



July 13, 2015

Regular City Council Meeting - Monday, July 13, 2015 - start time: 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 adopt/amend agenda

Type: Action, Procedural

Recommended Action: motion to adopt/amend agenda as follows: note change in motion to consent agenda item 4.19 Communication: Regina Murray Brault, re: Brewery to "waive the reading, accept the communication, place it on file and send a copy to the Health Officer (per Councilor Bushor); note change in motion to consent agenda item 4.20 Communication: Louis Mannie Lionni, re: Website Issues to "waive the reading, accept the communication, place it on file, send a copy to CIO Beth Anderson for consideration and send a copy to Planning & Zoning (per Councilor Bushor); note change in motion to consent agenda item 4.26 Resolution: Authorization to Merge Cemetery Commission into Board of Parks & Recreation (Councilors Shannon & Knodell) to "postpone action to the October 13, 2015 City Council Meeting" (per Councilor Shannon); note proposed amendment to consent agenda item 4.27 Resolution: Composition of The Joint Form-Based Committee (Councilors Shannon & Knodell)(per Councilor Shannon); note change in motion to consent agenda item 4.31 Resolution: Elimination of Institutions and Human Resources Policy Committee and Reassignment of Duties (Councilors Shannon & Knodell) to "postpone action to the August 10, 2015 City Council Meeting" (per City Council President Knodell); note updated answers to consent agenda item 4.40 Special Event Indoor/Outdoor Entertainment Permit Application for Burton Snowboards: Part II Operation, questions one and two (per C/T Office); remove from the consent agenda item 4.22 Communication: Jesse Bridges, Director, Burlington Parks, Recreation & Waterfront, re: Burlington Bike Path Rehabilitation Contract Addendum #3 and place it on the deliberative agenda as item 5.05 (per City Council President Knodell per Councilor Shannon); note title change for agenda item 10.01: Communication: Jesse Bridges, Director and Harbormaster, Burlington Parks, Recreation & Waterfront, re: Former Burlington College Land which is "Council Update on Former Burlington College Land Site Design Process" (per Parks and Recreation Director Bridges)

2. Oral Communication

2.01 Oral Communication from Brandon del Pozo, Deputy Inspector, New York Police Department

Type: Information

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

3.01 Verbal Comments

Type: Information, Procedural

4. Consent Agenda



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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:

note change in motion to consent agenda item 4.19 Communication: Regina Murray Brault, re: Brewery to "waive the reading, accept the communication, place it on file and send a copy to the Health Officer (per Councilor Bushor); note change in motion to consent agenda item 4.20 Communication: Louis Mannie Lionni, re: Website Issues to "waive the reading, accept the communication, place it on file, send a copy to CIO Beth Anderson for consideration and send a copy to Planning & Zoning (per Councilor Bushor); note change in motion to consent agenda item 4.26 Resolution: Authorization to Merge Cemetery Commission into Board of Parks & Recreation (Councilors Shannon & Knodell) to "postpone action to the October 13, 2015 City Council Meeting" (per Councilor Shannon); note proposed amendment to consent agenda item 4.27 Resolution: Composition of The Joint Form-Based Committee (Councilors Shannon & Knodell)(per Councilor Shannon); note change in motion to consent agenda item 4.31 Resolution: Elimination of Institutions and Human Resources Policy Committee and Reassignment of Duties (Councilors Shannon & Knodell) to "postpone action to the August 10, 2015 City Council Meeting" (per City Council President Knodell); note updated answers to consent agenda item 4.40 Special Event Indoor/ Outdoor Entertainment Permit Application for Burton Snowboards: Part II Operation, questions one and two (per C/T Office); remove from the consent agenda item 4.22 Communication: Jesse Bridges, Director, Burlington Parks, Recreation & Waterfront, re: Burlington Bike Path Rehabilitation Contract Addendum #3 and place it on the deliberative agenda as item 5.05 (per City Council President Knodell per Councilor Shannon);

4.02 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 071315 cc
mtg.xlsx

4.03 Communication: Amy Bovee, C/T Office, re: Special Local Control Commission Meeting Minutes, May 4, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 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

4.04 Communication: Amy Bovee, C/T Office, re: Special City Council Meeting Minutes, May 4, 2015

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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



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4.05 Communication: Amy Bovee, C/T Office, re: Special City Council Worksession Minutes, May 11, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

View Minutes from Special City Council Worksession - Monday, May 11, 2015, 5:30 pm - 7:30 pm, Conference Room 12, City Hall

4.06 Communication: Amy Bovee, C/T Office, re: Local Control Commission Meeting Minutes, May 18, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.07 Communication: Amy Bovee, C/T Office, re: Regular City Council Meeting Minutes, May 18, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.08 Communication: Amy Bovee, C/T Office, re: Budget Presentations Minutes, May 19, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

View Minutes from Budget Presentations - Tuesday, May 19, 2015 - 5:00 pm - 7:00 pm, Conference Room 12, City Hall

4.09 Communication: Amy Bovee, C/T Office, re: Budget Presentations Minutes, May 21, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

View Minutes from Budget Presentations - Thursday, May 21, 2015 - 5:00 pm - 7:00 pm, Contois Auditorium, City Hall



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4.10 Communication: Amy Bovee, C/T Office, re: Budget Presentations Minutes, May 27, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

View Minutes from Budget Presentations - Wednesday, May 27, 2015, 5:00 pm - 7:00 pm - Conference Room
12, City Hall

4.11 Communication: Amy Bovee, C/T Office, re: Budget Presentations Minutes, May 28, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

View Minutes from Budget Presentations - Thursday, May 28, 2015 - 5:00 pm - 7:15 pm - Contois Auditorium,
City Hall

4.12 Communication: Marianne Riordan, re: Regular City Council Meeting Minutes, June 1, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.13 Communication: Marianne Riordan, re: Special City Council Worksession Minutes, June 15, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.14 Communication: Marianne Riordan, re: Local Control Commission Meeting Minutes, June 15, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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



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4.15 Communication: Marianne Riordan, re: City Council With Mayor Presiding Meeting Minutes, June 15, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.16 Communication: Marianne Riordan, re: Regular City Council Meeting Minutes, June 15, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.17 Communication: Marianne Riordan, re: Regular City Council Meeting Minutes, June 29, 2015

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2015 City Council Meeting

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

4.18 Communication: Regina Murray Brault, re: Cherry Lane Parking for "Residents Only"

Type: Action (Consent), Communication

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

Communication Regina Murray Brault re
Cherry Lane Parking for Residents Only.pdf

4.19 Communication: Regina Murray Brault, re: Brewery

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and send a copy to the Health Officer

Communication Regina Murray Brault re
Brewery.pdf



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4.20 Communication: Louis Mannie Lionni, re: Website Issues

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, send a copy to CIO Beth Anderson for consideration and send a copy to Planning & Zoning

Communication Louis Mannie Lionni re
Website Issues.pdf

4.21 Communication: Mary N. Peterson, Vermont Department of Taxes, re: Fiscal Year 2016 (FY16) Education Tax Rates

Type: Action (Consent)

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

Communication Mary N. Peterson, VT
Department of Taxes re FY 2016 Education Tax
Rates.pdf

4.22 Communication: Jesse Bridges, Director, Burlington Parks, Recreation & Waterfront, re: Burlington Bike Path Rehabilitation Contract Addendum #3 (now agenda item 5.05)

Type: Action (Consent)

Recommended Action: authorize the Parks, Recreation & Waterfront Director to execute VHB's Contract Amendment 3 for the Burlington Bike Path Rehabilitation Project in the amount of \$330,000 and approve a budget amendment transferring that sum from the Waterfront TIF line to the Bike Path line, and in doing so to ratify the Parks & Rec Director's prior commitment to pay \$58,000 of that \$330,000 for soils development tasks that were time-sensitive

20150713 BOF Bike Path Memo - Amendment
3 FINAL.PDF

20150709 BBP Amendment 3 FINAL 2.pdf

4.23 Communication: Kimberlee J. Sturtevant, Assistant City Attorney, re: Application by NYNEX Mobile Limited Partnership 1 and Cellco Partnership, each d/b/a Verizon Wireless for a Certificate of Public Good, pursuant to 30 V.S.A. 248a for Installation of a Wireless Telecommunications Facility at 86 Lake Street

Type: Action (Consent), Communication

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

Verizon-86 Lake Street Memorandum to City
Council 7-8-15.pdf

4.24 Report: Burlington Housing Board of Review Annual Report for 2014

Type: Action (Consent), Report

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

Housing Board of Review Report.pdf



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4.25 Report: Winooski Valley Park District

Type: Action (Consent), Report

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

 WVPD Annual Report 2015 Burlington.doc

**4.26 Resolution: Authorization to Merge Cemetery Commission into Board of Parks & Recreation
(Councilors Shannon & Knodell)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution**postpone action until the October 13, 2015 City Council Meeting**

 Cemetery - Authorization to Merge Cemetery
Commission into Parks & Recreation
Commission.pdf

**4.27 Resolution: Composition of The Joint Form-Based Code Committee (Councilors Shannon &
Knodell)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****note proposed amendment per Councilor Shannon****

 Planning & Zoning - Composition of the Joint
Form-Based Code Committee.pdf

 amendmenttoconsentagenda4.27perJS.pdf

**4.28 Resolution: Creation of One Regular Full-Time Non-exempt Grade 18 Teen Librarian at The
Fletcher Free Library (Board of Finance)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 CC FFL Creation of One RFT Grade 18 Teen
Librarian July 2015.pdf

 HR - Fletcher Free Library - Creation of One
Teen Librarian.pdf

**4.29 Resolution: Creation of Regular Full Time Assistant City Attorney Position - City Attorney's
Office (Board of Finance)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 HR – City Attorney's Office – Creation of a
Fourth Assistant City Attorney Position .pdf

 CC Creation Asst City Attorney 07 13 15.pdf



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4.30 Resolution: Creation of Regular Full Time Commercial and Industrial Energy Services Engineer Position - Burlington Electric Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CC Packet BED Creation CommIndServEngn
07 13 15.pdf

HR - BED - Creation of Commercial and
Industrial Energy Services Engineer.pdf

4.31 Resolution: Elimination of Institutions and Human Resources Policy Committee and Reassignment of Duties (Councilors Shannon & Knodell)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution** postpone action until the August 10, 2015 City Council Meeting**

HR - Elimination of Institutions-Human
Resources (IHRP) Committee & Reassignment of
Duties.pdf

4.32 Resolution: Fuel Contract and Fuel Management Tracking and Billing System for City Fuel Depot (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Fuel Contract & Management Tracking
& Billing System for Fuel Depot with Champlain
Oil Co. (COCO).pdf

COCO 2015.doc

Communication Pat Buteau re Fuel Contract
extension for Champlain Oil Company.pdf

4.33 Resolution: FY15 Budget Year End Transfer Authorization CEDO (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

6-26-15 FY15 Year End Authorization CEDO
Memo.pdf

CEDO - FY 15 Budget Year End Transfer
Authorization.pdf

4.34 Resolution: New Authorization to Execute Lease with Intervale Center & Gardener's Supply (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Lease Agreement Intervale and
Gardener's.pdf

CEDO - New Authorization for Lease with
Intervale Center - Gardener's Supply re 99
Intervale Rd.pdf



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4.35 Resolution: Re-organization of The Office of Mayor; Reclassification and Title Change of The Mayoral Projects Coordinator Position and Reclassification of The Chief of Staff Position (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 HR - Mayor's Office Reorganization -
Reclassification & Title Change of Projects
Coordinator & Reclassification of Chief of Staff
Positions.pdf

 Packet CC Mayor's Office Reorg 07 13 15.pdf

4.36 Resolution: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of The City's Right-of-way with Istanbul Kebab House (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 License Agree for Encumbrance - ISTANBUL
KEBAB HOUSE (attachment).pdf

 License Agree for Encumbrance – ISTANBUL
KEBAB HOUSE, 175 Church St. (Tables &
Chairs) 2015.pdf

4.37 Resolution: Authorization to Enter into License Agreement to Maintain Tables and Chairs and an Ice Cream Cooler on a Portion of The City's Right-of-way with Junior's Downtown (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 License Agree for Encumbrance – JUNIOR'S
DOWNTOWN, 176 Main St. (Tables, Chairs &
Cooler) 2015.pdf

 License Agree for Encumbrance - Junior's
Downtown (attachment).pdf

4.38 Resolution: Authorization to Enter into License Agreement to Maintain Chairs on a Portion of The City's Right-of-way with Maglianero Cafe (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 License Agree for Encumbrance -
MAGLIANERO CAFE (attachment).pdf

 License Agree for Encumbrance –
MAGLIANERO CAFE, 47 Maple St. (Chairs)
2015.pdf

4.39 Special Event Outdoor Entertainment Permit Application (one day only): August First

Type: Action (Consent)

Recommended Action: approve the one day only special event outdoor entertainment permit application for August First:
August 1, 2015, rain date August 2, 2015, 11 am - 7 pm

 August First Special Event EP.pdf



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4.40 Special Event Indoor/Outdoor Entertainment Permit Application (two days only): Burton Snowboards

Type: Action (Consent)

Recommended Action: approve two day only Special Event Indoor and Outdoor Entertainment Permit Application for Burton Snowboards: 5pm-8pm on 9/11/15 (inside); 11am-3pm on 9/12/15 (outside)

Part II Operation:

1. Do you currently have a liquor license? **NO**
2. Do you currently have an Entertainment Permit/Special Event Permit? **NO**

 Burton Special Event Permits-in and out-.pdf

4.41 Special Event Outdoor Entertainment Permit Application (three days only): Citizen Cider

Type: Action (Consent)

Recommended Action: approve the special event outdoor entertainment permit application for three days only for Citizen Cider: 9/11 - 9/13: 12pm - 11pm

 Citizen Cider Special Event EP.pdf

4.42 For Information Only: Communications related to land use regulations and other matters

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 Act 250 Notice 110 Riverside Ave.pdf

 Public Notice re draft discharge permit to GS
Blodgett Co..pdf

 Act 250 Notice 100 Grove Street Project.pdf

 UVM First Year Student Housing and Dining
Project, Central Campus.pdf

 COS SD Ireland.pdf

 VLCT News.pdf

 Trudell Consulting Engineers re 110 Riverside
Ave.pdf

5. Deliberative Agenda



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5.01 Communication: Mayor Miro Weinberger, re: Appointment of Police Chief

Type: Action, Communication, Information

Recommended Action: approve the appointment of Brandon del Pozo as the new Police Chief effective September 1, 2015

 HR Step Placement memo to Mayor - Chief of Police Brandon del Pozo.pdf

 07-07-15 del Pozo Police Chief appointment memo.pdf

 07-07-15 del Pozo Police Chief CV cover letter.pdf

5.02 Fire Commission Report

Type: Action, Information, Report

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

 Fire Commission Report.pdf

5.03 Public Works Commission Report

Type: Action, Information, Report

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

 DPW Commission Report.pdf

5.04 Ordinance: Water - Meters (2nd reading)(Ordinance Committee; Public Works Department)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 Water Meters, 31-39, through 31-51.pdf

5.05 Communication: Jesse Bridges, Director, Burlington Parks, Recreation & Waterfront, re: Burlington Bike Path Rehabilitation Contract Addendum #3 (was consent agenda item 4.22)

Type: Action, Communication, Discussion

Recommended Action: authorize the Parks, Recreation & Waterfront Director to execute VHB's Contract Amendment 3 for the Burlington Bike Path Rehabilitation Project in the amount of \$330,000 and approve a budget amendment transferring that sum from the Waterfront TIF line to the Bike Path line, and in doing so to ratify the Parks & Rec Director's prior commitment to pay \$58,000 of that \$330,000 for soils development tasks that were time-sensitive

6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural



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6.02 Communication: Chip Mason, Chair, re: Ordinance Committee

Type: Action, Communication, Information

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

Ordinance Committee Communication.docx

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. Expected Executive Sessions

10.01 Communication: Jesse Bridges, Director and Harbormaster, Burlington Parks, Recreation & Waterfront, re: Former Burlington College Land (oral) **part of this oral communication will be in open session with an executive session expected**

Type: Action, Communication, Information

Recommended Action: expected executive session**title change: Council Update on Former Burlington College Land Site Design Process**

10.02 Communication: Eileen Blackwood, City Attorney and Bob Rusten, CAO, re: Update on Contract Negotiations (oral)

Type: Action, Information

Recommended Action: expected executive session

11. Adjournment



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11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational Statement

12.01 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, Procedural