



September 12, 2022

Regular City Council Meeting - Monday, September 12, 6:00 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

2. Communication re: BFFA Contract **expected executive session** 6:00 pm - 7:00 pm

2.01 Communication: John Maitland, Jared Pellerin, Kerin Durfee, Derek Libby, re: BFFA Contract **expected executive session**

Type: Action, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of information concerning negotiations of labor relations agreements with employees 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 updates on labor relations agreements with employees, 1 VSA §313(a)(1)(B).

3. Work Session On Board Docs 7:00 pm - 7:30 pm

3.01 Work Session On Board Docs 7:00 pm - 7:30 pm

Type: Information, Presentation

 IT BoardDocs Replacement_rev2.pptx

4. Public Forum: Time Certain: 7:30 pm **See item for signup instructions**

4.01 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

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

5.01 Climate Emergency Reports

Type: Information



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6. Consent Agenda

6.01 Motion to adopt the consent agenda 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 091222 updated 090822
LO.xlsx

6.03 Communication: Public Safety Committee, re: Mission Statement

Type: Action (Consent), Communication

Recommended Action: the council moves to adopt the mission statement for the Public Safety Committee and place it on the city website

Public Safety Mission Statement.docx

6.04 Communication: Human Resources Committee, re: Mission Statement

Type: Action (Consent), Communication

Recommended Action: the council moves to adopt the mission statement for the Human Resources Committee and place it on the city website

Mission Statement of the Human Resources
Committee.docx

6.05 Reclassification of two (2) positions in the Assessor's Office - HR/City Assessor's Office

Type: Action (Consent)

Recommended Action: To approve the: ☐ Reclassification of the Assistant Residential Appraiser, a Limited Service, Full-Time, Non-Exempt, Non-Union, Grade 13, position to Assistant Residential Appraiser, a Regular, Full-time, Non-Exempt, AFSCME, Grade 16, position in the Assessor's Office. ☐ Reclassification of the Deputy Assessor, a Regular, Full-Time, Exempt, Non-Union, Grade 18, position to Deputy Assessor, a Regular, Full-time, Exempt, Non-Union, Grade 21, position in the Assessor's Office, retroactive to July 1, 2022.

2022.09.12 Assessor Final Memo.pdf

2022.09.12 Assessor Memo BOF CC
Checklist.pdf



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6.06 Authorization to execute contract for the operation of the Community Resource Center September 2022 - August 2023 - CEDO

Type: Action (Consent)

Recommended Action: to approve and authorize the Director of the Community and Economic Development Office to execute a contract with Champlain Valley Office of Economic Opportunity for up to a maximum limiting amount of \$329,123 dollars, for the operation of the Community Resource Center for the period 09/01/2022 □ 08/31/2023, including retroactive approval for the period from September 1st 2022 □ September 12th, 2022 and subject to the final review and approval by the Office of the City Attorney

BoF CC Communication Contract Award
Community Resource Center CVOEO 9 7 22.pdf

CC Bof Approval CDS funds.pdf

CEDO - CVOEO CRC Contract DRAFT
09-06-2022.pdf

BOF CC Checklist Authorization to execute
contract CRC 9 22 - 8 23 Correct.pdf

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

Type: Action (Consent)

Recommended Action: To approve the authorization of the Director of the Community and Economic Development Office to execute the following contracts for the development of the Elmwood Emergency Shelter Community, pursuant to previously earmarked ARPA funds and subject to the final review and approval by the Office of the City Attorney :A.) Modular Bathhouse and Community Center contract with KBS Builders with a maximum limiting amount of \$388,048.B.) 2nd product and services contract with Pallet with a maximum limiting amount of \$43,010. C.) Construction Management Contract with 2nd Gen Builders, LLC for up to a maximum limiting amount of \$469,739

note amended versions of the memo, attachments and motion language per Samantha Dunn, posted on Friday, September 9, 2022, at 3:34 pm, LO

To approve the authorization of the Director of the Community and Economic Development Office to execute the following contracts for the development of the Elmwood Emergency Shelter Community, pursuant to previously earmarked ARPA funds and subject to the final review and approval by the Office of the City Attorney: A.) Modular Bathhouse and Community Center contract with KBS Builders with a maximum limiting amount of \$388,048. B.) Two additional product and services contracts with Pallet, SPC with a maximum limiting amount of \$43,010 and \$37,000. C.) Construction Management Contract with 2nd Gen Builders, LLC for up to a maximum limiting amount of \$469,739

Memo - Elmwood Shelter Contracts Update As
Amended 09092022.pdf

Attachments as Amended 09092022.pdf

Memo - Elmwood Shelter Contracts
Update.pdf

Attachments.pdf

BOF CC Checklist Elmwood Shelter Contract
Approval9.12meeting.docx



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6.08 Burlington Greenway Rehabilitation-Realignment Project: Budget Amendment - BPRW

Type: Action (Consent)

Recommended Action: to approve and authorize the Chief Administrative Officer, or their designee, to affect the necessary budget amendment and transfer of \$282,833 in funds from the Bike Path ☐ Contingency (GL 831-23-700 9500_800) to the Bike Path Realignment Project- Construction (also GL 831-23-700 9500_800)

20220906 Bike Path Realignment_BA
BOF-CC Memo_FINAL.docx

20220902 Project Budget Amendment_Bike
Path Realignment.pdf

20220906_Bike Path Realignment BA_
Checklist.docx

6.09 Communication: Jueswi Person Specul, re: Missive

Type: Action (Consent), Communication

Recommended Action: waive the reading and place the communication on file

Communication Jueswi Person Specul re
Missive.pdf

6.10 Communication: Keith Pillsbury, Ward 8 Ward Clerk, re: Resignation

Type: Action (Consent), Communication

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

Communication Keith Pillsbury Ward 8 Ward
Clerk re Resignation.pdf

6.11 Communication: R. Marcus West, re: Complaint Of Violation of Title 18 V.S.A. 4222, Burlington City Council, August 15, 2022

Type: Action (Consent), Communication

Recommended Action: waive the reading and place the communication on file

Communication R. Marcus West re Complaint
Of Violation of Title 18 VSA 4222, Burlington City
Council, August 15, 2022.pdf

6.12 Communication: Brad Wiltfong, re: Bike Lanes on South Prospect Rd

Type: Action (Consent), Communication

Recommended Action: waive the reading and place the communication on file

Communication Brad Wiltfong re Bike Lanes
on South Prospect Rd.pdf



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6.13 Communication: Darrel depot, re: Burlington

Type: Action (Consent), Communication

Recommended Action: waive the reading and place the communication on file

Communication Darrel depot re Burlington.pdf

6.14 Weatherization Repayment Assistance Program (WRAP) Tariff - BED

Type: Action (Consent)

Recommended Action: to approve BED's filing the necessary tariff documents with the Public Utility Commission for BED to participate in the VHFA WRAP Tariff Program

WRAP Tariff Memo 9.12.22.docx

WRAP_Tariff_BED.docx

Checklist WRAP Tariff 9.12.22.docx

6.15 Request to execute a Contract for the replacement of the Parking Garage Fire Alarm System and Lighting and Controls System Replacement Project with MEI System Integrators (MEI) - Airport

Type: Action (Consent)

Recommended Action: 1. ☐ To authorize the Acting Director of Aviation execute a contract with MEI System Integrators in a cumulative amount of up to \$2,250,000.00, with a 15% contingency, totaling up to \$2,587,500.00, as allowed by the grant, for the replacement of the parking garage fire alarm system and lighting and controls system replacement project, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To approve a budget neutral amendment to the Fiscal Year 2023 Burlington International Airport budget by adjusting the accounts as described in the affiliated memorandum. ☐

1 - 20220901 FireAlarm-Lighting Replacement Contract AC-BOF-CC Memo.docx

1- Checklist - Fire Alarm and Lighting.docx

6.16 Request for approval and authorization to purchase an Electric Compact Sweeper from MS Airport Maintenance Products and to Approve a Budget Neutral Amendment - Airport

Type: Action (Consent)

Recommended Action: 1. ☐ To authorize the Acting Director of Aviation purchase an Electric Compact Sweeper from MB Airport Maintenance Products, subject to review and approval of the City Attorney's Office. ☐ 2. ☐ To approve a budget neutral amendment to the Fiscal Year 2023 Burlington International Airport budget by adjusting the accounts as described in the affiliated memorandum. ☐

2 -BOF-CC Memo AB Airport Maintenance Companies Electronic Compact Sweeper.docx

2- Checklist - Sweeper.docx



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6.17 BED Position Changes - BED/HR

Type: Action (Consent)

Recommended Action: to approve:(1) Change the Director of Finance to a Controller, a Regular, Full-time, Exempt, Non-Union, Grade M22 position;(2) Amend the Manager of Strategy & Innovation, a Regular, Full-time, Exempt, Non-Union, Grade M17 position to the updated CFO and Manager of Strategy and Innovation position.

BED Position Changes 9-12-22 BoF-CC.docx

BED Position Change Appendixes BOF.CC 9.12.22.pdf

Checklist Position Updates 9.12.22.docx

6.18 Communication: R. Marcus West, re: Marijuana Intoxication, Public Highways, State of Vermont

Type: Action (Consent), Communication

Recommended Action: waive the reading and place the communication on file

Communication R. Marcus West re Marijuana Intoxication, Public Highways, State of Vermont.pdf

6.19 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf

6.20 Resolution: Ratification and Approval of the Art in Public Places Guidelines and Policies as Recommended by the Burlington City Arts Board of Advisors Pursuant to Burlington City Ordinance Chapter 21, Article 10, Percent for Public Art (Parks, Arts and Culture Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - BCA - Public Art Guidelines (FINAL).pdf

Memo Draft - Art In Public Places Guidelines CC Memo 9.12.22.docx

Art in Public Places Guidelines DRAFT 5.15.22.pdf

CC Checklist_Art in Public Places Guidelines 9.12.22.docx

Signed CC Resolution Ratification and Approval of the Art in Public Places Guidelines and Policies as Recommended By the BCA Board of Advisors.pdf



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6.21 Resolution: Appointment Of Dr. Christopher Tyler Vogt D.O. To The City of Burlington Board of Medical Examiners (Councilor Paul)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

note CV for Dr. Vogt per HR posted on Monday, September 12, 2022, at 11:12 am, LO

Resolution - HR - Appointment of City Medical Examiner Dr. Vogt (FINAL).pdf

VOGT CV 09.2022.docx.pdf

BoF CC CME 09.12.22.pdf

Signed CC Resolution Appointment Of Dr. Christopher Tyler Vogt D.O. To The City Of Burlington Board Of Medical Examiners.pdf

6.22 Resolution: Acceptance Of Donation of 11.18 Acres Of Forested And Meadow Land In Burlington's New North End (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - Parks - Elks Parcel Donation (FINAL).pdf

BOF CC Checklist_Elks.docx

20220818_Elks_Donation_Parcel_CCmemo_Final.docx

Signed CC Resolution Acceptance Of Donation Of 11.18 Acres Of Forested And Meadow Land In Burlington's New North End.pdf

7. Deliberative Agenda

7.01 Public Hearings: Regarding ZA-22-07: Minimum and Maximum Parking Requirements & TDM (Rescheduled); ZA-22-08: Short-term Rentals

Type: Action, Public Hearing

Recommended Action: open the Public Hearing close the Public Hearing

CC PH ZA's 22-07 RESCHEDULED for 9-12-2022 mtg_.pdf

CC PH ZA 22-08.pdf

7.02 Ordinance: CDO-PARKING Minimum and Maximum Parking Requirements And Transportation Demand Management ZA#22-07 (4th reading) (10 mins.)

Type: Action

Recommended Action: waive the fourth reading and adopt the ordinance as amended

Ordinance - Councilor Hanson - 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_20220912.pdf



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7.03 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Short-Term Rentals ZA#22-08 (3rd reading) (10 mins.)

Type: Action

Recommended Action: waive the third reading and adopt the ordinance as amended by the Planning Commission

Ordinance - ZA 22-08 - Revised for 4.11.22
CC Meeting (FINAL).pdf

ZA-22-08 Appendix A for CC 1st
Read-4.11.22 Mtg..pdf

Signed CC Ordinance CDO - Short Term
Rentals ZA #22 - 08.pdf

ZA-22-08 Memo for CC 20220912.pdf

Art14planBTVDowntownCode_for ZA-22-08
CC 072622.pdf

7.04 Presentation: Response to Resolution: Creation of Additional 7-Ward Redistricting Map; Nancy Stetson, Senior Policy and Data Analyst, Meagan Tuttle, Director, Department of Planning (20 mins.)

Type: Action, Presentation

note presentation slides for this agenda per Nancy Stetson, posted on Monday, September 12, 2022, at 11:49 am, LO

DRAFT7Ward12Councilor1.pdf

Redistricting Presentation - Sept 12 CC.pdf

7.05 School Presentation: Burlington High School/Burlington Technical Center Project, Update on Funding and Progress Report: Tom Flanagan, Superintendent, Nathan Lavery, Senior Director - Finance, Clare Wool, Chairperson, Burlington Board of School Commissioners (15 mins.)

Type: Information, Presentation

BHSBTC 2025 Bond NPA Presentation.pdf

BHSBTC 2025 Update to City Council
20220912.pdf

BHSBTC 2025 Update to the School Board_
Bond Vote and Engagement.pdf

7.06 Security Camera System Update and Expansion - IT (10 mins.)

Type: Action

Recommended Action: to approve and authorize the Chief Innovation Officer to execute a contract with Royal Group in an amount not to exceed \$425,000, to purchase the FLIR security camera system and all necessary server equipment from Royal Group, subject to final review and approval by the City Attorney's Office

note follow up memo for this agenda item per CIO Barker, posted on Monday, September 12, 2022, at 4:44 pm, LO

Security Camera System
Replacement_final.docx

security camera Renewal checklist 2022.docx

Camera system follow-up memo.docx



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7.07 Resolution: Ranked Choice Voting In Mayoral Elections (Councilors Hanson, Bergman, Shannon, Hightower, Magee) (15 mins.)

Type: Action, Resolution

Recommended Action: waive the reading and refer the resolution to the Charter Change Committee with a request that the Committee returns the resolution to the full Council by the October 24, 2022 meeting.

 Resolution - Councilor Hanson - Ranked Choice Voting in Mayoral Elections (FINAL).pdf

7.08 Police Commission: Presentation of Annual Report, Jabulani Gamache, Commission Co-chair (20 mins.)

Type: Action, Communication, Procedural

Recommended Action: waive the reading and place the communication on file

 Burlington Police Commission FY22 Annual Report_final.pdf

7.09 Request to Execute a Ground Lease Agreement with Beta Technologies, Inc. (BETA) in the so-called West Valley at the Burlington International Airport, Nic Longo, Acting Director of Aviation and Shelby Losier, Director of Ground Transportation (10 mins.)

Type: Action

Recommended Action: to authorize the leasing of certain identified space at the Burlington International Airport to Beta Technologies, Inc., and to authorize the Mayor of Burlington to execute the ground lease agreement, subject to final review and approval by the City Attorney's Office

 3 - Memo from BTV to BOF and CC - Beta West Valley Ground Lease.docx

 Exhibit B1 Lease Plan.pdf

 ExhibitA.pdf

 3- Checklist - Beta Valley West Lease.docx

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.)



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10.01 Verbal Reports

Type: Information, Procedural

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