



City Council License Committee Meeting, Tuesday, September 20, 2016, City Assessor's Office, Public Records Room, City Hall (begins right after the Local Control Sub-committee Meeting) 9/20/2016

City Council License Committee Meeting, Tuesday, September 20, 2016, City Assessor's Office, Public Records Room, City Hall (begins right after the Local Control Sub-committee Meeting) (Tuesday, September 20, 2016)

Generated by Ashley Bryce on Wednesday, September 21, 2016

Members present

Tom Ayres, Max Tracy, Adam Roof

Meeting called to order at 4:48 PM

1. Agenda

Action, Procedural: 1.01 Motion to amend/adopt agenda

motion to amend/adopt agenda as follows: add to the agenda item 3.04 Noise Complaint against August First Bakery (per Bill Lennon); note owner's response to agenda item 3.04 Noise Complaint against August First Bakery (per Jodi Whalen)

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

2. Consent Agenda

Action (Consent), Procedural: 2.01 Motion to amend/adopt consent agenda taking the actions indicated

Resolution: motion to amend/adopt consent agenda taking the actions as indicated

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes





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Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.02 Communication: BPD, Permit for Nectar's, Saturday, August 27, 2016, "A-Dog Day" DJ Music Event

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.03 Communication: BPD, Permit for Marriott Hotel, September 2 and 3, 2016, Over the Edge - Rope rappelling event (non-profit fund raiser)

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.04 Communication: BPD, Block Party Bittersweet Lane, September 3, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof



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Action (Consent), Communication, Information: 2.05 Communication: BPD, Block Party Nectar's, 180 Main Street, September 4, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.06 Communication: BPD, Make-A-Wish of Vermont Parade, September 4, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.07 Communication: BPD, Criterium Bike Race, September 5, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.08 Communication: BPD, Street closure - Art Hop - SEABA - September 9, 2016



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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.09 Communication: BPD, Block Party Killarney Drive, September 10, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.10 Communication: BPD, Open Streets, September 11, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.11 Communication: BPD, Pride Center of Vermont Parade, September 11, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated



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Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.12 Communication: BPD, Block Party Sandra Circle, September 17, 2016
Resolution: waive the reading, accept the communication and place it on file

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.13 Communication: BPD, Vermont Hindu Temple Parade, September 17, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.14 Communication: BPD, Vermont CARES March, September 18, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof



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Action (Consent), Communication, Information: 2.15 Communication: BPD, Block Party Curtis Avenue, September 24, 2016
Resolution: waive the reading, accept the communication and place it on file

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.
Final Resolution: Motion Passes
Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.16 Communication: BPD, Block Party Caroline Street, September 25, 2016
Resolution: waive the reading, accept the communication and place it on file

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.
Final Resolution: Motion Passes
Aye: Tom Ayres, Max Tracy, Adam Roof

Action (Consent), Communication, Information: 2.17 Communication: BPD, Light the Night March, September 30, 2016
Resolution: waive the reading, accept the communication and place it on file

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.
Final Resolution: Motion Passes
Aye: Tom Ayres, Max Tracy, Adam Roof





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Action (Consent), Communication, Information: 2.18 Communication: BPD, Green Mountain Animal Defenders Walk, October 1, 2016

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

motion to amend/adopt consent agenda taking the actions as indicated

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

3. Deliberative Agenda

Action, Discussion: 3.01 Special Event Indoor Entertainment Permit Application (two days only): Zero Gravity, 716 Pine Street, 4 pm - 11 pm, November 4 and 5, 2016, Film Screening

approve the two day only special event indoor entertainment permit application for Zero Gravity, 716 Pine Street, 4 pm - 11 pm, November 4 and 5, 2016, Film Screening

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action, Discussion: 3.02 License Agreement: CCTA

approve the license agreement for CCTA for bus shelters, bike racks and concrete landing pads

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof

Action, Discussion: 3.03 License Agreement: Vermont Juice Company

approve license agreement for Vermont Juice Company to erect & maintain a sign

Motion by Max Tracy, second by Adam Roof.

Final Resolution: Motion Passes



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Aye: Tom Ayres, Max Tracy, Adam Roof

Action, Discussion, Information: 3.04 Noise Complaint against August First Bakery per Bill Lennon

Lennon stated by being on his own property and enjoying the quietness, August First Bakery manner in which they market is costing them. A peddler was in the street, had vehicle amendment for peddler's license. They were stopped in the street about month and half ago. If they got a peddler's permit with general license and endorsement to be a vehicle the placement is regulated by the City, License Committee Board. The peddler was standing with feet on the ground yelling and screaming "French Bread for Sale." He stated this is not a song, and can be heard a block away in the house or garage. It can occur at 3 pm or 6 pm. Lennon can block spam callers, throw away fliers, and turn TV down but can't stop this yelling/screaming. It is atypical way of marketing. He said August First company sent a letter, and he understood this to state they will be resuming this marketing next season as well. Recently they had two peddlers both yelling out "Bread for Sale" as they were bicycling up and down Catherine Street. He stated they were not singing a song. City is getting noisier and noisier and this Bread Company particularly caught his notice. He asked what a peddler can do to bring attention to their vehicle. He stated in the ordinance:

"23-8 loud noises and speaking devices. No peddler, except one granted a vehicle license pursuant to subsection 23-6(a)(2) or a Church Street Marketplace certificate under section 23-15 hereof, nor any person in his behalf, shall shout, make and cry out, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public places of the city..."

He stated he was trying to wrap his mind around what they are doing and not doing and experiencing as a home owner. He went to the Board to ask for help on experiencing extremely loud peddling. They are stationary shouting to the point where he stops what he is doing to see what is going on.

Councilor Tracy was appreciated to hear this concern and stated he is not affected as much as Catherine Street. He asked Lennon if he would like the Board to ask August First Bakery Owners to not be on Catherine Street?

Bill Lennon said that and to request if they could stay out neighborhoods. Also stated the yelling interrupted therapy for his wife. Air conditioning and in a closed room her and her client could still hear "Fresh Bread for Sale."

Councilor Tracy asked if it was reasonable to ask them to avoid Lennon's block of the street and not to peddle in the street. He understand the noises as the Ice Cream truck does make more noise. Tracy is willing to chat with the owners to see what they can do.

Bill Lennon stated he did not want to get into a court. He also received an email from Tom Ayres to not have this on the agenda as August First Owners were not able to make it. He stated he did try going to August First Bakery in person twice asking for the owners but talked to management both times. He even received a call but it wasn't the owners.

Councilor Ayers responded about the email stated is was a suggested preference as the chairs belief to have both the complainant and whom the complaint was about all to be present to explain both sides and hear.

Councilor Roof explained there are gaps between all meetings as well. He was appreciated Councilor Tracy is willing to talk with the owners. Roof said if something formal needs to occur it can, they are there to mediate relationships around businesses and residents and even sometimes businesses and businesses. He believe it would be a start to have a conversation to have August First avoid Catherine Street.

Councilor Ayers stated they do have several regular customers on this section of the street, and pointed out that all the prohibitions Lennon sited do not apply to vender licenses. Traveling vender can move or park anywhere in the City unless it is stated not to.

Bill Lennon asked if the ordinance was written to control food trucks. Stated it is very limited periods a vehicle peddler can be in a place. Screaming at the top of your lungs when taking a break causes problems for other people. Any remedy will be a good remedy until there is a specific ordinance. He concluded to say the Bakery is .9 miles from his house.



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Councilor Ayers stated Councilor Tracy will mediate with the owners of August First and Bill Lennon.

Bill Lennon stated this is an unreasonable way of marketing, would like to not have his wife's work with a client interrupted as she is with a client that had someone dies. He doesn't want someone staying in front of the house, wants them to keep going, and this stimulates actions, demands not distortion.

Councilor Tracy explained he will reach out but the owners are out of the Country, when he hears back they will talk. He believed the bikers are just doing their jobs and this was how they were trained.

Councilor Ayers ended conversation, that he was satisfied with Councilor Tracy way of communicating with the August First Owners and will communicate back to Bill Lennon with decision.

4. Other Business

Communication, Discussion, Information, Procedural: 4.01 Verbal Comments

5. Adjournment

Action, Procedural: 5.01 Motion to adjourn
motion to adjourn at 5:18 PM

Motion by Adam Roof, second by Max Tracy.

Final Resolution: Motion Passes

Aye: Tom Ayres, Max Tracy, Adam Roof