



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to approve/amend the agenda

Type: Action

Recommended Action: Motion to amend the agenda removing item 5.02 Ordinance: Comprehensive Development Ordinance - Residential Parking Standards from the agenda with direction to add to the August 11, 2014 deliberative agenda; note revised version of Resolution to Item 6.37 re: Purchase of Smart Meters for Downtown Core (Board of Finance); add item 6.38 Resolution: Authorization for Planning and Zoning Budget Amendment for PlanBTV South End - Phase 1- Real Estate Market Analysis (Board of Finance); add to item 7.02 - Guidance to Ordinance Committee Document with suggested action to Refer to Ordinance Committee per Councilors Shannon and Colburn; add Councilors Siegel and Colburn as Co-sponsors to item 7.03 Resolution - Consideration of Ordinance Requiring Mandatory Recycling of Construction Debris.

 Communication David White re planBTV South End - Phase 1 - Real Estate Market Analysis.pdf

 Planning & Zoning – Amend FY 14 Budget to include Real Estate Market Analysis for PlanBTV, South End.pdf

 Amended DPW – Purchase of Smart Parking Meters for Downtown Core.pdf

 buffer zone guidance to Ordinance Committee.pdf

2. Public Forum: Time Certain 7:30 p.m.

2.01 Public Forum

Type: Procedural

3. Indoor Entertainment Permit Application (2014-2015)

3.01 Guild Fine Meats, 111 St. Paul Street

Type: Action

Recommended Action: waive the reading, accept the communication, place it on file and approve the 2014-2015 Indoor Entertainment Permit Application for Guild Fine Meats with all standard conditions and contingent upon Fire Marshal approval

 Guild Fine Meat Indoor Entertainment Permit Application.pdf

4. Presentation



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

4.01 David E. White, Planning & Zoning Director, re: Form based Code (20 mins.)

Type: Action, Communication, Presentation

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

 Communication David E White Form based Code.pdf

5. Public Hearings: Comprehensive Development Ordinances: ZA 14-05 Neighborhood Mixed Use District Expansion; ZA 14-07 Residential Parking Standards; ZA 14-09 Lot Coverage Exceptions and ZA 14-11 Animal Boarding allowance in NAC

5.01 Ordinance: Comprehensive Development Ordinance--Neighborhood Mixed Use District Expansion ZA 14-05 (Planning Department, Planning Commission; Ordinance Committee)(2nd reading)

Type: Action, Information, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 Zoning Amendment – ZA #14-5 - Neighborhood Mixed Use District Expansion, Maps 4.3.1-1; 4.4.2-1; 4.4.5-1; 8.1.3-1.pdf

 ZA 14-01 ZA-14-05 ZA-14-09 ZA-14-10 ZA-14-11 CC PH Warning071414ccmtg.docx

5.02 Removed

Type: Information, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Proposed amendment to agenda to remove item and place it on the August 11, 2014 deliberative agenda (per Councilor Mason)

 ZA 14-07 CC PH Warning 071414 cc mtg.docx

 Zoning Amendment - ZA #14-07 Residential Parking Standards, Map 8.1.3-1, Sec. 8.1.4 and 8.1.8.pdf

 ParkingDistricts - final.pdf

 ParkingDistricts-change.pdf

 ParkingDistricts-current.pdf

5.03 Ordinance: Comprehensive Development Ordinance--Lot Coverage Exceptions ZA 14-09 (Planning Department, Planning Commission; Ordinance Committee)(2nd reading)

Type: Action, Information, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 Zoning Amendment – ZA #14-09 – Lot Coverage Exceptions, Sec. 4.4.5, 13.1.2.pdf

 ZA 14-01 ZA-14-05 ZA-14-09 ZA-14-10 ZA-14-11 CC PH Warning071414ccmtg.docx



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

5.04 Ordinance: Comprehensive Development Ordinance--Animal Boarding allowance in NAC ZA 14-11 (Planning Department, Planning Commission; Ordinance Committee)(2nd reading)

Type: Action, Information, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 ZA 14-01 ZA-14-05 ZA-14-09 ZA-14-10
ZA-14-11 CC PH Warning071414ccmtg.docx

 ZA 14-11 table.pdf

 Zoning Amendment – ZA #14-11 – Animal
Boarding allowance in NAC, App. A Use Table All
Zoning Districts.pdf

6. Consent Agenda

6.01 Motion to approve/amend the consent agenda and take the actions indicated

Type: Action

Recommended Action: Motion to approve the consent agenda and take the actions indicated.

6.02 Communication: Lori Olberg, C/T Office, re: Accountability List

Type: Action (Consent), Communication

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

 Communication Accountability List 071414 cc
mtg.xlsx

6.03 Report: Annual Report of the Burlington Conservation Board, Fiscal Year 2014: June 30, 2013 - July 1, 2014

Type: Action (Consent), Report

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

 Conservation Report.pdf

6.04 Report: Steven Offenhartz, Chair, DAB, re: Design Advisory Board Annual Report

Type: Action (Consent), Report

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

 DAB Report.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.05 Report: Annual Report of the Burlington Development Review Board Fiscal Year 2014: June 30, 2013 - July 1, 2014

Type: Action (Consent), Report

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

 DRB Report.pdf

6.06 Report: Lisa Jones, Board Clerk, Housing Board of Review, re: Burlington Housing Board of Review Annual Report for 2013

Type: Action (Consent), Report

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

 Housing Board of Review Report.pdf

6.07 Report: 2013-2014 Fletcher Free Library Commission Report to the Burlington City Council

Type: Action (Consent), Report

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

 Library Report.pdf

6.08 Report: Amy Mason - Chairperson, Burlington Board of Tax Appeals, re: Board of Tax Appeals - 2013 Annual Report

Type: Action (Consent), Report

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

 BTA Report.pdf

6.09 Report: Timothy Larned, Acting Director, Winooski Valley Park District, re: Annual Report: July 1, 2013 - June 30, 2014

Type: Action (Consent), Report

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

 Winooski Vally Park District Report.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.10 Communication: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendments: ZA-14-01 and ZA-14-10

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and re-warn ZA-14-01 and ZA-14-10 for a public hearing slated for August 11, 2014

Communication David E. White Proposed Zoning Amendments ZA-14-01 and ZA-14-10 (1).docx

ZA-14-01-Residential side Rear yard Setback Encroachments.docx

ZA-14-10-Existing lots required frontage or access.docx

6.11 Communication: Mary Cushman, MD. MSc, Professor of Medicine and Pathology, UVM, re: Church Street as a smoke-free area

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and send a copy to the Ordinance Committee Members

Communication Mary Cushman Church Street as a smoke free area.pdf

6.12 Communication: Clerk/Treasurer's Office, re: Sweep Accounts & Other Bank Accounts

Type: Action (Consent), Communication

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

062014 - Sweep Account_ Rg.xlsx

6.13 Communication: Clerk/Treasurer's Office, re: General Fund Revenue as of June 18, 2014

Type: Action (Consent), Communication

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

061914_May Financial_UseMe.xlsx

6.14 Communication: Thomas Gustafson, Vice President for University Relations and Administration, re: City of Burlington and University of Vermont Memorandum of Agreement Re: 2009 Zoning Amendments

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and refer to the Community Development and Neighborhood Revitalization Committee

Housing report to City Council_June 2014.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.15 Communication: Harry Chen, MD, Commissioner of Health, Vermont, Department of Health, re: Deputy Health Officer Appointment of Theodore Miles

Type: Action (Consent), Communication

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

Communication Harry Chen DOH Deputy Health Officer Appointment of Theodore Miles.pdf

6.16 Communication: Mary N. Peterson, Commissioner, State of Vermont, Department of Taxes, re: Fiscal Year 2015 (FY15) Education Tax Rates

Type: Action (Consent), Communication

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

Communication Mary N. Peterson State of Vermont Department of Taxes Subject Fiscal Year 2015 (FY15) Education Tax Rates.pdf

6.17 Communication: Amy Bovee, Executive Secretary, Clerk/Treasurer's Office, re: Applications for Renewals of License Agreements for Encumbrances Outside of the Church St. Marketplace for the 2014-2015 Season

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and approve 2014-2015 Encumbrance Renewals for Bern Gallery and Hotel Vermont

Communication Amy Bovee License Agreement Renewal Letter to CC.doc

6.18 Communication: Amy Bovee, Executive Secretary, C/T Office, re: Board of Finance Minutes, Monday, May 19, 2014

Type: Action (Consent), Communication, Minutes

View Minutes from Board of Finance

6.19 Communication: Eileen Blackwood, City Attorney, re: Supplement to Annual Report on Livable Wage Ordinance--FY 14

Type: Action (Consent), Communication

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

Communication Eileen Blackwood Supplemental to Annual Report on Livable Wage Ordinance-FY14.pdf

Contracts as of 6_30_14_3_19pm.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.20 Special Event Outdoor Entertainment Application (two days only): Radio Bean Coffeehouse, Burlington College, Precipice Festival, August 1 and 2, 2014

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and approve the special event outdoor entertainment permit application for Radio Bean Coffeehouse for two days only with listed conditions

 Radio Bean Special Event Outdoor EP The
Precipice Festival.pdf

6.21 Special Event Outdoor Entertainment Permit Application (two days only): Radio Bean Coffeehouse, Burlington College, WYSIWYG Festival, August 23 and 24, 2014

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and approve the special event outdoor entertainment permit application for Radio Bean Coffeehouse for two days only with listed conditions

 Radio Bean Special Event Outdoor EP
WYSIWYG Festival.pdf

6.22 Resolution: Planning and Zoning Department Fee Schedule (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 FY2015_FeeSchedule_Councilmemo20140709.d
ocx

 FY2015_FeeSchedule_proposed20140630.pdf

6.23 Resolution: Authorization to Execute Agreement With Champlain College for Placement of a Geothermal Conduit in Willard Street Right-of-way (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 13074 CC Geothermal Partial Plan.pdf

 13074 CC Geothermal Partial Profile.pdf

 13074 CC Geothermal Vicinity Plan.pdf

 Cover Memo-License Committee Champlain
college Geothermal 7_8_14.pdf

 6 6 14 Revised Geothermal agreement under
South Willard Street 2014.doc

 DPW – Authorize Execution of Agreement with
Champlain College for Geothermal Conduit on
Willard St.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.24 Resolution: Authorization for Purchase of Boiler Superheater for The McNeil Generating Station (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BED – Authorization for Purchase of Boiler Superheater for the McNeil Generating Station.pdf

 Communication John Irving BED superheater updated info.pdf

6.25 Resolution: Reclassification of One Director of Operations, One Operations Foreman and Six Operations Specialists at Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Communication Julie Hulburd HR re Airport Reclassifications.pdf

 HR – BIA - Reclassify Director of Operations, Operations Foreman & 6 Operations Specialists.pdf

6.26 Resolution: Creation of Exempt Non-Union Limited Service Full Time Burlington Telecom Financial Controller (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 HR – Creation of Exempt Non-Union Limited Service Full Time BT Financial Controller.pdf

 Communication Ben Pacy HR re BT - Creation of Limited Service Full Time Controller - BT.pdf

6.27 Resolution: Reclassification of One Limited Service Full Time Associate Parks Project Coordinator to Regular Full Time - Burlington Parks and Recreation Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Communication Stephanie Reid HR re Parks and Recreation Associate Parks Project Coordinator Position.pdf

 HR - Parks – Reclassify Limited Service Full Time Associate Parks Coordinator to Regular Full Time.pdf

6.28 Resolution: Creation of Administrator of Metering Services Position; Creation of Metering Services Technician Position; Elimination of Troubleshooter Position; and Elimination of Electrician 1st Class A Metering Position - Burlington Electric Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Communication Ben Pacy HR re BED creation elimination of positions.pdf

 HR – BED - Creation of Metering Services Positions & Elimination of Troubleshooter & Electrician Positions.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.29 Resolution: Approving The Interest Rates and Sale of General Obligation Public Improvement Bonds, Series 2014 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Treasurer – Approve Interest Rates and Sale of General Obligation Public Improvement Bonds, Series 2014.pdf

6.30 Resolution: Approving The Interest Rates and Sale of General Obligation Tax Increment Financing Bonds for Waterfront TIF District Improvements Re March 2014 Ballot Item (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Treasurer – Interest Rates & Sale of General Obligation TIF Bonds for Waterfront TIF district Improvements re March 2014 Ballot Item.pdf

6.31 Resolution: Approving The Interest Rates and Sale of General Obligation Tax Increment Financing Bonds for Waterfront TIF District Improvements Re November 2012 Ballot Item (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Treasurer – Approve Interest Rates & Sale of General Obligation TIF Bonds for Waterfront Improvements – Nov. 2012 Ballot Item.pdf

6.32 Resolution: Award Proposal and Authorize An Agreement for Copy/Print Management Services (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Clerk-Treasurer – Award Proposal and Authorize Agreement for Copy, Print Management Services.pdf

6.33 Resolution: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of The City's Right-of-way with Barrio Bakery & Pizza Barrio (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Barrio Bakery Agreement and Exhibits.pdf

License Agree for Encumbrance – BARRIO BAKERY & PIZZA, 201-203 No. Winooski Ave. (Tables & Chairs) 2014.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

6.34 Resolution: Authorization to Enter into License Agreement to Erect and Maintain Two Directional Signs on a Portion of The City's right-of-way with Champlain College (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Champlain College Agreement and Exhibits.pdf

 License Agree for Encumbrance – CHAMPLAIN COLLEGE, So. Willard & Maple Sts. (Directional Signs) 2014.pdf

6.35 Resolution: Authorization to Enter into License Agreement to Maintain Awnings on a Portion of The City's Right-of-way with Stacks Sandwiches (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 License Agree for Encumbrance – STACKS SANDWICHES, 2 No. Winooski Ave. (Awnings) 2014.pdf

 Stacks Sandwiches Agreement and Exhibits.pdf

6.36 Resolution: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of The City's Right-of-way with Thai Dishes (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 License Agree for Encumbrance – THAI DISHES, 211 College St. (Tables & Chairs) 2014.pdf

 Thai Dishes Agreement and Exhibits.pdf

6.37 Resolution: Purchase of Smart Parking Meters for Downtown Core (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 Amended DPW – Purchase of Smart Parking Meters for Downtown Core.pdf

 Communication Pat Buteau DPW re City Council Smart Meter bid award.doc

 Real Lease Agreement.pdf

6.38 Resolution To Amend the FY 2014 General Fund Budget to Incorporate Expense/Funding Associated with the Real Estate Market Analysis for Plan BTv: South End (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: Waive the Reading and Adopt Resolution

 Communication David White re planBTv South End - Phase 1 - Real Estate Market Analysis.pdf

 Planning & Zoning – Amend FY 14 Budget to include Real Estate Market Analysis for PlanBTv, South End.pdf



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

7. Deliberative Agenda

7.01 Appointment of Interim General Manager at Burlington Electric Department

Type: Action

Recommended Action: waive the reading, accept the communication, place it on file and confirm the appointment of Neale Lunderville as the Interim General Manager at Burlington Electric Department

07-01-14 Neale Lunderville Interim GM BED
appointment memo -- final.pdf

07-2014 Neale Lunderville CV.pdf

7.02 Ordinance: Offenses and Miscellaneous Provisions Health Center Buffer Zones (City Attorney's Office)

Type: Action

Recommended Action: suspend all rules, place in all stages of passage and refer to the Ordinance Committee for further review and amendment

Proposed Guidance to Ordinance Committee Document and Suggested Action to Refer the Document to Ordinance Committee (Shannon, Colburn) to be added per amended agenda.

buffer zone guidance to Ordinance
Committee.pdf

City Council re Health Ctr Buffer Zone
Ordinance after McCullen Decision 7-9-14.pdf

Health Center Buffer Zones, Sec. 21-111,
21-112, 21-113, 21-114, 21-115.docx

7-10-14 buffer zone - Mayor's memo.pdf

7.03 Resolution: Consideration of Ordinance Requiring Mandatory Recycling of Construction Debris (Councilors Blais, Ayres, Mason, Colburn, & Seigel)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Councilors Siegel and Colburn to be added as Co-sponsors per amended agenda.

Consideration of Mandatory Construction
Debris Recycling.docx

7.04 Resolution: Authorization for FY15 Borrowing By Burlington School District (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

BSD Memo to Bd. of Finance re borrowing
7-8-14 (LC2).docx

School - Authorization for FY 15 Borrowing by
School District (Loan).docx

7.05 Discussion: Gateway Block Development (oral)15 mins.)

7.06 Communication: Eileen Blackwood, City Attorney, re: Burlington Telecom Update (oral) (possible executive session)



July 14, 2014

Regular City Council Meeting-Contois Auditorium, City Hall, 7:00 p.m.

8. Committee Reports

8.01 Verbal Reports

9. City Council - General City Affairs

9.01 Verbal Reports

10. Mayor - General City Affairs

10.01 Verbal Reports

11. Adjournment

11.01 Motion to adjourn
