



September 08, 2015

Regular City Council Meeting - Tuesday, September 8, 2015 - begins after the Local Control Commission Meeting adjourns - Contois Auditorium, City Hall

 [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: remove from the agenda item 2.02 Conservation Board and place on the October 13, 2015 City Council Deliberative Agenda (per Scott Gustin); amend the action for consent agenda item 4.09 Communication: Ron Ruloff, re: PF 7/13/15 to "waive the reading, accept the communication, place it on file and refer to the Public Safety Committee (per Councilor Bushor), the Community Development & Neighborhood Revitalization Committee (per Councilor Bushor) and the Police Commission (per Councilors Bushor and Mason); remove from the consent agenda item 4.34 Communication: Regular City Council Meeting, August 10, 2015, Minutes and place them on the September 21, 2015 City Council Consent Agenda (per City Council President Knodell); note for consent agenda item 4.39 Special Indoor Entertainment Permit Application (one day only): El Gato Cantina, Part III Description: drinks will be served until 12:45 am (per Councilor Bushor); note proposed amendment to Section D.5, page 6 of the Development Agreement for agenda item 5.03 Resolution: Authorization for Execution of a Development Agreement and Ground Lease Between the City and Lake Champlain Community Center (Board of Finance and Councilors Colburn, Hartnett)(per Assistant City Attorney Haesler); remove from the consent agenda item 4.06 Resolution: Pine Street and Lakeside Avenue Intersection Improvements Project (Board of Finance) and place it on the Deliberative Agenda as agenda item 5.05 (per Councilors Tracy, Mason and Shannon); note title change and written communication for agenda item 5.06 (per City Attorney's Office); note substitute resolution for agenda item 5.07 Resolution: Drug Trafficking (Councilors Wright, Hartnett, Roof, Knodell, Giannoni and Bushor)(per City Council President Knodell per Councilor Wright); note proposed amendments for agenda item 5.07 (per Councilor Tracy); note Mayor's communication for agenda item 5.07 (per City Council President Knodell per Mayor's Office); note proposed amendments for agenda item 5.07 (per Councilors Colburn, Mason and Mayor's Office); remove from the consent agenda item 4.10 Communication: City of Burlington and Burlington Telecom, re: Memorandum of Understanding and place it on the Deliberative Agenda as agenda item 5.08 (per Councilor Bushor)

2. Annual Reports

2.01 Airport Commission

Type: Information, Report

 [Airport Report.pdf](#)

2.02 Conservation Board

Type: Information, Report

removed from the agenda, will be part of the October 13, 2015 City Council Deliberative Agenda (per Scott Gustin)

 [Conservation Report.pdf](#)



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2.03 Retirement Board

Type: Information, Report

Retirement Report.pdf

3. Public Forum: time certain: 7:30 pm

3.01 Verbal Comments

Type: Information, Procedural

4. Consent Agenda

4.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the following actions as indicated

4.02 Resolution: Request to Reassign License Agreement Between City and B Hospitality Group to Riverside Hospitality for College Street Kiosk (Councilor Giannoni)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Church St. Marketplace – College St. Kiosk –
Reassignment of License Agreement with B
Hospitality Group to Riverside Hospitality.pdf

180 College St City Council Memo for 09 08
15 CC meeting.docx

4.03 Resolution: Creation of Regular Full Time Technology Support Specialist Position - Information Technology (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CC Packet Technology Support Specialist 09
08 15.pdf

HR - IT - Creation of Technology Support
Specialist Position.pdf



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**4.04 Resolution: Authorization of Burlington Electric Department for Renewal of Contract for
Property/Boiler and Machinery Insurance-2015 (Board of Finance)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BED 2015 H&B Cover.pdf

BED 2015 H&B Summary.pdf

CommissionProp2015.docx

PROP Prem History 2015.xlsx

BED – Property Boiler & Machinery Insurance–
Renewal of Contract.pdf

4.05 Resolution: Department of Public Works--Vehicle Equipment Replacement (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Vehicle Equipment Replacement
(Tandem Truck Purchase from Clarks Truck
Ctr.).pdf

Tandem Water BOF Recommendation.pdf

**4.06 Resolution: Pine Street and Lakeside Avenue Intersection Improvements Project (Board of
Finance) **moved to deliberative agenda as item 5.05****

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

2 - 27238-Bid Analysis082515.docx

3 - Bid_Analysis.pdf

5 - Draft Construction Agreement.pdf

DPW - Pine St. & Lakeside Ave. Intersection
Improvements Project, Contract with All Seasons
Excavating.pdf

4 - MOA_2015_City-Pomerleau v 8-28-15.pdf

1 - Final Memo - Contract Award Pine and
Lakeside version 4.doc

**4.07 Resolution: Appointment of Drs. Ryan Herrington, Frank Landry, and Josh Schwartzberg to
Board of Medical Examiners (Councilor Knodell)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CC Medical Examiner Packet 2015.pdf

HR - Medical Examiners - Appointment of Drs.
Ryan Herrington, Frank Landry & Josh
Schwartzberg.pdf



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4.08 Communication: C/T Office, re: Accountability List

Type: Action (Consent), Communication, Information

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

Communication Accountability List 090815 cc
mtg.xlsx

4.09 Communication: Ron Ruloff, re: PF 7/13/15

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and refer to the Public Safety Committee (per Councilor Bushor), the Community Development & Neighborhood Revitalization Committee (per Councilor Bushor) and the Police Commission (per Councilors Bushor and Mason)

Ron Ruloff PF.pdf

4.10 Communication: City of Burlington and Burlington Telecom, re: Memorandum of Understanding **moved to the deliberative agenda as item 5.08**

Type: Action (Consent), Communication

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

MOU BT and COB.pdf

4.11 Communication: Burlington Police Commission, re: Response to proposed City Council Resolution in Support of our Civilian Police Department

Type: Action (Consent), Communication

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

BPD Communication.pdf

4.12 Communication: R. Michael Plageman, re: Buell Street Meter Bags

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and approve the request for an extension of the Buell Street Meter Bags until Friday, September 25, 2015

Buell Street Bag Request.pdf

4.13 Communication: For Information Only Documents

Type: Action (Consent), Information

Recommended Action: for information only

FIO documents.pdf



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4.14 Communication: Melanie Needle, Senior Planner, CRPC; Jennifer Green, Sustainability Coordinator, City of Burlington, re: Burlington Receive 4 STAR Rating

Type: Action (Consent), Communication

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

 09-03-15 City Council STAR Memo
FINAL.docx

4.15 Communication: C/T Office, re: Review Sweep Account Report as of June 2015

Type: Action (Consent), Report

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

 06 30 15_ Sweep Report For BOF_ revised
081315.xlsx

4.16 Communication: C/T Office, re: Review Quarterly Budget Amendment Report

Type: Action (Consent), Report

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

 081315Budget Amendment Template
6-30-15.xlsx

4.17 Communication: C/T Office, re: Review Monthly Financials as of June 2015

Type: Action (Consent), Report

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

 082815_June2015_Financial.xlsx

4.18 Communication: August 3, 2015 Board of Finance Minutes

Type: Action (Consent), Communication, Minutes

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

 View Minutes from Board of Finance

4.19 Communication: August 10, 2015 Board of Finance Minutes

Type: Action (Consent), Communication, Minutes

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

 View Minutes from Board of Finance



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4.20 Communication: Special Local Control Commission Meeting, May 4, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Special Local Control Commission Meeting - Monday, May 4, 2015 (directly after the Special City Council Meeting) - Conference Room 12, City Hall

4.21 Communication: Special City Council Meeting, May 4, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Special City Council Meeting - Monday, May 4, 2015 - 6:00 pm - Conference Room 12, City Hall

4.22 Communication: Local Control Commission Meeting, May 18, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, May 18, 2015 - 7:00 pm, Contois Auditorium, City Hall

4.23 Communication: Regular City Council Meeting, May 18, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, May 18, 2015 - Contois Auditorium, City Hall

4.24 Communication: Regular City Council Meeting, June 1, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, June 1, 2015 - 7:00 pm, Contois Auditorium, City Hall



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4.25 Communication: Special City Council Worksession, June 15, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Special City Council Worksession - Monday, June 15, 2015 - 6:00 pm - Conference Room
12, City Hall -

4.26 Communication: Local Control Commission Meeting, June 15, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, June 15, 2015 - 7:15 pm - Contois
Auditorium, City Hall

4.27 Communication: Regular City Council Meeting, June 15, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, June 15, 2015 - Contois Auditorium, City Hall

4.28 Communication: City Council With Mayor Presiding Meeting, June 15, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, June 15, 2015 - Contois Auditorium,
City Hall

4.29 Communication: Regular City Council Meeting, June 29, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, June 29, 2015, 7:00 pm - Contois Auditorium, City
Hall -



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4.30 Communication: Local Control Commission Meeting, July 13, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, July 13, 2015 - 7:00 pm - Contois Auditorium, City Hall

4.31 Communication: Regular City Council Meeting, July 13, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, July 13, 2015 - start time: after the Local Control Commission Meeting adjourns - Contois Auditorium, City Hall

4.32 Communication: Special City Council Worksession, August 10, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Special City Council Worksession - Monday, August 10, 2015 - 6:00 pm - 7:00 pm, Conference Room 12, City Hall

4.33 Communication: Local Control Commission Meeting, August 10, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, August 10, 2015 - 7:15 pm, Contois Auditorium, City Hall

4.34 Communication: Regular City Council Meeting, August 10, 2015, Minutes **item removed, will be a part of the September 21, 2015 City Council Consent Agenda

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

item removed, will be a part of the September 21, 2015 City Council Consent Agenda (per City Council President Knodell)

View Minutes from Regular City Council Meeting - Monday, August 10, 2015 - begins right after Local Control Commission Meeting - Contois Auditorium, City Hall



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4.35 Communication: City Council With Mayor Presiding Meeting, August 10, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, August 10, 2015 - Contois Auditorium, City Hall

4.36 Communication: Special City Council Worksession, September 2, 2015, Minutes

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2015 City Council Meeting

View Minutes from Special City Council Worksession - Wednesday, September 2, 2015, 5:30 pm - 7:30 pm, Conference Room 12, City Hall

4.37 Communication: Chapin Spencer, Director, Department of Public Works, re: Update on timeline for parking studies

Type: Action (Consent), Communication

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

Update to Council 9-2015.pdf

4.38 Report: Library Commission, re: Fletcher Free Library Commission Annual Report Burlington City Council June 2015

Type: Action (Consent), Report

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

Library Report.pdf

4.39 Special Event Indoor Entertainment Permit Application (one day only): El Gato Cantina

Type: Action (Consent)

Recommended Action: approve one day only special event indoor entertainment permit application for El Gato Cantina for September 11, 2015, 10 pm - 1 am, Dancing by Patrons: yes; Amplified Music: yes

Part III, Description: drinks being served until 12:45 AM

El Gato Cantina Special EP.pdf



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4.40 Special Event Outdoor Entertainment Permit Application (three days only): Champlain College, 404 Pine Street, Art Hop Event

Type: Action (Consent)

Recommended Action: approve three day only special event outdoor entertainment permit application for Champlain College, 404 Pine Street, Art Hop Event, September 11 - 13, 5 pm - 10 pm, No dancing, amplified music-yes

Champlain College Special EP.pdf

4.41 Special Event Outdoor Entertainment Permit Application (one day only): Zero Gravity, 716 Pine Street, loading dock and driveway

Type: Action (Consent)

Recommended Action: approve one day only special event outdoor entertainment permit application for Zero Gravity, September 11, 5 pm - 10 pm, Dancing by Patrons: yes; Amplified music: yes

Zero Gravity Special EP.pdf

5. Deliberative Agenda

5.01 Indoor Entertainment Permit Application (2015-2016): Zero Gravity, 716 Pine Street

Type: Action, Discussion

Recommended Action: approve 2015-2016 Indoor Entertainment Permit Application for Zero Gravity with all standard conditions

Zero Gravity Indoor EP.pdf

5.02 Outdoor Entertainment Permit Application (2015-2016): Zero Gravity, 716 Pine Street

Type: Action, Discussion

Recommended Action: approve 2015-2016 Outdoor Entertainment Permit Application for Zero Gravity with all standard conditions

Zero Gravity Outdoor EP.pdf



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**5.03 Resolution: Authorization for Execution of a Development Agreement and Ground Lease
Between the City and The Lake Champlain Community Sailing Center (Board of Finance and
Councilors Colburn, Hartnett)**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Note proposed amendment to Section D. 5, page 6 of the Development Agreement

Development Agreement Amendment.docx

CEDO memo to CC re CSC final agreement
for 090815 mtg.doc

CEDO - Lake Champlain Community Sailing
Center (LCCSC) - Authorize Execution of
Development Agreement and Ground Lease.pdf

CEDO - Lake Champlain Community Sailing
Center (LCCSC) Development Agreement Final
draft 082815 (00000002).pdf

Community Sailing Center Preliminary Site
Plan for 090815 CC.pdf

**5.04 Resolution: Downtown and Residential Parking Plans (Councilors Roof, Bushor, Colburn,
Wright, Paul and Shannon)**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Downtown and Residential Parking
Plans.pdf

**5.05 (was consent agenda item 4.06) Resolution: Pine Street and Lakeside Avenue Intersection
Improvements Project (Board of Finance)**

Type: Action, Discussion

Recommended Action: waive the reading and adopt the resolution

1 - Final Memo - Contract Award Pine and
Lakeside version 4.doc

2 - 27238-Bid Analysis082515.docx

3 - Bid_Analysis.pdf

4 - MOA_2015_City-Pomerleau v 8-28-15.pdf

5 - Draft Construction Agreement.pdf

DPW - Pine St. & Lakeside Ave. Intersection
Improvements Project, Contract with All Seasons
Excavating.pdf



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5.06 Communication: Eileen Blackwood, City Attorney, re: Relative Authority of Public Works Commission and City Council over Residential Parking (written communication added on 9/4/15)

Type: Action, Discussion, Information

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

 City Council re Residential Parking - Relative
Authority of Council and Public Works
Commission.pdf

5.07 Resolution: Drug Trafficking (Councilors Wright, Hartnett, Roof, Knodell, Giannoni and Bushor)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Note substitute resolution (per City Council President Knodell per City
Councilor Wright)

Note proposed amendments (per Councilor Tracy)

Note Mayor's communication

Note proposed amendments (per Councilors Colburn, Mason and Mayor's
Office)

 xx_Revised_Drug_Trafficking_Resolution_8_Sept
_15_sc_amend (bl) (v2)-1.docx

 Proposed Amendments per Councilor Tracy
Drug Trafficking resolution.pdf

 POLICE – Drug Trafficking – Zero Tolerance
Policy.docx

 Revised Drug Trafficking Resolution.8 Sept
15.docx

 9-8-15 City Council Police Resolution.pdf

5.08 (was consent agenda item 4.10) Communication: City of Burlington and Burlington Telecom, re: Memorandum of Understanding

Type: Action

6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural



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7. City Council - General Affairs

7.01 Verbal Reports

Type: Information, Procedural

8. City Council President - Council Updates

8.01 Verbal Reports

Type: Information, Procedural

9. Mayor - General Affairs

9.01 Verbal Reports

Type: Information, Procedural

10. Adjournment

10.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

11. Informational Statement

11.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142)

Type: Information