City Council With Mayor Presiding Meeting - Monday, August 15, 2016 - 7:00 pm - Contois Auditorium, City Hall - 8/15/2016

MINUTES SUBJECT TO CORRECTION BY BURLINGTON CITY COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE CITY COUNCIL.

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING WITH MAYOR PRESIDING

August 15, 2016

MEMBERS PRESENT: Jane Knodell, (Council President) – Central District

Joan Shannon – South District

Selene Colburn, East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Sara Giannoni - Ward 3

Kurt Wright – Ward 4

Karen Paul – Ward 6

Tom Ayres – Ward 7

Adam Roof – Ward 8

MEMBERS ABSENT: David Hartnett – North District

William "Chip" Mason – Ward 5

ADMINISTRATION: Miro Weinberger, Mayor

Eileen Blackwood, City Attorney

Richard Haesler, Assistant City Attorney

Bob Rusten, CAO

Rich Goodwin, DFO

Jennifer Kaulius, Mayor's Office

Brian Lowe, Mayor's Office

Katie Vane, Mayor's Office

Amy Bovee, C/T Office

Lori Olberg, C/T Office

Chapin Spencer, DPW

Norm Baldwin, DPW

Martha Keenan, DPW

David White, Planning & Zoning

Jesse Bridges, Parks & Rec

Gene Richards, Airport

OTHERS PRESENT: Genese Grill

Caryn Long for Amy Radcliffe

Ron Ruloff

Jack Daggett

Robert Herendeen

Charlie Messing

Alison Crowley Demag

Ross Montgomery

Richard Hillyard

Patrick Mignogna

Suki Misrah

Jack Callow

Kelly Devine

Clara Kelly

Richard Dean

Charles Simpson

Alexander Friend

Michael Long

Dawn Moskowitz

Darren Moskowitz

Richard Geraldman

Nate Orchan

Amir Jusuefagitz

Paul Bushner

Jason Williams

Mark Kaloz

Todd Cook

Tom Brassard

Keith Pillsbury

Ann Taylor

Richard Bragg

Sean Eaton

Steve Goodkind

Ted Adler

1.0 CALL TO ORDER and AGENDA

Mayor Weinberger called the meeting to order at 7:01 PM on August 15, 2016.

1.01 Agenda

MOTION by Councilor Knodell, SECOND by Councilor Giannoni, to approve the agenda as presented. VOTING: unanimous; motion carried.

2.0 CONSENT AGENDA

2.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated

2.02 COMMUNICATION: Fire Warden List

2.03 COMMUNICATION: Board and Commission Openings

MOTION by Councilor Knodell, SECOND by Councilor Shannon, to adopt the consent agenda as presented (Items

2.01-2.03).

VOTING: unanimous; motion carried.

3.0 DELIBERATIVE AGENDA

3.01 Appoint Development Review Board Alternate for term expiring 6/30/19

MOTION by Councilor Knodell to nominate Robert Purvee as the alternate to the Development Review Board for a term expiring 6/30/19. There were no other nominations.

VOTING: unanimous; motion carried.

3.02 Appoint Parks & Rec Commissioner for a term expiring 6/30/19

3.03 Appoint Parks & Rec Commissioner for a term expiring 6/30/19

MOTION by Councilor Knodell to nominate Laura Hale to the Parks & Rec Commission for a term expiring 6/30/19.

MOTION by Councilor Shannon to nominate Warren Pierce to the Parks & Rec Commission for a term expiring 6/30/19.

There were no other nominations.

VOTING (Laura Hale & Warren Pierce): unanimous; motion carried.

3.04 Appoint Planning Commissioner for a term expiring 6/30/19

MOTION by Councilor Bushor to appoint Alexander Friend to the Planning Commission for a term expiring 6/30/19. There were no other nominations.

VOTING: unanimous; motion carried.

3.05 Appoint Police Commissioner for a term expiring 6/30/19

3.06 Appoint Police Commissioner for a term expiring 6/30/19

MOTION by Councilor Wright to appoint Cherene Hart to the Police Commission for a term expiring 6/30/19.

MOTION by Councilor Colburn to appoint Andrew Plumley to the Police Commission for a term expiring 6/30/19.

There were no other nominations.

VOTING (Cherene Hart & Andrew Plumley): majority of ayes; motion carried.

3.07 Appointment to Board of Tax Appeals for a term expiring 6/30/18

3.08 Appointment to Board of Tax Appeals for a term expiring 6/30/19

MOTION by Councilor Knodell, SECOND by Councilor Wright, to postpone appointments to the Board of Tax Appeals.

DISCUSSION: Councilor Knodell noted the charter requires two members of the Board of Tax Appeals to be real estate professionals and the city is currently not meeting that requirement. None of the applicants are real estate professionals. The openings need to be re-advertised specifying the city is seeking real estate professionals. Eileen Blackwood advised a reasonable effort must be made to have real estate professionals on the board. At some point there needs to be discussion of the meaning of "reasonable effort". Councilor Shannon suggested to help attract candidates stating that a background in real estate is helpful for the position should be mentioned. Councilor Bushor noted one candidate is a partner in a real estate company in New York City. Eileen Blackwood said City Council must determine if the criteria are met. The charter does not define "real estate professional". Additional nominations can be sought and City Council can further consider the criteria. There were no further comments.

VOTING: unanimous; motion carried.

3.09 Appoint member to Vehicle for Hire Licensing Board for a term expiring 6/30/18

3.10 Appoint member to Vehicle for Hire Licensing Board for a term expiring 6/30/18

MOTION by Councilor Shannon to nominate both Dennis Duffy and Charlie Herrick to the Vehicle for Hire Licensing Board for terms expiring 6/30/18. There were no other nominations. **VOTING: unanimous; motion carried.**

3.11 Resolution: Personal Hardship Extension of Residency Requirement

MOTION by Councilor Wright, SECOND by Councilor Shannon, to approve the resolution put forth by the Charter Change Committee relative to the Personal Hardship Extension of the Department Head Residency Requirement.

DISCUSSION: The following comments were made:

- **Councilor Wright explained the Charter Change Committee broadened and clarified the exemption. A charter change is not required for the City Council with Mayor Presiding Rule, but would be required for a City Council rule. Eileen Blackwood said the exemption is allowed if the individual resides in Chittenden County. The rule was likely put in place when there was City Council, a Board of Aldermen, and the Mayor.**
- **Councilor Knodell pointed out the modification creates another reason whereby an appointee can receive exemption from the requirement to live in the city. If the individual lives in Chittenden County and has a certified hardship to move then the exemption can be granted. Other reasons for the exemption are not up for discussion.**
- **Councilor Shannon stated the Charter Change Committee is still discussing possible charter changes that would continue the discussion.**
- **Councilor Bushor said the resolution goes in the right direction. Without the change there is inconsistency for internal upward mobility and attracting someone from around the region. Residents want people who know the community and are invested in the community. There should be some language to go to the voters to say they support the direction City Council is moving.**

- **Councilor Tracy maintained it is not a hardship to live in Burlington and the requirement should not be relaxed. Employees should share in the joy and pain of residents. It is a privilege to be a department head in Burlington and a benefit to decisions made by department heads. Decisions should be informed by lived experience.**

There were no further comments.

VOTING: 9 ayes, one nay (Councilor Tracy); motion carried.

4.0 ADJOURNMENT

With no further business and without objection the meeting was adjourned at 7:22 PM

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