



Special City Council Meeting Regarding COVID-19 Emergency Order, Thursday, August 20, 2020, 12:00 pm. Please click the link below to join the webinar: <https://us02web.zoom.us/j/83036826526> Or iPhone one-tap : US: +19292056099,,83036826526# or

BURLINGTON CITY COUNCIL

CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

August 20, 2020

MEMBERS PRESENT: Karen Paul

Max Tracy

Chip Mason

Joan Shannon

Ali Dieng

Brian Pine

Jack Hanson

Franklin Paulino

Sarah E Carpenter

Zoraya Hightower

OTHERS PRESENT: Miro Weinberger

Katherine Schad

Eileen Blackwood

Olivia LaVecchia

Jordan Redell

Lori Olberg

Amy Bovee



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1. CALL TO ORDER and AGENDA

The meeting was called to order by Council President Tracy at 12:08 PM.

MOTION by Councilor Paul, SECOND by Councilor Paulino, to adopt agenda.

VOTING: unanimous (Councilors Mason and Hightower not present for vote); motion carries.

2. PUBLIC FORUM

2.01 Verbal Comments

Forum opened at 12:09:

- Robert Kiernan spoke about the resolution and supports the measure and believes it to be necessary for the community's well-being. He also asked for it to be adjusted from 10:00 to 10:30, citing that establishments sometimes have late seating reservations at 10:00pm. He said that this slight adjustment would help restaurant and bars financially, and would most likely not have negative public health impacts.
- James Mullaney spoke in support of the resolution limiting gatherings. He cited frustration about Leddy Park and the beach fires, parties, and fireworks occurring which disrupts residents. He suggested that a parking ban would help that.
- Kelly Devine spoke about the resolution and that downtown restaurants have concerns about the last call for liquor at 10:00, adding that they would like an exemption until after 10:00 because they are doing a good job at adhering to safety regulations, and that this feels like a punitive measure.
- Kerry Winger spoke about the drinking curfew. She said that establishing a curfew will not stop college students from gathering. She said that many restaurants are struggling financially and that this loss of hours could hurt them, and that the measures may not stop college students from gathering but would penalize restaurants.
- Matthew Walters said that this resolution treats bars unfairly.
- Sean McKenzie said that tourism is a greater influx into Burlington than students returning. He said that regulations have been put in place by state and local officials, and said that it should make no difference regardless of whether alcohol is served before or after 10:00 PM. He said that this would severely jeopardize many bars and restaurants, and that it seems like they are being scapegoated.
- Debra Miller spoke about the resolution, saying that it punishes residents and businesses in Burlington, suggesting that instead, colleges should enforce stricter COVID guidelines. She said that students will gather regardless of whether it is at restaurants or bars or private residences.
- Zach Ward spoke about the resolution, and his experience as a college student. He pointed out that many of the students who are old enough to go to bars have been residing in Burlington since June, and that they have helped stimulate the economy and keep businesses afloat.
- Alex Flamini spoke about the resolution, saying it would drive students to houses and other unregulated areas, and not necessarily mitigate the risks posed by large social gatherings.



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Public forum closed at 12:31 PM.

3. DELIBERATIVE AGENDA

3.01 Resolution: COVID-19 Emergency Order: Limits On Gathering Size And Alcohol Sales *resolution to be posted later

MOTION by Councilor Mason, SECOND by Councilor Dieng, to waive the reading and adopt the resolution.

DISCUSSION:

- Mayor Weinberger said that the City is entering a difficult period in its efforts to maintain its outstanding virus suppression efforts, citing the opening both of public schools and colleges in September. He said that the Governor has given municipalities the ability to restrict gathering sizes and limit the hours that alcohol is served, and Burlington will pursue pre-emptive changes using this flexibility. He characterized the changes in this resolution as harm reduction efforts.

MOTION TO AMEND by Councilor Pine, SECOND by Councilor Hanson, to strike items 6-8 from the resolution and place them on the City Council agenda for deliberation on August 24, 2020.

DISCUSSION OF AMENDMENT:

- Councilor Pine noted that this resolution would trade one risk for another, by closing bars early and potentially pushing people to gather in unregulated spaces with less oversight and enforcement.
- Councilor Carpenter stressed the urgency of putting measures in place to ensure safety.
- Councilor Hanson said that this emergency meeting should focus on limiting residential gatherings and should take up the issue of limiting alcohol sales at the next City Council meeting (next week). He noted that there are few drinking-aged seniors moving back to Burlington in the next weeks and that most of them have been living in Burlington since June.
- Councilor Dieng said that the resolution should be considered in its entirety by the full City Council.

MOTION by Councilor Mason, SECOND by Councilor Paulino, to call the question.

VOTING (by roll call): Councilor Carpenter – nay, Councilor Dieng – aye, Councilor Hanson – aye, Councilor Hightower – abstain, Councilor Mason – aye, Councilor Paul – nay, Councilor Paulino – aye, Councilor Pine – nay, Councilor Shannon – aye, City Council President Tracy – aye (6 ayes, 3 nays, 1 abstention); motion passes.

VOTING (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – aye,





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Councilor Shannon – nay, City Council President Tracy – aye (4 ayes, 6 nays); motion fails.

MOTION TO AMEND by Councilor Carpenter, **SECOND** by Councilor Hightower, to amend item 6 to 11:00 PM and amend revisiting the order to September 14, 2020.

MOTION TO AMEND THE AMENDMENT by Councilor Paulino, **SECOND** by Councilor Paul, to change the start time to 10am and the end time 11pm

DISCUSSION OF AMENDMENT TO THE AMENDMENT:

- Councilor Pine pointed out that there are third shift workers who would be affected by this change, as some of them have drinks when their shifts finish.

VOTING ON AMENDMENT TO THE AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – aye, Councilor Pine – nay, Councilor Shannon – aye, City Council President Tracy – nay (2 ayes, 7 nays; Councilor Hanson not present for vote); motion fails.

MOTION by Councilor Paul, **SECOND** by Councilor Paulino, to call the question.

VOTING (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, City Council President Tracy – aye (unanimous; Councilor Hanson not present for vote); motion carries.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – aye, City Council President Tracy – aye (8 ayes, 1 nay; Councilor Hanson not present for vote); motion carries.

MOTION TO AMEND by Councilor Pine, **SECOND** by Councilor Dieng, to remove item 7 from the resolution.

DISCUSSION ON AMENDMENT:

- Mayor Weinberger pointed out that removing item 7 from the resolution would necessitate further ad hoc City Council meetings, should the Council or the administration find the need to enact further municipal regulatory measures due to COVID-19.
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VOTING ON AMENDMENT (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – nay, Councilor Pine – aye, Councilor Shannon – aye, City Council President Tracy – aye (8 ayes, 1 nay; Councilor Hanson not present for vote); motion carries.



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VOTING ON RESOLUTION AS AMENDED: unanimous (Councilor Hanson not present for vote); motion carries.

4. ADJOURNMENT

4.01 Motion to adjourn

MOTION by Councilor Pine, SECOND by Councilor Dieng, to adjourn the meeting.

VOTING: unanimous (Councilor Hanson not present for vote); motion carries.

The City Council meeting adjourned at 1:14 PM.

RScty: AACoonrad