



Regular City Council Meeting - Monday, June 18, 2018, Contois Auditorium, City Hall 6/18/2018

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

June 18, 2018

APPROVED

MEMBERS PRESENT: Kurt Wright (Council President) – Ward 4

Jane Knodell – Central District

David Hartnett – North District [arrived 7:32 PM]

Joan Shannon – South District

Richard Deane – East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Brian Pine – Ward 3

William “Chip” Mason – Ward 5

Karen Paul – Ward 6

Ali Dieng – Ward 7

Adam Roof – Ward 8

ADMINISTRATION: Miro Weinberger, Mayor

Beth Anderson, CAO

Rich Goodwin, DFO

Eileen Blackwood, City Attorney

Jordan Redell, Mayor’s Office

Lori Olberg, C/T

Amy Bovee, C/T



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Neale Lunderville, BED and Interim CEDO Director

Cindi Wight, Parks & Rec

OTHERS PRESENT: Gabrielle Stebbins

Jeff Nick

Joanne Hunt

Lori Sullivan

Donna Walters

Emily Hurley

Nancy Kaplan

Beginning at 6:15 PM City Council held Executive Session to discuss contract negotiations and the proposed sale of shares in the Highgate converter station.

1.0 CALL TO ORDER and AGENDA

[Note: Minutes reflect the order of the published agenda.]

Council President Wright called the regular City Council meeting to order at 7:19 PM on June 18, 2018 and led the assemblage in the Pledge of Allegiance.

1.01 Agenda

MOTION by Councilor Knodell, SECOND by Councilor Bushor, to approve the agenda with the following amendments:

- Updated information to Item 4.12 (change of date of block party by Common Deer)
- Add information to Item 4.19 (2018 waterline rehab work) and move to Item 5.09 on Deliberative Agenda (later changed to remain on the Consent Agenda)
- Remove Item 4.20 (Old North End Community Center sub-leases) from Consent Agenda
- Updated information on Item 4.25 (Airport budget amendment)
- Add information on Item 4.28 (Ordinance – Housing: Fees)



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- **Revised information on Item 4.31 (staff structure - Parks & Rec)**
- **Information on Item 4.32 (reimbursement for Downtown TIF District)**
- **Information on Item 4.33 (reimbursement for Waterfront TIF District)**
- **Information on Item 4.34 (quit claim – 97 Curtis Ave.)**
- **Information on Item 5.03 (annual appropriation and budget FY19)**
- **Information on Item 5.04 (annual tax assessments on Grand List)**
- **Add information on Item 5.05 (public improvement bonds FY19)**
- **Add information on Item 5.06 (grant anticipation note – Airport projects)**
- **Remove Item 5.07 (revenue anticipation note – BED)**
- **Add information on Item 5.08 (Mayor as co-sponsor on investment of unassigned balance)**

DISCUSSION:

- **Councilor Knodell observed there would be fewer changes to the agenda at the meeting if the changes were brought forward sooner.**

VOTING: unanimous; motion carried.

Council President Wright recessed the City Council meeting at 7:24 PM to convene the Local Control meeting. The City Council meeting resumed at 7:32 PM.

2.0 ANNUAL REPORTS

2.01 Electric Light Commission

BED General Manager Lunderville and Commission Chair Stebbins stated the annual electric report speaks to safety, reliability and sustainability, and affordable rates. The dedicated and capable team at BED allows for moving forward with the city's goals. There was brief discussion of tariff based financing to help long term renters reap some cost savings and integrating efficiency and energy innovation and unique financing approaches for a more complete package for customers.

Positive comment was made on the E-bike program, General Manager Lunderville's leadership and the programs at BED. The department earned the prestigious American Public Powers Award in 1979 and 2018.

There was discussion of having utilities underground. General Manager Lunderville stressed safety is the priority at BED. The system has both overhead and underground lines which are managed with safety in mind. Underground lines are considered when there is opportunity. Reliability and safety are good with the overhead system. Moving from overhead to underground is five times more expensive.

Councilor Dieng requested the cost for a long term plan (50 years) to underground the lines. General Manager Lunderville will provide the information.





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2.02 Parks & Rec Commission

Parks & Rec Director Wight and Commissioners Kaplan and Hurley reported commission meetings are held throughout the city to allow more residents to attend. Highlights of the report include a core program at the Old North End Community Center, addition of a new Rec Director (Cindi Wight) and an arborist on staff, Burlington greenway, energy efficiencies, court improvements, and a new software system to make it easier to register for programs (revenues are up from the same time last year). Staff has been using e-bikes to assist with work on the bike path.

Councilor Hartnett asked about scholarships for programs and camps. Director Wight said the amount of money for scholarships has been exceeded already. Some programs are cost free for kids connected to the Boys & Girls Club. Staff works hard to connect people to the scholarship program. Mayor Weinberger said staff is looking at performance metrics for Parks, BCA, and Library to measure equity. A report will be given to City Council.

Councilor Roof mentioned the revenue from the city's campground has exceeded what is budgeted. Director Wight said the manager of the campground does a fantastic job. The campground needs to be brought up to current standards though.

Councilor Shannon noted the change in name from Burlington bike path to Burlington greenway. Director Wight said the national standard is greenway to describe a linear path not just for bikes.

Councilor Dieng asked about licensing for childcare services. Director Wight said the state felt the vacation camp and summer program should be separate from the childcare licensing to avoid duplication and extra burden on families. Councilor Dieng urged paying seasonal employees a livable wage. Mayor Weinberger noted employees that return for five years are then paid a livable wage. Councilor Dieng asked about a softball field for girls. Director Wight said there is already one softball field and another planned.

Councilor Knodell spoke positively about the "penny for parks" model. Director Wight said many ideas for projects are provided by residents at NPA meetings.

Councilor Paul asked about offering Wi-Fi in city parks. Director Wight said Burlington Telecom will consider this.

3.0 PUBLIC FORUM

Public forum was opened at 7:32 PM.

COMMENTS

- Joanne Hunt requested support for the pay increase for nurses at the UVM Medical Center to acknowledge their



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value and worth.

- Lori Sullivan described the attack on her small dog by a wolf hybrid dog at the dog park. Ms. Sullivan said she is helping to draft an ordinance to outlaw wolf hybrids and similar type dogs from the dog parks.
- Donna Walters requested City Council consider modifying the decision on tree removals in City Hall Park and save more healthy trees.

There were no further comments. Public Forum was closed at 7:41 PM.

4.0 CONSENT AGENDA

- 4.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated
- 4.02 COMMUNICATION: Accountability List
- 4.03 PERMIT: Outdoor Seating, Deli 126, 126 College Street
- 4.04 PERMIT: Outdoor Seating, Drink, LLC, 135 St. Paul Street
- 4.05 PERMIT: Sign, Eternity Web, LLC, 182 Main Street
- 4.06 PERMIT: Sign, Study Hall, 209 College Street
- 4.07 PERMIT: Sign, Tail Feathers, 207 College Street
- 4.08 PERMIT: Construction, The Vaults, 30 Howard Street
- 4.09 COMMUNICATION: Resignation, Board of Registration of Voters, Heidi Melbostad
- 4.10 PERMIT: Indoor Entertainment, Swan Dojo, 19 Church Street
- 4.11 PERMIT (3 days): Special Event Outdoor Entertainment, Festival of Fools, BCA, August 3-5, 2018
- 4.12 PERMIT (1 day): Special Event Outdoor Entertainment, Block Party, College Street, Common Deer, September 29, 2018
- 4.13 PERMIT (1 day): Special Event Outdoor Entertainment Folino's 71 South Union Street, June 16, 2018
- 4.14 COMMUNICATION: DPW Commission Attendance May 2017-May 2018
- 4.15 ANNUAL REPORT: Conservation Board
- 4.16 ANNUAL REPORT: Design Review Board
- 4.17 ANNUAL REPORT: Housing Board
- 4.18 ANNUAL REPORT: Board of Registration of Voters
- 4.19 COMMUNICATION: Waterline Rehab, University Property
- 4.20 COMMUNICATION: Old North End Community Center Sub-Leases (removed from Consent Agenda)
- 4.21 COMMUNICATION: Parks & Rec Commission Meeting Attendance Record



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- 4.22 COMMUNICATION: Burlington Greenway Rehab Phase 2
- 4.23 COMMUNICATION: Outcome of Bond Financing
- 4.24 COMMUNICATION: Property Lease, Junior of Champlain Valley, 3060 Williston Road
- 4.25 COMMUNICATION: Airport Budget Amendment FY18
- 4.26 COMMUNICATION: Council Initiative Funds for Burlington Wildways
- 4.27 COMMUNICATION: FIO Document(s)
- 4.28 ORDINANCE: Housing – Fees
- 4.29 ORDINANCE: Solid Waste Generation Tax
- 4.30 RESOLUTION: Staff Structure, BED
- 4.31 RESOLUTION: Staff Structure, Parks & Rec
- 4.32 RESOLUTION: Reimbursement, Downtown TIF
- 4.33 RESOLUTION: Reimbursement, Waterfront TIF
- 4.34 RESOLUTION: Quit Claim, 87 Curtis Ave.

MOTION by Councilor Knodell, SECOND by Councilor Bushor, to adopt the Consent Agenda and take the action indicated for Items 4.01 through Item 4:34. VOTING: unanimous; motion carried.

5.0 DELIBERATIVE AGENDA

5.01 Public Hearing: FY19 Church Street Marketplace Common Area Fees

The public hearing was opened at 8:30 PM. Jeff Nick, Chair of the CSM Commission, reported the program is level funded. Staff is dedicated and hardworking. CSM has a high fee structure relative to other downtown districts. There were no further comments. The public hearing was closed at 8:31 PM.

5.02 CSM Common Area Fee – Adam Roof

MOTION by Councilor Roof, SECOND by Councilor Deane, to waive the reading and adopt the resolution on the allocation methods and standards for the common area fee formula and establishment of common area fees for the Church Street Marketplace for FY2019.

DISCUSSION:

- Councilor Roof said the fees by the 30 businesses in Church Street Marketplace will raise nearly \$700,000.
- Councilor Bushor recalled past practice has been to readopt the existing standards and then adopt the common area fees. City Attorney Blackwood said the same procedure as last year was followed and there is no change to the standards. Jeff Nick said the fee payers voted to adopt the fees.





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VOTING: 10 ayes, one nay (Councilor Bushor)[Councilor Hartnett not present for vote]; motion carried.

5.03 Annual Appropriation and Budget FY2019 – Mayor, Board of Finance

5.04 Annual Tax Assessment on Property Grant List FY2019 – Mayor, Board of Finance

MOTION by Councilor Paul, SECOND by Councilor Knodell, to waive the reading and adopt the resolutions for the annual appropriation and budget and the annual tax assessments on the property Grand List for the fiscal year beginning July 1, 2018.

DISCUSSION:

- Councilor Paul briefly reviewed the action City Council will be taking on the budget, bonds, and grant anticipation notes, and spoke of the goals of the budget to provide best practices to meet the needs of the residents while maintaining a flat tax rate. The budget includes investment in safety (police, fire, EMS), funding of the Early Learning Initiative, support of the Housing Trust Fund, low barrier warming shelter, and the senior centers. The budget is fair, factual, and forward thinking. The tax rate of \$83.44 per \$100 of assessed property value will fund obligations for the present and plans for future needs.
- Councilor Knodell said the budget is good and well managed to continue many enhancements from previous years and keep up with the rising cost of doing business without increasing the property tax for general city services. There is a 5% increase in water and waste water rates which equates to about \$3 per month for the average household.
- Mayor Weinberger explained the tax increase for a single family house is related to the increase in capital investments and increase in retirement payments. The average increase will be \$78/year for a single family house valued at \$234,250 and \$64/year for a condo valued at \$193,000. Thanks are extended to the CAO and all department heads for the hard work on the budget. This is the fifth year without an increase in operating taxes, and in fact, there is a slight decrease.
- Councilor Tracy said the hard work by all on the budget is appreciated. The process has been thoughtful with good debate. The NPAs requested money for public engagement to have an increased voice in the budget process and a more proactive process.
- Councilor Hartnett suggested more money be put into paving and sidewalks to show the residents that City Council has heard their message on the poor condition of the roads and sidewalks. Also, the Family Room model should be followed with the Early Learning Initiative to help close the gap and make a difference in achievement with young learners. The year-long pilot for the low barrier shelter will show if there is a need to be met.

VOTING: unanimous; motion carried.

5.05 Public Improvement Bonds FY2019 – Mayor, Board of Finance

5.06 Grant Anticipation Note for Airport Projects – Mayor, Board of Finance

MOTION by Councilor Paul, SECOND by Councilor Knodell, to waive the reading and adopt the resolutions for the public improvement bonds for FY2019 and the grant anticipation note for certain airport project in FY19.

DISCUSSION:



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- **Councilor Paul explained bonding is done annually to address working capital and capital improvements in the city plus capital improvements for additions and replacements at BED and capital needs for economical operation of the school department. The grant anticipation note for the airport is temporary borrowing until FAA grants are received for the airport projects.**

VOTING: unanimous; motion carried.

5.07 Revenue Anticipation Notes - BED

Removed from agenda.

5.08 Proposed Investment of Unassigned Fund Balance – Board of Finance

MOTION by Councilor Paul, SECOND by Councilor Knodell, to waive the reading and adopt the resolution on investment of the Unassigned Fund Balance.

DISCUSSION:

- **Councilor Paul said the fund balance exceeds the target of 10% of the fund balance or in excess of 15% of expenditures. The fund balance is 14% so some will be used to reduce ongoing annual expenses, improve operational efficiencies, and create new opportunities for revenue. Fund balance will be applied to the Heineburg Senior Center, property reappraisal cost, legal and professional services to support the proposed district energy system, improve capital project accounting, fund a CEDO Community Engagement Specialist position, digitize and archive city records, do a study to look at trends in the working age population and employment.**
- **Councilor Knodell spoke in support of the People in Jobs study.**
- **Councilor Bushor spoke in support of the People in Jobs study and suggested the Board of Finance discuss the initiatives that were not on the list and hear feedback from City Council.**
- **Councilor Dieng suggested the Unassigned Fund Balance should be used for social services and addressing quality of life issues for people who live in the city. Also, a position should be created for a coordinator of education from early childhood to graduation from high school. Resources should be found to allocate to social services to address the opiate crisis.**
- **Councilor Hartnett pointed out many resources have been given to the opiate crisis and the city has a strong commitment to social services and quality of life in Burlington. The city has done a good job in distributing funds.**
- **Councilor Shannon agreed the areas of focus in the budget make sense. Funds are not unlimited. City Council should be grateful to have extra money to move forward with community initiatives.**
- **Council President Wright noted there is some available money for more paving and if necessary some to cover any gap in the phase out of the business personal property tax.**
- **Mayor Weinberger pointed out \$855,000 will be committed to a variety of initiatives as discussed and there is potentially over \$1 million for additional investments. Regarding social services funding, in Vermont the state is the primary funder. The city tries to find ways to address needs without taxpayer funding, but exceptions have been made for various reasons.**
- **Councilor Bushor mentioned the funding gap from United Way for domestic violence issues that the city is trying to address.**



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VOTING: unanimous; motion carried.

6.0 COMMITTEE REPORTS

- Councilor Knodell announced the inclusionary zoning ad hoc group held its last meeting and a public hearing. A presentation and the report will be given to City Council on 7/16/18.
- Councilor Mason announced the Boards and Commissions Nominating Committee will meet 6/19/18. Interviews are done. A slate of appointees will be provided to City Council for approval.
- Councilor Hartnett announced the PACC will meet 6/21/18 to hear an update on Memorial Auditorium from CEDO.

7.0 CITY COUNCIL – GENERAL AFFAIRS

- Councilor Dieng said the Burlington School District Parent University graduation ceremony will be held on 6/19/18 for 55 parents from the New Americans community.
- Councilor Pine said the pile driving for the new building adjacent to COTS on North Avenue is an issue for residents in the vicinity. Redstone met with residents and agreed to limit the hammering to 9 AM – 3 PM.

8.0 CITY COUNCIL PRESIDENT – COUNCIL UPDATES

Council President Wright wished Police Chief del Pozo a speedy recovery from his recent bike accident.

9.0 MAYOR – GENERAL AFFAIRS

Mayor Weinberger reported:

- Police Chief del Pozo is on the mend and appreciates all the well wishes.
- The recent blood drive at City Hall was a success.
- There will be a joint meeting with City Council and the School Board at the Police Department on 6/20/18 to talk about debt policy and the school district capital investment plan for school buildings.
- Burlington Block Party on the Church Street Marketplace is 6/24/18.

10.0 ADJOURNMENT

MOTION by Councilor Hartnett, SECOND by Councilor Roof, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 9:55 PM.



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