



June 27, 2016

Regular City Council Meeting - Monday, June 27, 2016 - Contois Auditorium, City Hall

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1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: note signed agreement and supplemental documents for consent agenda item 3.17 Communication: Miro Weinberger, Mayor to E. Thomas Sullivan, President of the University of Vermont, re: Letter of Agreement and Zoning Agreement; add to the consent agenda item 3.27 Communication: Bob Rusten, CAO, re: Financial Management Questionnaire with the action to "waive the reading, accept the communication and place it on file." (per CAO Rusten); note proposed amendment for agenda item 4.04 Resolution: Annual Appropriation and Budget for Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)(per Councilor Bushor); remove from the consent agenda item 3.13 Communication: Ashley Bryce, C.T Office, re: Application for Renewal of License Agreement for Bern Gallery and place it on the Deliberative Agenda as agenda item 4.12 (per Democratic Staffperson Ahearn Stephany per Councilor Shannon)

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

2.01 Verbal Comments

Type: Information, Procedural

3. Consent Agenda

3.01 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: remove from the consent agenda item 3.13 and place it on the deliberative agenda as item 4.12 (per Democratic Staffperson Ahearn Stephany per Councilor Shannon); note signed agreement and supplemental documents for consent agenda item 3.17 Communication: Miro Weinberger, Mayor to E. Thomas Sullivan, President of the University of Vermont, re: Letter of Agreement and Zoning Agreement; add consent agenda item 3.27 Communication: Bob Rusten, CAO, re: Financial Management Questionnaire with the action to "waive the reading, accept the communication and place it on file." (per CAO Rusten)

3.02 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 062716 cc
mtg.xlsx



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3.03 Communication: Laura Wheelock P.E., Public Works Engineer, re: FY'17 Street Reconstruction Program-Authorization to Award Construction Contract

Type: Action (Consent)

Recommended Action: to authorize Chapin Spencer, Director of Public Works to enter into and execute a contract with Pike Industries Inc. in the amount of \$984,177.50 for the FY17 Street Reconstruction Project, subject to the prior approval of the City Attorney and the Chief Administrative Officer, and also authorize the use of an additional \$105,000.00 in contingency funds to increase the authorized amount if needed for the project, for a total of \$1,089,177.50

1-Memo - Contract Award FY17 Street Reconstruction (002).doc

A1-Jan 2016 FY17 Paving Commission Memo.pdf

A2 - FY17 Street Reconstruction - Bid Tabulation (2).pdf

Checklist for BOF and Council Approval -Pike Contract FY 17 Reconstruction.pdf

3.04 Communication: Martin Lee P.E., Public Works Engineer, re: Colchester Ave Sidepath - Increase Project Budget by \$5,000 and Approve Corrected Cooperative Agreement Amendment CA0422-1

Type: Action (Consent)

Recommended Action: approve acceptance of the corrected Cooperative Agreement Amendment, increase the total city contributions by \$5,000, and authorize Chapin Spencer, Director of Public Works, to sign the corrected Cooperative Agreement Amendment CA0422-1 subject to the prior review and approval of the City Attorney's Office

1 - BOF CC Memo - Grant Amendment Acceptance Colchester Ave Sidepath 6-2....doc

2 - Burlington STP SDWK(19) CA0422-1 Agreement Amendment Corrected.pdf

3 - Burlington STP SDWK(19) CA0422-1 Agreement Amendment with Error Exce....pdf

Colchester Avenue BOF and CC Checklist.pdf

3.05 Communication: C/T Office, re: Correct Board Appointment Terms

Type: Action (Consent)

Recommended Action: to correct the terms of Housing Board of Review members who were appointed by the Council on June 13, 2016, for terms beginning July 1, 2016; the terms should be three years pursuant to BCO sec. 18-37 (not five years)

Communication CT Office re Correct Board Appointment Terms.pdf

3.06 Communication: City Attorney's Office; CAO, re: Repayment to State for TIF Increment Retained in Error

Type: Action (Consent), Communication

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

TIF communication.pdf



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3.07 Special Event Outdoor Entertainment Permit Application (one day only): August First, August 1, 2016, 12 pm - 8 pm

Type: Action (Consent)

Recommended Action: approve one day only Special Event Outdoor Entertainment Permit Application for August First , August 1, 2016, 12 pm - 8 pm, Bands, YES dancing, YES amplified music

August First Special Event Outdoor EP.pdf

3.08 Special Event Outdoor Entertainment Permit Application (three days only): Citizen Cider, 316 Pine Street Suite 114, Parking Lot, 7/10, 7/24 and 8/14

Type: Action (Consent)

Recommended Action: approve three day only special event outdoor entertainment permit application for Citizen Cider, 316 Pine Street Suite 114: 7/10-12 pm - 5 pm; 7/24-10 am - 2 pm and 8/14-12 pm - 5 pm

Special Event Outdoor EP Citizen Cider three days only.pdf

3.09 Indoor Entertainment Permit Renewal (2016-2017): Swan Dojo, 19 Church Street #1

Type: Action (Consent)

Recommended Action: approve 2016-2017 Indoor Entertainment Permit Renewal for Swan Dojo with all standard conditions

Swan dojo Indoor EP renewal.pdf

3.10 Special Event Outdoor Entertainment Permit Application (one day only); The Growler Garage at Body Resolution, Friday, July 15th, 5:00 pm - 10:00 pm

Type: Action (Consent)

Recommended Action: approve one day only special event outdoor entertainment permit application for The Growler Garage at Body Resolution, Friday, July 15th, 5:00 pm - 10:00 pm

The Growler Garage Special Event Outdoor EP one day only.pdf

3.11 Special Event Outdoor Entertainment Permit Application (three days only): Citizen Cider, 316 Pine Street Suite 114, 11 am - 11 pm (Friday and Saturday); 11 am - 7 pm (Sunday), Parking Lot, Art Hop

Type: Action (Consent)

Recommended Action: approve three day only special event outdoor entertainment permit application for Citizen Cider, 316 Pine Street Suite 114, 11 am - 11 pm (Friday and Saturday); 11 am - 7 pm (Sunday), Parking Lot, Art Hop, Dancing YES, Amplified Music YES

Citizen Cider Special Event Outdoor EP three days only Art Hop.pdf



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3.12 Special Event Outdoor Entertainment Permit Application (three days only): SEABA, September 9 - 11, 2016

Type: Action (Consent)

Recommended Action: approve three day only special event outdoor entertainment permit application for SEABA, September 9 - 11, 2016

SEABA Special Event Outdoor EP.pdf

3.13 Communication: Ashley Bryce, C/T Office, re: Application for Renewal of License Agreement for Bern Gallery (now deliberative agenda item 4.12)

Type: Action (Consent)

Recommended Action: approve license agreement renewal application for Bern Gallery for 2016-2017 as recommended in the communication dated June 22, 2016

Communication Bern Gallery Encumbrance Renewal.pdf

3.14 Communication: Douglas R. Farnham, Director, State of Vermont, Department of Taxes, re: Notice of Redetermination of EEPT Grand List

Type: Action (Consent), Communication

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

Communication State of Vermont Department of Taxes.pdf

3.15 Communication: The Coalition for a Livable City, re: Handout 6/13/16

Type: Action (Consent), Communication

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

Coalition for a Livable City Handout.pdf

3.16 Communication: Wayne Senville, DRB, Alternate Member, re: Resignation

Type: Action (Consent)

Recommended Action: waive the reading, accept Wayne's resignation (appointed to a Full Member slot) and advertise the vacancy in Seven Days (already did)

Wayne Senville's Resignation Letter.pdf



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3.17 Communication: Miro Weinberger, Mayor to E. Thomas Sullivan, President of the University of Vermont, re: Letter of Agreement and Zoning Agreement

Type: Action (Consent), Communication

Recommended Action: to authorize the Mayor to execute one-year extension of UVM letter agreement

****note signed agreement and supplemental documents for this agenda item****

Office of Mayor Miro Weinberger-6.24.16 agreement signed by President Tom Sullivan.pdf

2009 COB-UVM MOA re Zoning Amendments.pdf

2007 Letter of Agreement for COB and UVM.pdf

6-22-16 - UVM City letter of agreement payment for services .pdf

3.18 Report: Board for Registration of Voters, re: Report on Resolution Relating to Voting Locations and Improving Voter Participation

Type: Action (Consent), Report

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

Report on Universal Polling Places.doc

3.19 Report: Development Review Board

Type: Action (Consent), Report

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

fy 16 drb ann rpt.pdf

3.20 FIO Document

Type: Action (Consent), Information

Recommended Action: for information only

FIO document.pdf

3.21 Ordinance: MOTOR VEHICLES AND TRAFFIC - General Prohibitions - Idling Clause (Councilor Mason)(1st reading)

Type: Action (Consent), Ordinance - First Reading

Recommended Action: consider this first reading and refer to the Ordinance Committee

Motor Vehicles and Traffic – General Prohibitions, Sec. 20-55 - Idling.pdf



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3.22 Resolution: Extension of Vehicles-for-Hire Fee Schedule and Extension of Interim Agreement with Rasier, LLC (Uber)(Councilor Roof)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Clerk – Extension of Vehicle for Hire Fee Schedule & Extension of Interim Agreement with Rasier, LLC (Uber) (Taxis, Ground Transportation).pdf

3.23 Resolution: Amended Open Meeting Law Designations (Councilor Knodell)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Clerk-Treasurer - Open Meeting Law – Amended Designations (2016).pdf

 April 18, 2016 Cc Schedule Dates.pdf

 December 15, 2015 CC Schedule Dates.pdf

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

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 License Agree for Encumbrance – THE ARCHIVES, 191 College St. (Table & Chairs) 2016.pdf

 License Agree for Encumbrance – THE ARCHIVES, 191 College St. (Table & Chairs) 2016 (attachments).pdf

 License Agree for Encumbrance – THE ARCHIVES, 191 College St. (Tables & Chairs) 2016.pdf

3.25 Resolution: Authorization to Execute Contract with Stantec Consulting Services, Inc. for Stormwater Permit Management Services at The Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BIA – Contract with Stantec Consulting for Stormwater Permit Management Services.pdf

 2a BoF_CC_Checklist.fillable Stormwater Stantec.pdf

 2b Stormwater Permit Management Services - Stantec.pdf

 2c BTV Stormwater Services FY 2017 Agreement_Proposal.pdf



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3.26 Resolution: Authorization to Enter into Agreement with Northeast Delta Dental as FY 2017-19 Dental Insurance Program Administrator/Provider (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

HR - Northeast Delta Dental Agreement re Dental Insurance Program Administrator-Provider FY 2017-19.pdf

BOF CC Dental Packet 06 20 16.pdf

BOFCC Checklist Dental 06 20 16.pdf

3.27 Communication: Bob Rusten, CAO, re: Financial Management Questionnaire

Type: Action (Consent), Communication

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

Financial management checklist - towns FY 17.doc

4. Deliberative Agenda

4.01 Indoor Entertainment Permit Application (2016-2017): Monarch and the Milkweed, 111 St. Paul Street

Type: Action, Discussion

Recommended Action: approve 2016-2017 Indoor Entertainment Permit Application for Monarch and the Milkweed with the following conditions: contingent upon Fire Marshal approval, all City permits need to be closed out and all standard conditions

Monarch and the Milkweed Indoor EP.pdf

4.02 Presentation: Ken Braverman, CEDO Consultant, re: Burlington Harbor Marina Development Agreement (oral)

Type: Discussion, Information, Presentation



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4.03 Resolution: Authorization for Execution of a Development Agreement Between The City and The Burlington Harbor Marina (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

CEDO—Development Agreement with Burlington Harbor Marina.pdf

Marina Term Sheet 062216.doc

Development Agreement with Burlington Harbor Marina 6-21-16.pdf

Exhibit 1 (002).pdf

MOU for Marina.pdf

Exhibit 4 - TIF Eligible Work Budget Summary (002).pdf

Memo re Marina RH.pdf

Exhibit 3 - Dufresne Report.pdf

4.04 Resolution: Annual Appropriation and Budget for Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

****note proposed amendment per Councilor Bushor****

Treasurer - Annual Appropriation and Budget for Fiscal Year Beginning July 1, 2016 (Budget) 6-23-16.pdf

Proposed Amendment per Councilor Bushor Item 4.04.pdf

4.05 Resolution: Annual Appropriation and Budget for Regional Programs for Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer - Annual Appropriation & Budget for Regional Programs for FY Beginning 7-1-16 (Budget).pdf



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4.06 Resolution: Annual Tax Assessments on the Property Grand List of the City for the Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer - Annual Tax Assessments on the Property Grand List for the Fiscal Year Beginning July 1, 2016.pdf

4.07 Resolution: Annual Appropriation and Budget for Capital Projects for Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer - Annual Appropriation and Budget for Capital Projects for Fiscal Year Beginning July 1, 2016 (Budget).pdf

4.08 Resolution: Temporary Loans in Anticipation of Taxes for the Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer - Temporary Loans in Anticipation of Taxes for FY 2017 (Budget).pdf

4.09 Resolution: Approving the Issuance of Grant Anticipation Notes for the Costs of Certain Airport Improvement Projects for FY 2017 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer - Approving Issuance of Grant Anticipation Notes for Costs of Certain Airport Improvement Projects (GAN) for FY17 (Budget).pdf



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4.10 Resolution: Authorization for Public Improvement Bonds for Fiscal Year 2017 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer – Authorization for Public Improvement Bonds for Fiscal Year 2017 (Budget).pdf

4.11 Resolution: DPW Water Division - Capital Borrowing Authorization for Fiscal Year Beginning July 1, 2016 (Mayor Weinberger; Councilor Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

<https://www.burlingtonvt.gov/CT/Fiscal-Year-2017-Budget>

Treasurer – DPW Water Div. – Capital Borrowing for Fiscal Year Beginning July 1, 2016 (Budget).pdf

4.12 Communication: Ashley Bryce, C/T Office, re: Application for Renewal of License Agreement for Bern Gallery (was consent agenda item 3.13)

Type: Action, Discussion

Communication Bern Gallery Encumbrance Renewal.pdf

5. Committee Reports

5.01 Verbal Reports

Type: Information, Procedural

6. City Council - General Affairs

6.01 Verbal Reports

Type: Information, Procedural

7. City Council President - Council Updates



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7.01 Verbal Reports

Type: Information, Procedural

8. Mayor - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. Expected Executive Session

9.01 Communication: Mayor Weinberger, re: Memorial Auditorium/Gateway Block/City Arena update (oral)

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