



City Council With Mayor Presiding Meeting - Monday, June 13, 2016 - Contois Auditorium, City Hall - 6/13/2016

MINUTES SUBJECT TO CORRECTION BY BURLINGTON CITY COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE CITY COUNCIL.

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING WITH MAYOR PRESIDING

June 13, 2016

APPROVED

MEMBERS PRESENT: Jane Knodell (Council President) – Central District

David Hartnett – North District

Joan Shannon – South District

Selene Colburn, East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Sara Giannoni - Ward 3

Kurt Wright – Ward 4

William "Chip" Mason – Ward 5

Karen Paul – Ward 6

Tom Ayres – Ward 7

Adam Roof – Ward 8

ADMINISTRATION: Miro Weinberger, Mayor

Eileen Blackwood, City Attorney

Gregg Meyer, Assistant City Attorney

Bob Rusten, CAO

Rich Goodwin, ACAO

Jennifer Kaulius, Mayor's Office



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Brian Lowe, Mayor's Office

Amy Bovee, C/T Office

Lori Olberg, C/T Office

Beth Anderson, CIO

Chapin Spencer, DPW

OTHERS PRESENT:

Jeff Munger

Bill Keogh

Nancy Kaplan

1.0 CALL TO ORDER and AGENDA

Mayor Weinberger called the meeting to order at 8:16 PM on June 6, 2016.

1.01 Agenda

MOTION by Councilor Knodell, SECOND by Councilor Roof, to approve the agenda as presented. VOTING: unanimous; motion carried.

2.0 CONSENT AGENDA

2.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated

2.02 COMMUNICATION: Candidate Listing and Vacancies

MOTION by Councilor Knodell, SECOND by Councilor Paul, to adopt the consent agenda as presented (Items 2.01 & 2.02). VOTING: unanimous; motion carried.

3.0 DELIBERATIVE AGENDA

3.01 Proposed Boards and Commissions Slate for City Council

MOTION by Councilor Wright, SECOND by Councilor Knodell, to approve the following appointments (Items 3.02 through 3.31) with the removal of Item 3.19 (Parks & Recreation Commission term expires 6/30/19) for separate action:

- **3.02 Airport Commission (term expires 6/30/19) – Jeff Schulman.**
- **3.03 & 3.04 Cemetery Commission (terms expires 6/30/19) – Julie Waldron and Emma Swift.**
- **3.05 & 3.06 Conservation Board (terms expire 6/30/20) – Zoe Richards and Stephanie Young.**
- **3.07 & 3.08 Design Advisory Board (terms expire 6/30/19) – Ron Wanamaker and Matt Bushey.**
- **3.09 & 3.10 Development Review Board (terms expires 6/30/19) – Brad Rabinowitz and Wayne Senville.**



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- 3.11 & 3.12 Electric Light Commission (terms expires 6/30/19) – Bob Herendeen and Sabrina Haskell.
- 3.13 Fire Commission (term expires 6/30/17) – Ashley Bond.
- 3.14 Fire Commission (terms expires 6/30/19) – Scot Sweeney and Linda Sheehey.
- 3.15 & 3.16 Board of Health (terms expire 6/30/19) – Julie Hathaway and Mary Hart.
- 3.17 Library Commission (term expires 6/30/19) – Glen McRae.
- 3.18 Parks & Recreation Commission (term expires 6/30/19) – John Bossange.
- 3.19 Parks & Recreation (term expires 6/30/19) – removed from list and acted on separately.
- 3.20 Planning Commission (term expires 6/30/19) – Lee Buffinton.
- 3.21 & 3.22 Police Commission (terms expire 6/30/19) – Paul Hochandel and Bob Simpson.
- 3.23 & 3.24 Public Works Commission (terms expire 6/30/19) – Bob Alberry and Justine Sears.
- 3.25 Retirement Board (term expires 6/30/19) – Bob Hooper.
- 3.26 Board of Tax Appeals (term expires 6/30/19) – Lauren Pyatt and re-advertise for term expiring 6/30/17.
- 3.27 & 3.28 Board of Registration of Voters (terms expire 6/30/21) – Michelle Lefkowitz and Jacob Schumann.
- 3.29, 3.30 & 3.31 Vehicle for Hire Licensing Board (terms expire 6/30/19) – Adam Roof, Bill Keogh, Jeff Munger and re-advertise two positions with terms expiring 6/30/18).

VOTING: unanimous; motion carried.

MOTION by Councilor Mason to nominate Nancy Kaplan to the Parks & Recreation Commission for a term expiring June 30, 2019.

MOTION by Councilor Hartnett to nominate Laura Hale to the Parks & Recreation Commission for a term expiring June 30, 2019.

DISCUSSION: The following comments were made:

- Nancy Kaplan explained her current position on the Parks & Recreation Commission (Chair) and the balance with her professional life as well as changes and accomplishments of the commission (been through several directors, implemented a master plan, built a skate park, and acquired land). Ms. Kaplan said she feels she has been a fair and deliberate chairperson, inviting people to express their opinions and comments.
- Councilor Wright mentioned the letter from the Parks & Rec Commission to City Council was concerning both for the reason of the letter and the content. Nancy Kaplan acknowledged the letter was strongly worded, but was a genuine reflection of the disappointment of five years of work on the issue of smoking in the parks. If it had been known the resolution would not be passed then request would have been made to pull the resolution. It would be unfortunate if the letter impacted the commission and City Council working together in the future.
- Mayor Weinberger noted Laura Hale spoke to the committee earlier in the process. Nancy Kaplan could not attend at that time and that is why she was invited to speak to City Council at this meeting.
- Councilor Hartnett objected to allowing Ms. Kaplan to come before City Council. A slate was prepared and the people went through the interview process. Ms. Kaplan could not make the interview, but that was her decision. The committee put Ms. Hale on the slate. There is a process to put Ms. Kaplan on the slate and that is to pull the slate and nominate her independently. Ms. Kaplan was asked to come before City Council for an interview and that is not right. Two more positions in parks will be advertised. Support for Ms. Kaplan is pledged for the next round, but not for the existing position on Parks & Recreation because a deal was cut that the Chair of Parks & Recreation Commission had to have the interview now so questions could be answered about the letter or because a favor was being done or for the party line. Councilor Hartnett



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stressed this is not the way the process is supposed to work and puts the entire process in jeopardy. City Council has worked hard on a process to do a better job and this is a major step backwards if the appointment is made.

- Councilor Tracy mentioned the feeling by one Parks & Recreation commissioner who does not feel welcomed on the commission and felt there was 'group mentality' to sign the letter. Nancy Kaplan explained after being appointed the member could not attend meetings for the first six months and missed the discussion that was held, but the member was told he can call anytime on any items on the agenda. Ms. Kaplan said there is not a lot of diversity on the commission so it is good to expand the membership. Laura Hale would be a good addition to the commission.
- Councilor Knodell spoke in support of appointing Ms. Kaplan, noting the committee did its work and there was a sense of the need to reconsider for perhaps a more fair outcome.
- Councilor Harnett asked Ms. Kaplan if she would reapply for a position on the commission if not reappointed. Ms. Kaplan said she did not have an answer at this time. Councilor Hartnett commented Ms. Kaplan's answer is telling. Councilor Hartnett said he respects the committee and its work, but City Council will be in a position to appoint more people in two weeks which will rectify the matter so it is not fair to ask for a special interview.
- Councilor Wright agreed the situation was unusual due to the letter, and the anger and frustration by Councilor Hartnett is heard. Councilor Wright said he could not approve the appointment until questions were asked on the letter that was viewed as inflammatory. Ms. Kaplan felt she was not afforded a fair opportunity to interview and that is why the interview before City Council was arranged. It will be in August that seats on the Police Commission and Parks & Rec Commission will be filled so in the end this is a fair result.
- Councilor Shannon commented the process has never been perfect, but is better than in the past. The opportunity to interview candidates makes the decision more informed. Ms. Kaplan was not able to attend and was given the opportunity now to address concerns publicly.
- Councilor Ayres spoke in support of the appointment and thanked the selection committee for the openness and opportunity to hear from Ms. Kaplan directly.
- Councilor Bushor expressed respect for Councilor Hartnett trying to keep the process on track and would have preferred to stay with the slate, but felt assured after learning Ms. Hale was alerted to the change in the situation. The situation is extenuating and it must be difficult for Ms. Kaplan to come forward to discuss the letter. Ms. Kaplan's work as a former city councilor and now on the Parks & Rec Commission is valued.

There were no further comments.

VOTING ON NOMINATION OF NANCY KAPLAN (by roll call): Mayor Weinberger – aye, Councilor Ayres – aye, Councilor Paul – aye, Councilor Mason – aye, Councilor Shannon – aye, Councilor Bushor – aye, Councilor Knodell – aye, Councilor Wright – aye, Councilor Colburn – aye, Councilor Tracy – aye, Councilor Giannoni – aye, Councilor Hartnett – nay, Councilor Roof – nay (11 ayes, 2 nays); motion carried.

Nancy Kaplan is reappointed to the Park & Rec Commission. Mayor Weinberger said he is looking forward to working on further accomplishments with Ms. Kaplan and having Laura Hale apply for the commission. The chance of Ms. Hale being appointed is high.

4.0 ADJOURNMENT

With no further business and without objection the meeting was adjourned at 8:49 PM



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