event permit process reform. He advised on the Burlington Electric refund and its inclusion on the next agenda. He informed on the upcoming workshops for transportation.

11. Adjournment

Action: 11.01 Motion to adjourn

Without objection, City Council President Shannon adjourned the meeting at 9:42pm.