



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

BURLINGTON CITY COUNCIL

CITY HALL, CONTOIS AUDITORIUM *OR*

REMOTE MEETING WITH CALL-IN

BURLINGTON, VERMONT

MINUTES OF MEETING

June 6, 2022

MEMBERS PRESENT: Karen Paul

Joan Shannon

Jack Hanson

Ali Dieng

Perri Freeman

Sarah E Carpenter

Zoraya Hightower

Mark Barlow

Gene Bergman

Ben Traverse

Ali House

OTHERS PRESENT: Miro Weinberger

Katherine Schad

Stephen Ellis

Jordan Redell

Sarah Montgomery

Amy Bovee



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Meagan Tuttle

Nancy Stetson

Kim Sturtevant

Sarah Reeves

Darren Springer

Emily Stebbins-Wheelock

Michael Ahern

Kara Alnasrawi

1. CALL TO ORDER and AGENDA

1.01 Motion to amend/adopt agenda

The meeting was called to order by City Council President Paul at 6:20 PM.

MOTION by Councilor Magee, SECOND by Councilor Hightower, to adopt the agenda.

VOTING: unanimous; motion carries.

2. FORUM ON REDISTRICTING **6 pm – 7 pm**

2.01 Forum on Redistricting **6 pm – 7 pm**

City Council President Paul began by noting that this is an opportunity for community members to express their opinions on redistricting.

Jeff Comstock said that he is a member of the Ward 4/7 Steering Committee and also participated in the ad-hoc Redistricting Committee. He said that he would like to address the reconfiguration of Ward 8, the size and structure of the Council, a ward map, and future redistricting considerations.

He began by discussing Ward 8 and the difficulty of staffing and conducting elections, recruiting and conducting a full-scale NPA committee, a disproportionate ratio of school board members to students in the ward, and the chronic low voter-turnout that occurs in the ward. He said that the ward needs to distribute the campus population into the adjacent



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wards as evenly as possible. He said that this was addressed in the City Planner's draft 7-and 8-ward maps by moving the problem to Ward 6 from Ward 8, which doesn't solve the problem.

He then spoke about the size and structure of the Council. He said that one of the significant concepts of the ad-hoc process is the desire for more (multiple) representation on the Council from each district. He said that this is where the district or at-large Councilor approach could accomplish this. He said he favors an 8-ward map (draft #2 from the Planning Office). He suggested a 12 member Council, with 8 wards and 4 districts, or 8 wards and 4 at-large Councilors, and then he suggested a 14-member Council, with 8 wards, 4 districts, and 2 at-large Councilors. He said that having district or at-large Councilors expands accountability. He said that a 12-ward single-seat configuration would be detrimental to the governance of Burlington.

He then spoke about future redistricting considerations. He said that future considerations must include a charter change provision for Burlington to conduct City-level redistricting with voter approval but without requiring legislative approval, which would allow Burlington to implement redistricting at least 2 years sooner than this effort or the previous redistricting effort.

Robert Bristow-Johnson said that he was on the ad-hoc Redistricting Committee and that he has worked with the State redistricting maps. He said that he has been thinking about the choice between 8 wards and 7 wards. He said that if Burlington sticks with 8 wards, then Ward 1 will need to be reduced in size. He said that Ward 1 or Ward 6 would have to take the UVM Athletic Campus census block. He said that in a 7-ward configuration, there is some encroachment into the Old North End from the New North End, and Ward 7 and Ward 4 would need to be as small as constitutionally possible. He provided additional detail on this proposed 7-ward map. He provided an additional 7-ward map worked on by others, which would tweak some of the campus populations.

Chris ___ said that he would like to focus on the redistricting process. He spoke about the 8-ward Option 1 map that was produced by the ad-hoc committee. He said that it addresses where the Athletic Campus should reside (here, it was put in Ward 1). He then discussed some of the 7-ward maps that were produced. He first discussed the 7-ward map that was produced by Nancy Stetson in the City Planner's Office, which he used as a springboard for two additional proposals. He said that they tried to adhere to the statutory requirements when producing these maps.

Maddy Pozig said that she is a member of the West Hill Neighborhood Association, and that they are concerned about the redistricting plans. She said that she agrees with Mr. Comstock above, particularly around the issues pertaining to Ward 8. She said that she has attended all public meetings related to redistricting, and said that there are two perspectives: the City Councilors are concerned with how many wards there will be (and as a result, how many Councilors there will be), and others are concerned about the neighborhood boundaries and configuration within each ward and ward identity. She said that Ward 8 is inaccessible to any candidate that is not a University of Vermont student, which is a significant challenge for the ward.

Keith Pillsbury said that he is the Ward 8 clerk and that it is difficult to staff the polls with volunteers in the ward. He said





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that University Terrace is a long-term residence neighborhood for many people, and questioned why it was put in Ward 8. He asked that the neighborhood be put into a district that is similar to the neighborhood, since they feel isolated.

Sarah Kinney spoke as a Ward 3 resident and spoke positively about the community in the Old North End. She expressed concern that her neighborhood would be redistricted out of the Old North End and into the New North End. She said that this does not make sense and does not support the Council's commitment to retaining cohesive neighborhoods.

Liz Curry noted that one of the City Council's requests on redistricting was to keep the New North End and Old North End separate. She asked that the City preserve Convent Square and South in Ward 3. She said that the 7-ward plan should be rejected, and so should any other plan that breaks up the New North End. She cautioned that expanding the number of Councilors will only slow the deliberative processes of the City. She said that the current school boards are structured on their elementary schools, which is an elegant design and keeps representation on school boards local. She said that the 12-ward plan would allow greater participations in campaigns, since candidates can reach a greater proportion of constituents in smaller areas.

3. CITY COUNCIL DISCUSSION ON REDISTRICTING **7:00 pm – 7:30 pm**

3.01 City Council Discussion on Redistricting **7:00 pm – 7:30 pm**

Councilor Barlow said that he does not support the 12-ward map, which represents a significant departure and challenges from the current configuration. He said he would support an 8-ward plan that maintains districts or at-large Councilor representation. He said that a 14-Councilor representation with 2 at-large, 4-district, and 8-ward Councilors was interesting. He said that he supports a 7-ward map, though it is the most challenging geographically (given the encroachment of the NNE into the ONE). He said that they need to think about the balance of geographic changes and changes to Council size.

Councilor Bergman said he does not support the breaking up of the Old North End and does not support at-large Councilors. He said that a 12-ward map would be difficult to administer, but is open to looking at it. He said that an 8-ward configuration seems to be the best, but the size of the Council seems to be a point of contention. He suggested having single-Councilor wards in the New North End (six two-member districts and 2 single-member districts in the NNE).

Councilor Hightower expressed strong support for the 12-ward plan, since it keeps communities together. She said that it could either be 12 single-representative wards or 6 wards with 2 representatives each). She said that she does not support a map that includes Riverside Avenue in the Old North End, as it consolidates the lowest-income members of the City too much. She said that she could support an 8-ward plan, but does not support district representatives, and does not support at-large Councilors.

Councilor Magee said that he is not in favor of splitting up the Old North End. He said he supports a 6 ward option with 2 Councilors per ward or a 12-ward map with a single Councilor in each, though he has questions about administration and polling in this scenario. He expressed support for an 8-ward option and does not think at-large districts make sense.



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Councilor Hanson said that a 12-ward option gives people the most opportunity to participate in government, since representatives and polling places would be close to constituents. He said that he also supports 6 wards with 2 representatives each. He said he does not support a 7-ward map that splits up the Old North End.

Councilor Carpenter said that in a 12-ward map, there would still be encroachment of the NNE. She also said that a 6-ward map would still split the ONE up. She pointed out that the concerns around having wards centered around polling places could be mitigated by pointing out that many constituents mailed in their ballots rather than vote in-person in the last few elections. She said she does not support having 16 Councilors, but is supportive of 8 wards.

City Council President Paul asked about the feasibility of a 6-ward map that builds upon the characteristics of the 12-ward map, with the goal of keeping the Old North End intact and addressing concerns about the UVM Athletic Campus. Senior Analyst Stetson said that the 6-ward map has similar issues to the 7-ward map, since some of the Old North End would need to be combined with the New North End.

Councilor Shannon said that this redistricting conversation does not need to occur on the previously-determined timeline, and she would be open to a revised timeline. She agreed that the Old North End should not be split up. She said that polling location issues can be addressed by the mail-in ballot option. She does not support the 12-ward map and said that it exacerbates problems around finding representation for one's school board and volunteers for duties within wards that are very student-heavy or transient. She also does not support district representation, but she could live with it.

Councilor Traverse said that he does not support a 12-ward map. He said it deviates further from the current state than other proposals and there has not been public input on it. He expressed concern that a 12-ward map would have implications for the City's Neighborhood Public Assemblies (NPAs). He said he would be interested in exploring a 6-ward map. He said that he does not believe this needs to be on the November ballot and that the Council could take further time on this.

City Council President Paul asked if there is a hard deadline to make decisions on redistricting. Director Tuttle replied that after this is approved by the Council, it needs to go to the legislature. She said that the further past Town Meeting Day the decision moves, the closer it gets to the 2024 legislative session. City Council President Paul said that if this is on the November ballot, then the Council needs to start making decisions. She said that if this is voted on in March, then the Council will be discussing it from now until November.

Councilor Bergman said that they have explored a charter change that would make the City redistricting decision a local decision and not need legislative approval.



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Councilor Hightower asked, if they were to vote on this in November, whether the City would receive legislative approval by March in order to have this impact the March elections. City Council President Paul replied that it would not impact the March elections. Councilor Hightower said that she is supportive of the 12-ward map, and that she agrees that combining into a 6-ward map would also maintain neighborhood integrity. She asked whether it would be appropriate to take straw polls on wards. City Council President Paul replied that the first question is whether the Council should move forward now and plan to have this on the November ballot, or wait until March. Councilor Hightower said that even narrowing the number of maps down would be helpful tonight.

Councilor Shannon said that she would be in favor of voting to extend the timeline from November to March, but said she is not ready to express an opinion on some of the larger issues raised by other Councilors. She also said that many of the maps shown by the public tonight were interesting and helpful, and requested that they be shared electronically with the Council.

City Council President Paul asked how many Councilors are in favor of extending the timeline and voting on this by the end of September. 8 Councilors expressed a preference for this.

City Council President Paul asked how many Councilors would prefer to start narrowing the field of map options this evening, to allow staff to move forward. 4 Councilors expressed a preference for this.

Mayor Weinberger said that they need to be mindful of staff time, since the Planning Office has many competing priorities. He said that he has not heard consensus yet, and is concerned with the potential to add to staff burden by requesting a number of additional maps.

City Council President Paul asked how many Councilors feel that it is important to be represented by two City Councilors. A majority of Councilors did not feel that it is important, and the map configuration is more important than the number of people they represent.

Parliamentarian Ellis noted that Robert's Rules specifically prohibits straw polls.

Councilor Dieng said that he would like more information and would like to see input from his constituents.

4.0 PUBLIC FORUM

4.01 Verbal Comments





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Forum opened at 7:35 PM.

COMMENTS:

Burlington residents (in person):

- Robin Lloyd said that the Council of Mayors produced a report on Forging a Path for Peace and Common Security, and she read several excerpts from it.
- Todd Lacroix spoke about the mass shootings that have occurred in the U.S. this year and said that it is hypocritical to condemn them while supporting war and the killing of Russians.
- Phil Carlton spoke about his experience working in the Downtown Transit Center and expressed concern about rising gun violence and crime, as well as the loss of control of the judiciary.

Forum closed at 7:45 PM.

5. CLIMATE EMERGENCY REPORTS

5.01 Climate Emergency Reports

Councilor Dieng noted that constituents are concerned about consumer satisfaction with the thermals that they are purchasing, and asked whether BED could begin collecting consumer satisfaction data.

Mayor Weinberger noted an item later on the agenda around capturing thermal waste and using it to replace fossil fuel.

6. CONSENT AGENDA

6.01 Motion to adopt the consent agenda (as amended) and take the actions indicated

6.02 Communication: CT Office, re: Accountability List as of June 1, 2022 - waive the reading, accept the communication and place it on file.

6.03 Communication: Colin Hilliard, Deputy Director - Burlington Business Association, re: Agenda item 7.02 - Great Streets Main Street Concept 23 May 2022 - waive the reading, accept the communication and place it on file.

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

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

6.06 Communication: James Sherrard, Stormwater Program Coordinator, re: Authorization to Execute Contract with Wind



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River Environmental, LLC for Catch Basin Cleaning Services - 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.

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

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

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

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) - 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.

6.11 Communication: Amy Bielawski-Branch, Inspector of Elections, Ward 7, re: Resignation - waive the reading, accept the communication and place it on file.

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

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

6.14 FIO Documents – for information only.

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

6.16 Ordinance: Electricity - Permitting, Fees and Reporting Structure (Department of Permitting and Inspections)(1st reading) - waive first reading and refer to Ordinance Committee.





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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) - waive the reading and adopt the resolution.

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) - waive the reading and adopt the resolution.

MOTION by Councilor Magee, SECOND by Councilor House, to amend/adopt the consent agenda and take the actions as indicated for items 6.01-6.18.

DISCUSSION:

- **Councilor Hightower noted item 6.03, saying that the request from the Burlington Business Association is reasonable and she would support it.**

VOTING: unanimous; motion carries.

7. DELIBERATIVE AGENDA

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

Mayor Weinberger expressed gratitude for the departmental leadership and staff's willingness to step up and commit to their careers in public service.

MOTION by Councilor Traverse, SECOND by Councilor Carpenter, to confirm the FY23 Mayoral Appointments as listed.

VOTING: unanimous; motion carries.

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.)

MOTION by Councilor Traverse, SECOND by Councilor Hanson, to approve the one day only special event outdoor entertainment permit application for REIB, Sunday, June 19, 2022, 1 pm - 5 pm, Main Street from South Winooski Avenue to St. Paul Street, Juneteenth Celebration, dancing by Patrons: yes, Amplified Music: yes.





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VOTING: unanimous; motion carries.

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.)

MOTION by Councilor Traverse, SECOND by Councilor Hanson, to 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.

VOTING: unanimous; motion carries.

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

CSWD Executive Director Reeves provided an overview of the proposed FY23 budget for CSWD. She noted that CSWD was formed in 1987 to oversee the management of waste in Chittenden County. She noted that there are 3 main revenue streams – user fees, solid waste management fee, and revenue from sale of materials such as compost. She noted that they do not assess fees to member communities nor property taxes. She said that in FY23 they anticipate revenue of approximately \$14 million and are budgeting for expenses of approximately \$13.8 million. She said that they are anticipating more revenue in recycling but have budgeted conservatively to give some wiggle room in the budget. She spoke about the community cleanup funding, noting that there is \$10,000 in funding set aside for Burlington to use for matching grants for cleanup activities.

Councilor Hanson noted that the mission of CSWD is to manage and reduce waste, and asked what results they anticipate around waste reduction and what actions they are taking to do that. Ms. Reeves replied that CSWD is trying to emphasize waste prevention rather than waste reduction. She said that they have an outreach and communications team that provides education, liaises with the legislature, and puts on events regarding waste reduction. She noted that Chittenden County has one of the highest waste diversion rates in the country.

MOTION by Councilor Barlow, SECOND by Councilor Magee, to approve the CSWD Proposed FY23 Budget

VOTING: 11 ayes, 1 nay (Councilor Hanson dissenting); motion carries.

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

General Manager Springer said that BED is coming to the Council to seek a rate increase of 3.95% for Fiscal Year 2023. He said that BED had gone 12 years without a rate change prior to the pandemic and last year there was a 7.5% rate change. He said that at that time, they had committed to more regular but more moderate rate changes. He noted the recent



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volatility of the energy sector, but said that BED and its rate-payers are largely shielded from that since they are completely on renewable energy. He noted that the net zero energy revenue bond has been issued and is an important source of capital for BED. He said that if the rate change is approved this evening, they will file it with the Public Utility Commission in late June and it will be seen by customers in August. He additionally noted that BED will have its energy assistance program for low-income customers boosted to 12.5% discounts beginning on July 1. He said that this discount will more than offset both last year's and this year's rate increases.

Councilor House asked about the eligibility requirements for BED's energy assistance program and that they include whether a member has Section 8 housing or fuel assistance. General Manager Springer said that BED does not verify eligibility through income checks, and so one of the ways that users can show that they are eligible is by letting BED know that they are enrolled in Section 8 or fuel assistance or other programs that are verified by the State.

Councilor Dieng asked what the 3.95% increase represents. Manager of Strategy Stebbins-Wheelock replied that it would result in an increase in revenue of approximately \$1.9 million, which will provide sufficient cash and net income to support BED's credit rating and low interest rates for rate-payers.

MOTION by Councilor Hanson, SECOND by Councilor Bergman, 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.

VOTING: unanimous; motion carries.

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

MOTION by Councilor Hanson, SECOND by Councilor Magee, to waive the reading and adopt the resolution.

DISCUSSION:

- **General Manager Springer said that this would accept a \$5.16 million grant that Senator Leahy was able to secure to support the District Energy Project, and a resolution that supports the creation of a 501(c)(3) that Evergreen would run and that would manage the District Energy development work and manage the permitting, financing, construction, and operation of the District Energy System. He said that they are working with their partners (UVMCMC, VT Gas, BED, the City, and Evergreen) on a letter of agreement. He said that some difficulties for the project include construction material costs, interest rates are higher which makes debt more expensive, and volatile fuel costs and markets. He said that they would anticipate returning to the Council later this year for a work session with them and potentially the Transportation, Energy, and Utilities Committee (TEUC) to brief them on the project.**



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- Councilor Bergman expressed concern that the details for this agreement are lacking. He asked if it would be feasible for BED to come to the TEUC with those details. General Manager Springer replied that they have now completed Phase 3 of the project. He said that it was not feasible to have a public version of this, since BED does not have the competency to run this type of project, so they are looking to partner with others to form the non-profit that would manage the project. He said that they are still trying to create the structure for the project, so they do not currently have many details to share. He said that he would be happy to come to the TEUC to share details when they have them.
- Mayor Weinberger noted that many Councilors have expressed a desire for engagement, and said that this is one of the first steps toward forming an umbrella non-profit for this work.

VOTING: unanimous; motion carries (Councilor Freeman not present for vote).

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.)

MOTION by Councilor Hanson, **SECOND** by Councilor Bergman, to suspend the rules and place in all stages of passage: "That Chapter 2, Administration, Article I, In General, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding a Section 9 to read as follows: 2-9 Implementation of Ranked Choice Voting in City Council Elections: (a) Purpose & Authority. The purpose of this section is to implement ranked choice voting for the election of city councilors. This section is adopted pursuant to the Charter of the City of Burlington, Section 5, Acts of 1949, No. 298, Vermont General Assembly, as amended. (b) Instant runoff retabulation. In the election of city councilors, if no candidate receives a majority of first preference, an instant runoff retabulation shall be conducted in rounds. In each round, each voter's ballot shall count as a single vote for whichever continuing candidate the voter has ranked highest. The candidate with the fewest votes after each round shall be eliminated until only two candidates remain, with the candidate then receiving the greatest number of votes being elected."

DISCUSSION:

- Councilor Hanson noted that the Council took up ranked-choice voting in 2019, and after one vetoed resolution, voters approved the above language. He noted that when the legislature reviewed charter changes for Burlington, they removed the language around ranked-choice voting, so the purpose of this is to codify ranked-choice voting in ordinance rather than charter.

VOTING (by roll call): Councilor Barlow – nay, Councilor Bergman – aye, Councilor Carpenter – nay, Councilor Dieng – aye, Councilor Freeman – absent, Councilor Hanson – aye, Councilor Hightower – aye, Councilor House – aye, Councilor Magee – aye, Councilor Shannon – nay, Councilor Traverse – aye, City Council President Paul – aye (8 ayes, 3 nays, 1 absent); motion carries.

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



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City Council President Paul opened the public hearing.

There was no public comment.

City Council President Paul closed the public hearing.

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.)

MOTION by Councilor Barlow, SECOND by Councilor Dieng, to waive the reading and adopt the resolution.

DISCUSSION:

- **Councilor Traverse asked if the per square footage fee applies to all businesses equally. Director Alnasrawi replied yes, and that it applies to the ground floor. Councilor Traverse said that given the migration of businesses from the northern end of Church Street due to CityPlace, he asked what the Marketplace's plans are for equity in programming between the northern side of the street and the southern side of the street. Executive Director Alnasrawi replied that historically, the top block has had a lower level of foot traffic, and that it is now fully leased and there is a higher level of business activity there. She said that any programming that the Church Street Marketplace does, it does so equitably throughout the entire four blocks of the street. She said that when the space is occupied by a community partner, they typically choose to hold events on one block. She said they are also trying to hold programming out front of the entrance to the CityPlace mall space, to keep it as activated as possible.**

VOTING: unanimous; motion carries.

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

MOTION by Councilor Traverse to ask for unanimous consent to suspend the rules to take up Items 7.10 and 7.11 together. There was no objection.

MOTION by Councilor Traverse, SECOND by Councilor Bergman, to postpone deliberation for Items 7.10 and 7.11 to June 20, 2022.

DISCUSSION:

- **Councilor Traverse said that Item 7.10 was considered by the Ordinance Committee twice and voted out of Committee. He noted that Item 7.11 was as it was presented by Councilor Carpenter on April 11, and has**



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come back in that same form. He said that the Ordinance Committee met last week to discuss and make changes to 7.10, and that Councilors have asked for additional time to review the details of the short-term rental item prior to voting on it. He said that the City has been considering short-term rental regulations for two years, and that he hopes that a two-week postponement will help get legislation passed. He said that bed-and-breakfast permits continue to be issued for owner-occupied units to be listed on AirBnb, and that permits are difficult to revoke once granted. He acknowledged the benefits to short-term rentals, but said that allowing non-owner-occupied short-term rentals will keep some long-term rentals or housing units off the market. He said that one new item included is that if a landlord evicts a tenant to convert a long-term unit to a short-term unit, they would be required to pay the tenant's relocation expenses. He also noted that the proposal would increase the gross-receipts tax for short-term rentals from 2% to 9%. He said that these ordinances as presented strike the right balance.

- Councilor Bergman and Councilor Magee said that they appreciate the extra time to review the changes.
- Councilor Carpenter noted that the Ordinance Committee spent a lot of time on this and said that it is well thought-out.

VOTING: unanimous; motion carries.

7.11 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Short Term Rentals ZA #22-08 (Councilor Carpenter)(2nd reading) (20 mins.) **item said discussed with 7.10**

8. COMMITTEE REPORTS

8.01 Verbal Reports

Councilor Bergman said that the Charter Change Committee will be taking up additional items related to redistricting, as well as the legal resident non-citizen voting is also moving through the committee's processes.

Councilor Hanson said that the Transportation, Energy, and Utilities Committee will meet on the 21st at 5:00 PM. He said that the Vehicle For Hire Board will be meeting at 4:00 PM, and noted that citizens are encouraged to apply for seats on the Board.

Councilor Traverse said that the Ordinance Committee met last week to discuss short-term rentals. He said that the next meeting is not yet scheduled. He said that there is a request from citizens to review the City's noise ordinance.

Councilor Carpenter said that the Boards and Commissions Committee met once to review the City's boards and commissions. She said that they advanced applicants to be put on a slate that the Council will consider in totality. She said that for boards or commissions where there were more applicants than positions, interviews will be held prior to voting on them. She noted that the second meeting will be held on June 15th.



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9. CITY COUNCIL – GENERAL AFFAIRS

9.01 Verbal Reports

Councilor Bergman said that he has been getting many calls related to public safety issues. He said that education funding, housing, and economic equity and opportunity funding all drive down crime and disorder, as well as drug and alcohol and mental health services. He also said that there needs to be a public safety presence. He asked that the administration pull demographic and metrics on the types of incidents that have been occurring and how they have been resolved.

Councilor Shannon said that she visited the home of a resident who was struck by stray gun fire in their backyard. She said that the City Council should think about how it can approach addressing gun violence and public safety.

Councilor Dieng spoke about the connection between drug use and mental health issues. He said that the City should continue to make substance use disorder issues a priority.

Councilor Barlow said he expressed concern that that the Council suspended rules and eliminate discussion about an ordinance change in one motion. He said that it undermines the process and actions of the Council body. He said that the ranked-voting ordinance does not need to be in place until 2023, and that the Council would have had the time to discuss this further prior to that.

10. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

10.01 Verbal Reports

None at this time.

11. MAYOR – GENERAL AFFAIRS

11.01 Verbal Reports

Mayor Weinberger reiterated that gunfire incidents are dangerous, illegal, and unacceptable. He said that to protect the public from gun violence, the BPD needs action from other public safety agencies as well as action at the State level.

He then spoke about attending a reinterment ceremony for the veterans of the War of 1812 at Lakeview Cemetery over the past weekend.

He also spoke about the first of 17 BTV Market events, held on Saturday at City Hall Park. He said that approximately 50 vendors participated in the first event.



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He then spoke about Jazz Fest, which is currently happening.

He then congratulated the Burlington High School Class of 2022.

He finally noted that Burlington will host a Juneteenth celebration from June 17-19th.

12. ADJOURNMENT

12.01 Motion to Adjourn

MOTION by Councilor Magee, SECOND by Councilor House, to adjourn the meeting.

VOTING: unanimous; motion carries.

The City Council meeting adjourned without objection at 9:50 PM.

RScty: AACoonrad