



May 21, 2018

Regular City Council Meeting - Monday, May 21, 2018, 5:30 pm, Contois Auditorium, City Hall



[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 as follows: note additional documents for agenda item 2.01 Site Visit: The "Champlain Parkway" (per Kirsten Merriman Shapiro); note additional document for agenda item 2.01 per Chapin Spencer; add to the consent agenda item 4.10 Communication: Ben Traverse, re: Support for Champlain Parkway with the action to "waive the reading, accept the communication and place it on file" (per Councilor Mason); note additional documents and proposed motion for agenda item 5.01 Necessity Hearing Regarding the "Champlain Parkway" (per Kirsten Merriman Shapiro); note additional document and revised motion for agenda item 5.01 Necessity Hearing Regarding The "Champlain Parkway" : move to close the Necessity Hearing and direct staff to prepare draft findings of fact for City Council consideration at its June 4, 2018 meeting (per DPW Director Spencer); note written materials for agenda item 5.02 Ordinance: Offenses & Miscellaneous Provisions - Regulation of security alarm systems (Ordinance Committee; Councilor Knodell; Police Commission)(2nd reading) (per Lise Veronneau); note communication and proposed motion for agenda item 5.04 Presentation/Communication: Bank & Cherry Street Improvements Conceptual Design (per Kirsten Merriman Shapiro); note addition of resolution for agenda item 5.04 and revised memo per Kirsten Merriman Shapiro: Resolution: Department of Public Works - Approval Of Conceptual Design For Bank And Cherry Streets (Transportation, Energy & Utilities Committee) with the action to "waive the reading and adopt the resolution"

2. Site Visit: The "Champlain Parkway"



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2.01 Site Visit: The "Champlain Parkway"

Type: Action, Information, Procedural

****Note additional documents for this agenda item per Kirsten Merriman Shapiro****

*****Note additional document per Chapin Spencer for this agenda item*****

 CitationNotice The Champlain Parkway Necessity Hearing.pdf

 2018-04-10 Memo Re Necessity Process for City Council Work Session April 2018_ Dunkiel Saunders.pdf

 City Council Champlain Parkway Update Memo Neccesity 05 18 18 f.pdf

 Champlain Parkway - Necessity Hearing Displays 051818.pdf

 City Council Champlain Parkway Update Memo Neccesity 5 21 18 REVISED MOTION.pdf

 Champlain Parkway Necessity Hearing Legal Ad for SevenDays 5-9-2018.pdf

 2018-05-18 Site Visit Agenda _Champlain Parkway Necessity_f.pdf

 Properties remaining for Champlain Parkway Necessity 5-18-2018.pdf

 burlington public works tear sheet 5.9.pdf

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

3.01 Verbal Comments

Type: Information, Procedural

4. Consent Agenda

4.01 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 4.10
Communication: Ben Traverse, re: Support for Champlain Parkway with the action to "waive the reading, accept the communication and place it on file" (per Councilor Mason)



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4.02 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 052118 cc
mtg LO.xlsx

4.03 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 2018-2019 Season

Type: Action (Consent)

Recommended Action: to approve one-year renewal applications for encumbrances currently held by the entities listed in the attachment to Caleb Manna's May 16th, 2018 communication

Encumbrance Application Renewals
2018-2019 Round 2.docx

4.04 Report: Board of Assessors Commission Report

Type: Action (Consent), Report

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

Report Board of Assessors Commission
Report.pdf

4.05 Communication: Benjamin Pacy, Human Resources Manager, re: Recommendation - Step placement David Murrish, Parking Enforcement Officer

Type: Action (Consent), Communication

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

CC Murrish Step Placement 05 18.pdf

4.06 Communication: Steven A. Locke, Fire Chief, re: Purchase of Portable Radios and Accessories

Type: Action (Consent)

Recommended Action: to approve and authorize Chief Locke to purchase Motorola portable radios and accessories at a cost not to exceed \$147,810.20 from the capital budget as described in the memo from Chief Locke dated May 9, 2018, subject to prior review and approval by the Chief Administrative Officer and the City Attorney's Office

APX RADIOS - BFD Quote.pdf

BoF - CC Memo for Portable Radios.docx

BoF-City Council Checklist Radios.pdf



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4.07 Communication: Steven A. Locke, Fire Chief, re: Purchase of replacement defibrillators

Type: Action (Consent)

Recommended Action: to approve and authorize Chief Locke to purchase seven Physio-Control Lifepak 15 cardiac monitor/defibrillators at a cost not to exceed \$184,087.77 from the capital budget as described in the memo from Chief Locke dated May 9, 2018, subject to the prior review and approval by the Chief Administrative Officer and the City Attorney's Office

BoF CC Memo for Defibrillators.docx

BoF-City Council Checklist Defibs.pdf

Burlington FD LP15 Quote.pdf

4.08 Communication: Jennifer Green, Sustainability Officer, BED/City of Burlington, re: Acceptance of Funds from VLITE for Electric Bus Purchase

Type: Action (Consent)

Recommended Action: 1. To approve and authorize the execution of a grant agreement with VLITE for the amount of \$175,000 and to approve General Manager Neale Lunderville execute the grant agreement and any related documents needed to carry out the project; 2. To approve and authorize the execution of a grant agreement with GMT for the amount of \$175,000 and to approve General Manager Neale Lunderville execute the grant agreement and any related documents needed to carry out the project.

BED_GMT Agreement final signed.pdf

VLITE Electric Bus_Acceptance of Funds FINAL.doc

VLITE_BED EBUS Contract FINAL May_2018.pdf

4.09 Resolution: Reorganization - Update to Staffing Structure of Fletcher Free Library - Library Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BOFCC Checklist FFL Reorg 050118.pdf

BOFCC Packet for Reorg FFL 04 27 18.pdf

HR - Library - Reorganization - Update to Staffing Structure.pdf

4.10 Communication: Ben Traverse, re: Support for Champlain Parkway

Type: Action (Consent), Communication

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

Communication Ben Traverse re Support for Champlain Parkway.docx

5. Deliberative Agenda



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5.01 Necessity Hearing Regarding The "Champlain Parkway"

Type: Action, Public Hearing

Recommended Action: Based on the testimony and other evidence entered into the record during the necessity hearing, the City Council hereby finds that the public good, necessity and convenience of the inhabitants of the City require the Champlain Parkway to be laid out or altered and the necessary property interests to be taken in accordance with the plans and descriptions presented as part of the record, subject to this Council's adoption of formal, written findings at its June 4, 2018 meeting.

****Note additional documents and proposed motion per Kirsten Merriman Shapiro****

*****Note revised memo and motion for this agenda item per Chapin Spencer: Move to close the Necessity Hearing and direct staff to prepare draft findings of fact for City Council consideration at its June 4, 2018 meeting*****

****NOTE FOURTEEN EXHIBITS AND NORM'S COMMUNICATION PER SUSAN MOLZON, DPW, POSTED 05/24/18, 9:00 AM, LO****

 City Council Champlain Parkway Update Memo Neccesity 5 21 18 REVISED MOTION.pdf

 Exhibit 01 - MEGC-M5000(1) Champlain Parkway Plans.pdf

 Exhibit 3 - Necessity Hearing Notice.pdf

 Exhibit 05 - Acceptances of Service.pdf

 Exhibit 7 - Proof of Publication.pdf

 Exhibit 9 - 2009 FWA Record of Decision.pdf

 Exhibit 10 - Act 250 Decision.pdf

 Exhibit 12 - 2013 CHA Traffic Study.pdf

 Exhibit 14 - Agency of Agriculture Review Letter.pdf

 Communication Norm Baldwin DPW re Comments Supporting Necessity of Champlain Parkway Highway Project.pdf

 Exhibit 02 - Property Rights Descriptions.pdf

 Exhibit 04 - Certified Mail Return Receipts.pdf

 Exhibit 06 - Proof of Sheriff Service.pdf

 Exhibit 8 - Cooperative Agreement and Amendments.pdf

 CitationNotice The Champlain Parkway Necessity Hearing.pdf

 Exhibit 11 - 2011 RSG Traffic and Safety Analysis.pdf

 Exhibit 13 - Aesthetic Report w Appendices.pdf

 Champlain Parkway Necessity Hearing Legal Ad for SevenDays 5-9-2018.pdf



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Champlain Parkway - Necessity Hearing Displays 051818.pdf

Properties remaining for Champlain Parkway Necessity 5-18-2018.pdf

BoF_City Council_Checklist_Champlain Parkway Necessity for May 21, 2018.pdf

City Council Champlain Parkway Update Memo Neccesity 05 18 18 f.pdf

burlington public works tear sheet 5.9.pdf

5.02 Ordinance: Offenses & Miscellaneous Provisions - Regulation of security alarm systems (Ordinance Committee; Councilor Knodell; Police Commission)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

****note written materials for this agenda item per Lise Veronneau****

Offenses & Misc. Provisions—Regulation of security alarm systems, Sec. 21-42.pdf

Police Security Alarm Annual Permit Fee Increase Memo-3-26-18-final- CITY COUNCIL Update after Ordinance Committee meeting 5-8-2018 KV-3.pdf

Police BOF and City Security Alarm Annual Permit Fee Increase Memo-NOTICE to Customer - ver 3.pdf

5.03 Presentation: Mary Danko, Director, Library, re: Strategic Plan

Type: Information, Presentation

Presentation re Strategic Directions 2017-2020 Library.pdf



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5.04 Presentation: Bank and Cherry Street Improvements Conceptual Design; Communication: Chapin Spencer, Laura Wheelock, DPW and Kirsten Merriman Shapiro, CEDO, re: Bank and Cherry Street Improvements

Type: Action, Information, Presentation

Recommended Action: To approve the conceptual designs for improvements to Bank (between Church and Pine Streets) and Cherry (between Church and Battery Streets) Streets presented to City Council on May 21, 2018 and authorize Chapin Spencer, Director of Public Works, to take all steps necessary to manage the development and delivery of 30% designs in substantial conformance with the approved conceptual designs and the Development Agreement with BTC Mall Associates LLC (developer of CityPlace Burlington) with the understanding that the City team will provide informational updates to the City Council after the 30% plans and 75% plans are respectively complete.

****Note written documents and proposed motion for this agenda item per Kirsten Merriman Shapiro****

*****note revised memo and resolution for this agenda item per Kirsten Merriman Shapiro: Resolution: Department of Public Works - Approval of Conceptual Design for Bank and Cherry Streets (Transportation, Energy & Utilities Committee) with the action to "waive the reading and adopt the resolution"******

Revised_Council Memo Bank Cherry Design Approval 052118f.pdf

Council Memo GS-Bank Cherry Design Approval 051818 final.docx

BoF_City Council_Checklist_Bank _ Cherry Street Improvement Design approval 051818.pdf

DPW - Bank and Cherry St. Improvements - Approval of Conceptual Design.pdf

5.05 Resolution: Resident Parking - Implement Strategies Recommended By Residential Parking Study (Councilors Hartnett, Dieng)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

DPW – Resident Parking – Implement Strategies recommended by Residential Parking Study.pdf

6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural

7. City Council - General Affairs



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7.01 Verbal Reports

Type: Information, Procedural

8. City Council President - Council Updates

8.01 Verbal Reports

Type: Information, Procedural

9. Mayor - General Affairs

9.01 Verbal Reports

Type: Information, Procedural

10. Adjournment

10.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

11. Informational Statement

11.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 711 (Deaf/Hard of Hearing) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. 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. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(Deaf/Hard of Hearing 711)

Type: Information