



June 15, 2020

Regular City Council Meeting - Monday, June 15, 2020, 7:00 pm. There are several ways to tune in: 1. CCTV YouTube Channel or on Burlington Telecom Channel 317.

<https://www.youtube.com/channel/UCJkWMLSqRNKLoyUZQiNoAcQ> 2. Please click the link below to join

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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 agenda item 6.02 Public Hearing Regarding Common Area Fees for The Church Street Marketplace For Fiscal Year 2021 is now agenda item 2.02 (per City Council President Tracy); note agenda item 6.03 Resolution: Allocation Method and Standards For Common Area Fee Formula, And Establishment Of Common Area Fees For The Church Street Marketplace For Fiscal Year 2021 (Councilor Shannon) is now agenda item 2.03 (per City Council President Tracy); add to the consent agenda item 5.19 Communication: W. Vinson Pierce, III, Member, Parks and Recreation Commission, re: Resignation with the action to "waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to W. Vinson Pierce, III thanking him for his time served as a member of the Parks and Recreation Commission"; add to the consent agenda item 5.20 Communication: Patrick Murphy, re: Police Budget with the action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 5.21 Communication: Noah Detzer, Ward Four Inspector of Elections, re: Resignation with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.22 Communication: Khalid Almubarak, Ward Two, Inspector of Elections, re: Resignation with the action to "waive the reading, accept the communication and place it on file"; note budget packet for agenda item 6.06 Communication: Amy Jewell, Director, Administration, CSWD, re: Proposed FY 21 Budget; add Councilor Dieng as a co-sponsor to agenda item 6.07 Resolution: Supporting Fair & Direct Federal Emergency Aid To Reopen And Rebuild Local American Economies (Councilors Mason, Paul, Carpenter, Paulino, Shannon, Hanson)(per Councilor Dieng)

2. Communication: City Attorney Blackwood, re: Update on pending police use of force litigation **expected executive session**

2.01 Communication: City Attorney Blackwood, re: Update on pending police use of force litigation **expected executive session**

Type: Action, Discussion, Information

Recommended Action: go into executive sessiongo out of executive session

2.02 Public Hearing Regarding Common Area Fees For The Church Street Marketplace For Fiscal Year 2021 **was agenda item 6.02**

Type: Action, Public Hearing

Recommended Action: open the public hearingclose the public hearing

 Notice of Public Hearing, FY 21 Common Area
Fee_Final.docx



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2.03 Resolution: Allocation Method and Standards For Common Area Fee Formula, And Establishment Of Common Area Fees For The Church Street Marketplace For Fiscal Year 2021 (Councilor Shannon) **was agenda item 6.03**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 Church St. Marketplace – Allocation & Establishment of Common Area Fees for FY 2021.pdf

 Signed CC Resolution Allocation Method and Standards for Common Area Fee Formula, and Establishment of Common Area Fees for The CSM for Fiscal Year 2021.pdf

 Church St. Marketplace - Common Area Fees FY 21 (Attachment A).pdf

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

3.01 Verbal Comments

Type: Action, Information, Procedural

4. Climate Emergency Reports

4.01 Climate Emergency Reports

Type: Information

5. Consent Agenda

5.01 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 actions as indicated: add to the agenda item 5.19 Communication: W. Vinson Pierce, III, Member, Parks and Recreation Commission, re: Resignation with the motion to "waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to W. Vinson Pierce, III thanking him for his time served as a member of the Parks and Recreation Commission"; add to the agenda item 5.20 Communication: Patrick Murphy, re: Police Budget with the action to "waive the reading, accept the communication and place it on file;" add to the agenda item 5.21 Communication: Noah Detzer, Ward Four, Inspector of Elections, re: Resignation with the action to "waive the reading, accept the communication and place it on file": add to the agenda item 5.22 Communication; Khalid Almubarak, Ward Two, Inspector of Elections, re: Resignation with the action to "waive the reading, accept the communication and place it on file"



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5.02 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 061520 cc
mtg LO.xlsx

5.03 Communication: Brian Lowe, Chief Innovation Officer, re: Continuing Engagement with Managed Security Services Provider

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Chief Innovation Officer be authorized to execute a two-year contract with a vendor to provide managed security services in an amount up to \$ 110,000, subject to approval by the City Attorney's Office

06-08-20 - MSSP Memo to BoF and CC
(Final).pdf

BoF-CC Checklist (MSSP Agreement).pdf

5.04 Communication: Kate Kanelstein, Director, Vermont workers' Center to Miro Weinberger, Mayor, re: DAM Contract

Type: Action (Consent), Communication

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

Vermont Workers' Center Letter re_ DAM
Contract.pdf

5.05 Indoor and Outdoor Entertainment Permit Renewals (2020-2021): see attached list

Type: Action (Consent)

Recommended Action: approve the 2020-2021 Indoor and Outdoor Entertainment Permit Renewals as listed with all standard conditions

2020-2021 Indoor and Outdoor Entertainment
Permit Renewals.docx



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5.06 Communication: Caleb Manna, Excavation Inspector, Burlington Public Works, re: Applications for Renewals of License Agreements for Encumbrances Outside of the Church Street Marketplace for the 2020-2021 Season

Type: Action (Consent), Communication

Recommended Action: to approve one-year renewal applications for encumbrances for the following entities, businesses, and/or properties: 239 Loomis Street, 281 Shelburne Street, 390 Saint Paul Street, Bistro de Margot, Green Mountain Transit, Champlain Housing Trust, City Hardware, COCO Nail Spa, Drink LLC, Grandview Farms Inc., Gryphon, Hark Inc., Hinsdale Properties, Hotel VT, ICSV, Istanbul Kebab Shop, KAS Inc., Kens Pizza, Knead LLC, Livery Barn, Lucky's Next Door, Monarch and the Milkweed, NewMoon Caf , Nick and Morrissey, Nunyuns, Overlake Park LLC, Penny Cluse Caf , Pheonix Books, RadioBean, Restaurant POCO, SAS Architects, Shanty on the Shore, Shoeless Konstruction, Stratos CondoAssoc., VT House Condo Assoc., Zabby Stone Soup

 Encumbrance Renewals 2020 MEMO.pdf

5.07 Communication: Camron Quinn, re: End Police Dept. Funding

Type: Action (Consent), Communication

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

 Communication Camron Quinn re End Police
Dept. Funding.msg

 Communication Camron Quinn re End Police
dept. Funding PDF.pdf

5.08 Communication: Caleb Manna, Excavation Inspector, Department of Public Works, re: University of Vermont - Encumbrance Application - Sidewalk Buttler Cigarette Receptacles

Type: Action (Consent), Communication

Recommended Action: to approve the Encumbrance Application for the University of Vermont for the attachment of cigarette butt receptacles to city signposts and authorize the Mayor to execute a License Agreement  subject to approval by the Office of the City Attorney  on behalf of the City of Burlington for a term commencing on the date of execution and terminating on April 30, 2021

 FINAL ENC Application packet for UVM
sidewalk buttler.pdf

5.09 Communication: Amy Bovee, Assistant City Clerk and Holli Bushnell, Customer Service Associate, re: Peddler License Renewals with COVID-19 Health Condition

Type: Action (Consent), Communication

Recommended Action: to approve the 2020-2021 Peddler License renewals with the condition that Licensee agrees that it shall comply with all local, state, and federal orders, directives, regulations, guidance, and advisories relating to a public health emergency, and that the failure to do so may result in the City Council suspending or revoking the permit for violation of this condition. The City may suspend the license at its sole discretion in the event of a public health emergency

 BOF CC Checklist_Nov2019 Peddler COVID
condition.pdf

 Memo to LC Peddler Renewal with COVID
Conditions.pdf



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5.10 Communication: Caleb Manna, Excavation Inspector, re: 66 North Ave - Construction Encumbrance - Connor Contracting, Inc.

Type: Action (Consent), Communication

Recommended Action: to approve the encumbrance license application for Connor Contracting Inc., for seven (7) parking spaces on the west side of North Ave and approximately 2,097 square feet of sidewalk/greenbelt space on the East side of North Ave adjacent to 66 North Ave for construction vehicle parking and construction site occupation, and authorize the Mayor to execute a License Agreement ☐ subject to approval by the City Attorney's Office ☐ on behalf of the City of Burlington for a term commencing on the date of execution and terminating on August 1, 2020

 Final First Amendment to 66 North Ave SHCC.pdf

 Final encumbrance application packet for Connor Contracting-66 North Ave.pdf

5.11 Communication: Cindi Wight, Director of Parks, Recreation and Waterfront (BPRW), re: Department for Children and Families Grant Approval

Type: Action (Consent), Communication

Recommended Action: to approve and authorize acceptance of the State of Vermont's Department for Children and Families Restart Stipend for \$152,861.75 to authorize Director Wight or designee to sign the grant acceptance and any necessary budget amendments and related documents

 20200608 Memo DCF Grant_Final.docx

 BOF_CC Checklist DCF grant.docx

5.12 Communication: Gary Rogers, Recreation Superintendent, Cindi Wight, Director of Parks, Recreation and Waterfront (BPRW), re: Old North End Community Center Sub leases

Type: Action (Consent), Communication

Recommended Action: to approve the subletting of certain identified space on the second floor of the Old North End Community Center, which the City leases from the Champlain Housing Trust, to the Very Merry Theatre, Vermont Hindu Temple, and Janet S. Munt Family Room, on the terms provided in and substantially in conformance with the attached subleases, and to authorize Miro Weinberger, Mayor, to execute the subleases, subject to final approval by the City Attorney's Office

 20200610 CORE FY20 LEASES.pdf

 20200610 Memo CORE Subleases_Final.docx

 BOF_CC Checklist CORE subleases.docx

5.13 Amendment to Outdoor Entertainment Permit (2020-2021): Orlando's Bar and Lounge, 1 Lawson Lane, Suite 10

Type: Action (Consent)

Recommended Action: approve the 2020-2021 Amendment to Outdoor Entertainment Permit for Orlando's Bar and Lounge, 1 Lawson Lane, Suite 10: 11 am - 11 pm, every day, Live Instrumental Music, Live Vocal Music, Disc Jockey, Amplified Music YES, Dancing by Patrons NO

 Amendment to Outdoor EP Orlando's Bar and Lounge.pdf



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5.14 Special Event Outdoor Entertainment Permit Application (July 8th - August 21st): Burlington City Arts, Summer Concert Series, in front of City Hall, 10:00 am - 2:30 pm each occurrence, with performances from 12:30 pm - 1:30 pm

Type: Action (Consent)

Recommended Action: approve the Special Event Outdoor Entertainment Permit Application (July 8th - August 21st): Burlington City Arts, Summer Concert Series, in front of City Hall, 10:00 am - 2:30 pm each occurrence, with performances from 12:30 pm - 1:30 pm

Special Event Outdoor EP Application
Burlington City Arts Summer Concert Series.pdf

5.15 Communication: Lori Olberg, Licensing, Voting and Records Coordinator, re: Regular Schedule of Meetings of the City Council through August, 2021

Type: Action (Consent), Communication, Information

Recommended Action: to approve the Regular Schedule of Meetings of the City Council through August, 2021 as listed

2020-2021 final cc schedule 061020 LO.doc

5.16 Communication: Scot Sweeney, Member, Fire Commission, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation thanking Scot Sweeney for his time served as a Member of the Fire Commission

Communication Scot Sweeney, Member, Fire
Commission re Resignation.pdf

5.17 FIO Document

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Document.pdf



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5.18 Resolution: Authorization For \$2,958,560 Loan From Vermont Clean Water State Revolving Fund And Engineering Services Contract With Wright-Pierce For \$232,900 And Construction Contract With Kingsbury Companies For \$2,225,300 For The Upgrade Of Main, North And East Disinfection Systems (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Authorize \$2,958,560 Loan from Vt. Clean Water State Revolving Fund & Engineering Services Contract with Wright-Pierce for \$232,900 Disinfection-Step III CWSRF.pdf

BOF CC Checklist_Nov2019_CWSRF.docx

BOF CC Memo 6.15.2020 Disinfection Construction and Revised Loanapplication.pdf

Signed CC Resolution Authorization for \$2,958,560 Loan From Vermont Clean Water State Revolving Fund And Engineering Services.pdf

5.19 Communication: W. Vinson Pierce, III, Member, Parks and Recreation Commission, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation thanking W. Vinson Pierce, III for his time served as a member of the Parks and Recreation Commission

W. Vinson Pierce III Parks and Recreation Commission Resignation Letter.pdf

5.20 Communication: Patrick Murphy, re: Police Budget

Type: Action (Consent), Communication

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

Communication Patrick Murphy re Police Budget.pdf

5.21 Communication: Noah Detzer, Ward Four, Inspector of Elections, re: Resignation

Type: Action (Consent), Communication

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

Communication Noah Detzer, Ward Four, Inspector of Elections, re Resignation.pdf



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5.22 Communication: Khalid Almubarak, Ward Two, Inspector of Elections, re: Resignation

Type: Action (Consent), Communication

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

 Communication Khalid Almubarak, Ward Two, Inspector of Elections, re Resignation.pdf

5.23 Ordinance: B.C.O. Streets and Sidewalks -- Excavation and Obstruction Permits--Public Health emergencies; accommodating business (Department of Public Works, Ordinance Committee)(2nd reading)

Type: Action, Action (Consent), Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Formerly item 6.04

 B.C.O. Streets and Sidewalks - Excavation & Obstruction Permits - Public Health Emergencies; accommodating business, Sec. 27-30 6.11.2020.pdf

 Signed CC Ordinance B.C.O. Streets and Sidewalks - Excavation and Obstruction Permits - Public Health Emergencies; accommodating business.pdf

6. Deliberative Agenda

6.01 Indoor Entertainment Permit Application (2020-2021): GBG Indian Kitchen, 471 Riverside Avenue

Type: Action

Recommended Action: approve the 2020-2021 Indoor Entertainment Permit Application for GBG Indian Kitchen, 471 Riverside Avenue, Jukebox and Ipad, 9 am - 11 pm, every day with all standard conditions

 Indoor EP Application GBG Indian Kitchen.pdf

6.02 Public Hearing Regarding Common Area Fees for The Church Street Marketplace For Fiscal Year 2021 **now agenda item 2.02**

Type: Action, Procedural, Public Hearing

Recommended Action: open the public hearing close the public hearing

 Notice of Public Hearing, FY 21 Common Area Fee_Final.docx



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6.03 Resolution: Allocation Method And Standards For Common Area Fee Formula, And Establishment Of Common Area Fees For The Church Street Marketplace For Fiscal Year 2021 (Councilor Shannon) **now agenda item 2.03**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 Church St. Marketplace – Allocation & Establishment of Common Area Fees for FY 2021.pdf

 Church St. Marketplace - Common Area Fees FY 21 (Attachment A).pdf

6.04 *Now Consent Agenda Item 5.23*** Ordinance: B.C.O. Streets and Sidewalks -- Excavation and Obstruction Permits--Public Health emergencies; accommodating business (Department of Public Works, Ordinance Committee)(2nd reading)**

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 B.C.O. Streets and Sidewalks - Excavation & Obstruction Permits - Public Health Emergencies; accommodating business, Sec. 27-30 6.11.2020.pdf

6.05 Resolution:Just Economy Charter Changes (Councilors Freeman, Hightower, Stromberg, Hanson, Tracy)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 City Council – Refer Just Economy Charter Changes to Charter Change Committee for Consideration as Ballot Items.pdf

6.06 Communication: Amy Jewell, Director, Administration, CSWD, re: Proposed FY 21 Budget

Type: Action

Recommended Action: approve or disapprove the FY 21 CSWD Budget

****note budget packet for this agenda item per Amy Jewell, posted on Monday, June 15, 2020, at 9:31 am, LO****

 Burlington fy 21.docx

 FY 21 Budget - Selectboard presentations.pdf

 CSWD FY21 Budget Packet - Selectboards, Councils.pdf



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6.07 Resolution: Supporting Fair & Direct Federal Emergency Aid To Reopen And Rebuild Local American Economies (Councilors Mason, Paul, Carpenter, Paulino, Shannon, Hanson)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note Councilor Dieng is an additional co - sponsor for this agenda item per Councilor Dieng, Friday, 10:59 Am, LO****

 City Council - Supporting Fair & Direct Federal
Emergency Aid to Reopen and Rebuild Local
American Economies.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates

9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural

11. Adjournment



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11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements

12.01 This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142). Persons with disabilities, who require assistance or special arrangements to participate are encouraged to contact 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. 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. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.

Type: Information