



June 06, 2022

Regular City Council Meeting - Monday, June 6, 2022, 6:00 pm, Contois Auditorium OR REMOTELY via ZOOM

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda

2. Forum On Redistricting **6:00 pm - 7:00 pm**

2.01 Forum On Redistricting **6:00 pm - 7:00 pm**

Type: Communication, Information

 May23_DraftWardMaps.pdf

 May23_Redistricting Memo on Initial Maps.pdf

 Reapportionment Memo 5.6.22.pdf

3. City Council Discussion On Redistricting **7:00 pm - 7:30 pm**

3.01 City Council On Redistricting **7:00 pm - 7:30 pm**

Type: Discussion

 May23_DraftWardMaps.pdf

 May23_Redistricting Memo on Initial Maps.pdf

 Reapportionment Memo 5.6.22.pdf

4. Public Forum: time certain: 7:30 pm - 9:30 pm **See item for signup instructions**

4.01 Verbal Comments

Type: Action, Information, Procedural

To participate in Public Forum in person sign up at the meeting. To participate in Public Forum via ZOOM sign up here: <https://www.burlingtonvt.gov/citycouncil/publicforum> Do not sign up in person and via Zoom - select one only

5. Climate Emergency Reports (5 - 10 mins.)

5.01 Climate Emergency Reports

Type: Information



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6. Consent Agenda

6.01 Motion to adopt the consent agenda and take the actions indicated

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda and take the actions indicated

6.02 Communication: CT Office, re: Accountability List as of June 1, 2022

Type: Action (Consent), Communication, Information

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

 Memo - Accountability List.pdf

 Accountability List 6-1-2022.xlsx

 Accountability List - Updated 06012022 with prior lists.xlsx

6.03 Communication: Colin Hilliard, Deputy Director - Burlington Business Association, re: Agenda item 7.02 - Great Streets Main Street Concept 23 May 2022

Type: Action (Consent), Communication

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

 BBA Comment RE Great StreetsMain St 5.23.22.pdf

6.04 Communication: Cindi Wight, Director of Parks, Recreation & Waterfront and Erin Moreau, Waterfront Superintendent and Harbormaster, re: Bolt Mobility Corporation Lease

Type: Action (Consent), Communication

Recommended Action: to approve a one-year lease with Bolt Mobility Corporation on the terms provided in and substantially in conformance with the attached lease, and to authorize Mayor Weinberger to execute the leases, subject to final approval by the City Attorney's Office

 Bolt Lease_Memo 20220606_Final.pdf

 BOF CC Checklist_Bolt lease.docx

6.05 Communication: Darren Springer, General Manager, re: EV Charging Grant Acceptance

Type: Action (Consent), Communication

Recommended Action: to authorize the General Manager of the Burlington Electric Department to execute a grant agreement, subject to final review and approval from the City Attorney's Office, with the State of Vermont for an amount up to \$95,293.98 to support installation of electric vehicle charging in Burlington, consistent with the terms and conditions of the agreement

 BED EV Charging Grant Memo 6.6.22 FY2023.docx

 BOF CC Checklist 6.6.22 EV Charging grant .docx



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6.06 Communication: James Sherrard, Stormwater Program Coordinator, re: Authorization to Execute Contract with Wind River Environmental, LLC for Catch Basin Cleaning Services

Type: Action (Consent), Communication

Recommended Action: to authorize Chapin Spencer, Director of Public Works, to execute a contract with Wind River Environmental, LLC with a maximum limiting amount of \$75,900 for catch basin cleaning services in Fiscal Year 2023 with the option to renew the contract for an additional 1-year term, subject to review by the City Attorney's Office

CB Contract BOF-CC
Memo_06.6.2022_Final.pdf

BOF_CC Checklist_CB
Contractor_6.6.2022.pdf

6.07 Communication: Jeff Padgett, Division Director, Parking and Traffic, re: FY23 Traffic Markings Contract Award Request

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Public Works to execute a contract with L&D for a maximum limiting amount of \$153,808.43 for pavement marking, subject to review and approval by the City Attorney's Office

FY23 Pavement Markings - 2022 0606.pdf

BoF CC Checklist - Pavement Markings
Contract- 2022 0606.pdf

6.08 Communication: Megan Moir and Kate Komorowski, DPW - Water Resources, re: ARPA Funds - Water, Wastewater and Stormwater

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the reallocation of the remaining portion of the previously allocated ARPA funding earmarked for the University Place water main project in the amount of \$860,000 to other Water Capital Investments, in substantial conformance with those described in the above Water/Wastewater/Stormwater ARPA funding table, and subject to the approval of expenditures by the Chief Administrative Office pursuant to the City's spending policies

1 - BOF CC Memo ARPA Funds - 6.6.2022
FINAL.pdf

ARPA Fund Reallocation - BOF CC Checklist
FINAL 6.6.2022.docx

6.09 Communication: Megan Moir and Kate Komorowski, DPW - Water Resources, re: Engineering Services Agreement for Reservoir Improvements Project

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of the Department of Public Works to execute an Engineering Service Agreement with Dufresne Group, for a maximum limiting amount of \$90,000, for Preliminary Engineering Services for the Reservoir pump station project, subject to the final review and approval of the City Attorney's Office

1 - BOF CC Memo 6-6-2022 - Dufresne Group
Step 1 ESA_Final.pdf

Reservoir Improvements Project - BOF CC
Checklist.docx



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6.10 Communication: Darren Springer, General Manager, BED, re: Grant Acceptance for District Energy Federal Funds and Resolution Supporting Creation of District Energy 501(c)(3)

Type: Action (Consent), Communication

Recommended Action: to authorize the General Manager of Burlington Electric to enter into an agreement with the U.S. Department of Energy, subject to final review from the City Attorney's Office, to accept a grant award of \$5.16 million to support construction of the proposed Burlington District Energy system, with the understanding that such funds will ultimately be utilized to 1. Reduce financed capital costs of the steam infrastructure system that would be owned and operated by the Burlington District Energy non-profit, and 2. Provide for the purchase of an electric boiler owned and operated by BED, that would provide supplemental and backup steam to the District Energy system

BOF CC Checklist 6.6.22 DES grant .docx

District Energy Grant and Resolution 6-6-22
BoF-CC.docx

FY22 CDP Burlington Electric Department.pdf

6.11 Communication: Amy Bielawski-Branch, Inspector of Elections, Ward 7, re: Resignation

Type: Action (Consent), Communication

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

Communication Amy Bielawski-Branch, Ward
7 Inspector of Elections re Resignation.pdf

6.12 Communication: Acting Chief of Police Jon Murad, re: Reclassification request for Community Service Officer Role

Type: Action (Consent), Communication

Recommended Action: to approve the reclassification of the Community Service Officer, a Regular, Full-time, NonExempt, AFSCME, Grade 14 position to Community Service Officer, a Regular, Full-time, NonExempt, AFSCME, Grade 15, position, including retroactive pay back to May 23, 2022

CSO RECLASS June 2 2022.pdf

6.13 Communication: Acting Chief of Police Jon Murad, re: Reclassification request for Domestic Violence Victim Advocate

Type: Action (Consent), Communication

Recommended Action: We respectfully request that the City Council authorize the reclassification of the Domestic Violence Victim Advocate, a Regular, Full-time, Non-Exempt, Grade 14 position to a Regular, Full-time, Non-Exempt, Grade 17, position, including retroactive compensation back to May 23, 2022.

ReclassDVAA June 2, 2022 revised.pdf

6.14 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf



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6.15 Ordinance: PARKS--Urban Ranger Positions and Waterfront Managers BCO Sec. 22-23 (Burlington Parks Recreation Waterfront)

Type: Action (Consent), Communication

Recommended Action: suspend the City Council rules, waive all requirements for first and second readings and referral to the Ordinance Committee, and adopt these proposed changes to the Penalty section of Chapter 22, Section 23 of the Burlington City Ordinances

Ordinance - Parks - Sec. 22-23 Urban Rangers and Waterfront Managers (FINAL).pdf

BOF CC Checklist_Penalties_Ordinance.docx

Penalties_City Council_Final.pdf

Signed CC Ordinance PARKS--Urban Ranger Positions and Waterfront Managers BCO Sec. 22-23.pdf

6.16 Ordinance: Electricity - Permitting, Fees and Reporting Structure (Department of Permitting and Inspectiions)(1st reading)

Type: Action (Consent), Ordinance - First Reading

Recommended Action: waive first reading and refer to Ordinance Committee

Ordinance - DPI - BCO Ch. 12 Electricity Amendment (FINAL).pdf

BOF CC Checklist_DPI June 1 2022.docx

Memo WW Chapter 12 changes May 29 2022.docx

Draft Chapter 12 changes June 1 2022.docx

6.17 Resolution: Authorization For \$198,926 Amendment To Planning Loan From Vermont Clean Water State Revolving Fund And Execution Of An Amended Consultant Agreement With Hoyle Tanner Associates For \$398,881 For Planning Of Industrial Pretreatment Program (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - DPW - Industrial Pollution Prevention Program (IPPP) Loan and Contract Amendment (FINAL).pdf

BoF_CC Checklist IPPP Amendment Authorization.pdf

IPPP Amendment Authorization Memo BoF_CC 6-6-22.pdf

Signed CC Resolution Authorization For \$198,926 Amendment To Planning Loan From Vermont Clean Water State Revolving Fund And Execution Of An Amended Consultant Agreement With Hoyle Tanner Associates.pdf



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6.18 Resolution: Authorization For \$188,297 Amendment To Construction Loan From Vermont Clean Water State Revolving Fund And Execution Of A Contract With Engineers Construction, Inc. For \$188,312 For The Design-Build Rehabilitation Of The Flynn Avenue Sewage Forcemain (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - DPW - Flynn Fletcher Step III CWSRF (WW) Construction Revised Amount (FINAL).pdf

Flynn FM Rehab - ECI Bid - 5.3.22.pdf

Signed CC Resolution Authorization For \$188,297 Amendment To Construction Loan From Vermont Clean Water State Revolving Fund And Execution Of A Contract With Engineers Construction, Inc. For \$188,312.pdf

1 - BOF CC Memo 6.6.22 Flynn Forcemain Rehabilitation Construction Contract.pdf

Flynn Forcemain and Loan Amendment - BOF CC Checklist 6.6.2022.docx

7. Deliberative Agenda

7.01 Communication: Mayor Miro Weinberger, re: FY23 Mayoral Appointments (5 mins.)

Type: Action, Communication

Recommended Action: confirm the FY23 Mayoral Appointments as listed

note written material for this agenda item per COS Redell, posted on Friday, June 3, 2022, at 2:39 pm, LO

6-2-2022 FY 23 Mayoral Reappointments.pdf

7.02 Special Event Outdoor Entertainment Application (one day only): REIB, Sunday, June 19, 2022, 1 pm - 5 pm, Main Street from Church Street to St. Paul Street, Juneteenth Celebration, Dancing by Patrons: yes, Amplified Music: yes (5 mins.)

Type: Action

Recommended Action: approve the one day only special event outdoor entertainment permit application for REIB, Sunday, June 19, 2022, 1 pm - 5 pm, Main Street from Church Street to St. Paul Street, Juneteenth Celebration, dancing by Patrons: yes, Amplified Music: yes

Revised version of Special Event Permit posted 6/6/22 at 6:26pm - AB

Special Event Outdoor EP REIB Juneteenth Event.pdf

Special Event Permit - Juneteenth - Revised.pdf



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7.03 Umbrella Entertainment Permit Application (June 3-12, 2022): Flynn Center for Performing Arts, Burlington Discover Jazz Festival, Various Locations within the City, Various Hours (5 mins.)

Type: Action

Recommended Action: approve the 2022 Umbrella Entertainment Permit Application for Flynn Center for Performing Arts, Burlington Discover Jazz Festival, June 3 - 12, 2022, Various Location within the City, Various Hours

Umbrella Entertainment Permit Application
Burlington Discover Jazz Festival.pdf

7.04 Communication: Sarah Reeves, Executive Director, CSWD, re: Proposed FY23 Budget (10 mins.)

Type: Action, Communication

Recommended Action: approve or disapprove the CSWD Proposed FY23 Budget

Burlington FY 23.pdf

CSWD - Proposed FY 23 Budget -
selectboards.pdf

Communication Amy Jewell re CSWD - FY 23
Budget presentation for City Council 662022.pdf

7.05 Communication: Darren Springer, General Manager, BED, re: BED FY23 Rate Changes (10 mins.)

Type: Action, Communication

Recommended Action: to authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting an increase to Burlington Electric Department rates of 3.95 percent beginning in Fiscal Year 2023 as proposed

BED Rate Change Memo 6.6.22 FY2023.docx

BOF CC Checklist 6.6.22 Rate Change FY
23.docx

FY23 BED budget slides Commission and
BOF 05.18.22.pdf

7.06 Resolution: Supporting McNeil Generating Station District Energy Project With Vermont Nonprofit Burlington District Energy, Inc. (Board of Finance) (10 mins.)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - BED - District Heating Project
(FINAL).pdf

BOF CC Checklist 6.6.22 DES
Resolution.docx

District Energy Grant and Resolution 6-6-22
BoF-CC.docx

Signed CC Resolution Supporting McNeil
Generating Station District Energy Project With
Vermont Nonprofit Burlington District Energy,
Inc..pdf



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7.07 Ordinance: Chapter 2, Administration--Article I, In General - Section 2-9, Implementation of Ranked Choice Voting In City Council Elections (Councilor Hanson) (20 mins.)

Type: Action

Recommended Action: suspend the rules and place in all stages of passage

 Ordinance - Councilor Hanson - BCO
Amendment re Ranked Choice Voting (FINAL).pdf

 Unsigned CC Ordinance Chapter 2,
Administration--Article I, In General--Section 2-9,
Implementation Of Ranked Choice Voting In City
Council Elections.pdf

7.08 Public Hearing Regarding Allocation Method And Standards For Common Area Fee Formula, And Establishment Of Common Area Fees For The Church Street Marketplace For Fiscal Year 2023

Type: Action, Procedural, Public Hearing

Recommended Action: open the Public Hearingclose the Public Hearing

 Notice of Public Hearing FY 23 Common Area
Fees.pdf

7.09 Resolution: Allocation Method And Standards For Common Area Fee Formula, And Establishment Of Common Area Fees For The Church Street Marketplace For Fiscal Year 2023 (Board of Finance) (10 mins.)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 Resolution - CSM - Marketplace Common
Area Fees FY23 (FINAL).pdf

 CSM Common Area Fees FY 23_Attachment
A_FINAL.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 2023.pdf

7.10 Ordinance: HOUSING and TAXES--Short Term Rentals BCO Ch. 18 & Sec. 21-31 (Ordinance Committee)(2nd reading) (20 mins.)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance as amended by the Ordinance Committee

 Ordinance - Short Term Rentals Ch. 18 and
Sec. 21-31 Revised (FINAL).pdf



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7.11 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Short Term Rentals ZA #22-08 (Councilor Carpenter)(2nd reading) (20 mins.)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and refer the amendment to the Planning Commission to correct any technical deficiencies and make any recommendation or opinion it considers appropriate and, thereafter, promptly submit the amendment to the City Council

Art14planBTVDowntownCode_for ZA-22-08 for 4-11-22 CC.pdf

Ordinance - ZA 22-08 - Revised for 4.11.22 CC Meeting (FINAL).pdf

ZA-22-08 Appendix A for CC 1st Read-4.11.22 Mtg..pdf

8. Committee Reports (up to 15 mins.)

8.01 Verbal Reports

Type: Information, Procedural

9. City Council - General Affairs (up to 15 mins.)

9.01 Verbal Reports

Type: Information, Procedural

10. City Council President - Council Updates (up to 5 mins.)

10.01 Verbal Reports

Type: Information, Procedural

11. Mayor - General Affairs (up to 10 mins.)

11.01 Verbal Reports

Type: Information, Procedural

12. Adjournment



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12.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

13. Informational and Non-Discrimination Statements

13.01 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 Town Meeting TV the Wednesday after the meeting starting at 8:00 pm and repeating at 1:00 am and 7:00 am 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