

**CITY OF BURLINGTON
PARKS, ARTS & CULTURE COMMITTEE**

**Councilor Joan Shannon, Chair, South District
Councilor Ali Dieng, Ward 7
Councilor Karen Paul, Ward 6**

Staff: Holli Bushnell, Office Assistant
Lakeview Cemetery
hbushnell@burlingtonvt.gov

AGENDA

Parks, Arts and Culture Committee Meeting

Thursday, May 13, 2021, 5:30 to 6:45pm

MEETING CONDUCTED VIA ZOOM

When: May 13, 2021 05:30 PM Eastern Time (US and Canada)

Topic: PACC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83185259084>

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Webinar ID: 831 8525 9084

International numbers available: <https://us02web.zoom.us/j/83185259084>

Approval of the Agenda – 5:30

Approval of the draft minutes from March 10, 2020 – 5:30

Public Forum – 5:35 – Members of the public may address the committee

Agenda Items –

1. Referral from Council and Dog Task Force (30 minutes) (Cindi Wight)
2. City Arts Update - 1% for Art, performing arts venues, Beltline sign art (Doreen Kraft) (20 minutes)
3. Asian History Month Updates (10 minutes) (All)

Schedule next meeting – Committee will be queried via email

Adjournment – 7pm

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Resolution Relating to

TASKING THE PARKS, ARTS and CULTURE
COMMITTEE TO MAKE RECOMMENDATIONS ABOUT
CREATION OF DOG TASK FORCE

RESOLUTION _____
Sponsor(s): Dieng, Barlow, Carpenter,
Shannon
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-one
Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, Burlington city ordinance defines a dog as follows “Dog shall include both male and
2 female of the canine species. Dog shall also mean any animal which is considered to be a wolf-hybrid as
3 defined in [20](#) V.S.A. § [3541](#)(6); and

4 WHEREAS, dogs are considered an integral part of our society, playing different roles and providing
5 services in the daily lives of humans, such as for accessibility, companionship, exercise, security and more;
6 and

7 WHEREAS, under the Americans with Disabilities Act (ADA), a service animal is a dog that has been
8 individually trained to do work or perform tasks for an individual with a disability, including a physical,
9 sensory, psychiatric, intellectual, or other mental disability; and

10 WHEREAS, according to the American Society for the Prevention of Cruelty to Animals (ASPCA),
11 dog adoptions are up 700% nationally during the pandemic; and

12 WHEREAS, according to the City of Burlington Parks, Recreation and Waterfront website, “The State
13 of Vermont has one of the highest rates of pet ownership around the nation; the City of Burlington has made
14 possible for community members to share their experiences in many different locations in the greater
15 Burlington Area;” and

16 WHEREAS, the City of Burlington issued 755 dog licenses and collected over \$23,000 in dog license
17 revenue for the 2020 fiscal year; and

18 WHEREAS, the City of Burlington via the Department of Parks, Recreation and Waterfront has made
19 a substantial investment in the renovation of the Starr Farm Dog Park located in the New North End; and

20 WHEREAS, over the past few months, residents of the New North End alongside other residents of the
21 city have shared via social media (Front Porch Forum, Facebook) a growing number of incidents involving
22 dogs or dog owners. The incidents were reported by dog owners, former dog owners and people who do not
23 own dogs; and

Resolution Relating to TASKING THE PARKS, ARTS and CULTURE COMMITTEE TO MAKE RECOMMENDATIONS ABOUT CREATION OF DOG TASK FORCE

WHEREAS, most of those incidents are similar in nature; some are unique incidents that resulted in a decreased quality of life and have caused tensions between neighbors. Those incidents include but are not limited to the following:

- Off leash dogs in city parks, natural areas or beaches
- Dogs attacking people or other dogs
- Dog feces not being picked up
- Policies not being enforced
- Unlicensed dogs
- Dog barking contributing to noise pollution; and

WHEREAS, several other issues involving other types of pets in the city were also shared by community members; and

WHEREAS, on Tuesday, March 30, 2021, the New North End City Councilors, Barlow, Carpenter and Dieng, hosted an informative and constructive community meeting alongside South End District City Councilor Shannon and Parks, Recreation and Waterfront Director Wight in order to understand the pet issue better beyond the complaints shared on social media; and

WHEREAS, the community meeting was well attended and received by the community. The attendance ranged from people of the South End, Old North End and New North End. Most attendees were dog owners or former dog owners as well as people who do not own dogs, nature lovers, dog park volunteers and professionals working with pets; and

WHEREAS, residents who attended the community meeting brainstormed ideas and best practices related to these issues and are willing to formally help the city in an ongoing way;

NOW, THEREFORE, BE IT RESOLVED that the City Council respectfully refers the issues raised in this Resolution, and possibly other related issues, to its Parks, Arts and Culture Committee (PACC) and requests that the PACC make a recommendation to the Council regarding the creation of a Burlington Dog Task Force; and

BE IT FURTHER RESOLVED that the City Council respectfully requests that the PACC report back to the full City Council by its June 28 meeting.

CITY OF BURLINGTON

ORDINANCE _____

Sponsors: Councilor Paul,
Burlington City Arts
Public Hearing Dates: _____

In the Year Two Thousand Twenty-One

An Ordinance in Relation to

B.C.O. – OFFENSES AND MISCELLANEOUS PROVISIONS
Percent for Public Art
Sections 21-120 through 21-123

First reading: _____
Referred to: _____
Rules suspended and placed in all
stages of passage: _____
Second reading: _____
Action: _____
Date: _____
Signed by Mayor: _____
Published: _____
Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 21, Offenses and Miscellaneous Provisions, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding a new article, Article X, Percent for Public Art, thereto to read as follows:

ARTICLE X. PERCENT FOR PUBLIC ART

21-120 Purpose.

(a) Name. This Ordinance shall be known as the Percent for Public Art Ordinance.

(b) Purposes. The purpose of this Article is to provide funding for public art in capital projects funded wholly or in part by the City of Burlington. Public art strengthens public places and enhances and promotes Burlington's identity as a livable, creative city and a desirable place to live, work and visit. The purpose of the Percent for Public Art Ordinance is to provide funding to involve artists in the design, implementation and integration of art in public projects, to support administration of the public art process, and to establish funds for maintenance of the City's public art collection.

21-121 Definitions. For purposes of this ordinance, the following terms shall have the following meanings:

(a) "The Art in Public Places Guidelines and Policies" (the Guidelines) shall mean a policy adopted by the Board of Advisors of Burlington City Arts and approved by the City Council that will guide the development of the City's Art in Public Places program and that will be funded in part through the Percent for Public Art Fund established by this ordinance.

(b) "Capital project" shall mean any project that is funded wholly or in part by the City of Burlington and that involves the construction, renovation, or remodeling of buildings, structures, or parking facilities; street improvements; streetscape improvements; or park or recreational area construction or remodeling. It does not mean any project or any portion of a project that is solely for repair or maintenance.

(c) “Eligible budget” shall mean that portion of the total budget for the capital project that is related to construction or rebuilding, but not debt issuance costs, permits, fees, maintenance, or other costs as may be excluded by the Guidelines.

(d) “Public art” means a work of visual art or an artistically designed feature created by an individual who is professionally engaged in the production of creative and original artwork that is owned by the City of Burlington. The work shall be intended to be permanent or longstanding, not temporary or transitory, so as to qualify for capital funding.

(e) “The Percent for Public Art Fund” shall mean one or more reserve funds of the City created for the purpose of housing the funds set aside pursuant to this ordinance and shall be carried over from year to year until expended.

(f) “The Public Art Administrator” shall mean the employee of Burlington City Arts responsible for administration of the City’s public art collection and Art in Public Places program.

(g) “The Public Art Committee” shall mean a committee created by the Board of Advisors of Burlington City Arts that includes City planning staff and may include individuals who are not members of the Board. A majority of the committee shall be residents or taxpayers of the City of Burlington. The Board may appoint specific members to serve on the Public Art Committee for any specific public art or capital project.

21-122 Eligible Projects.

(a) One Percent Set Aside. Any capital project, except as provided below, shall set aside at least 1% of its eligible budget for public art.

(b) Set Aside Not Required. A capital project is not required to set aside funds for public art if:

(1) the ability to set aside project funds is limited by law, regulation, bond covenant, grant terms, or funding agency rules;

(2) the project is funded by a bond for which the voters did not authorize the use of funds for public art; or

(3) the City Council specifically determines that a particular project will not fund the 1% for public art.

(c) Public Art or Set Aside Funds. The 1% set aside shall either be used to incorporate public art into the project or be contributed to the Percent for Public Art Fund, as determined by the Public Art Committee in consultation with the project’s managers, except that for any capital project resulting in a set aside of \$10,000 or less, the set aside will be contributed to the Percent for Public Art Fund.

(d) Determination of Eligible Capital Projects. For each capital project of the City within the City’s capital budgets, the Chief Administrative Officer and the Executive Director will consult with the responsible department head and project manager to determine whether the project is a capital project within the meaning of this ordinance. The mayor will resolve any dispute about the eligibility of a capital project.

(e) Additional Contributions. The City may encourage other projects that are not capital projects to contribute to the Percent for Public Art Fund, as appropriate.

21-123 The Percent for Public Art Fund.

(a) Eligible Costs. Monies reserved in the Percent for Public Art Fund are dedicated to the creation, management and maintenance of public art. They may be used, with respect to public art, for any of the following capital expenses:

- (1) design, selection, acquisition, purchase, or commissioning,
- (2) display, installation, or transport,
- (3) conservation, cleaning, repair, maintenance, or restoration,
- (4) insuring,
- (5) decommissioning or sale, or
- (6) administration of the Art in Public Places program.

(b) Ineligible Costs. Monies from the Percent for Public Art Fund may not be used for:

- (1) mass-produced, standard design objects or visual works;
- (2) decorative, color, textural, or functional elements of a project designed by an architect, rather than as an integrated art work by an artist;
- (3) landscape architecture or gardening except if an artist has included them as integral parts of a work of art;
- (4) directional signage except as an integral part of an artist's design, or
- (5) other ineligible costs identified in the Guidelines.

(c) Percent for Public Art Fund Budget. The Executive Director of Burlington City Arts, with the approval of the Public Art Committee, will annually prepare a budget for the Percent for Public Art Fund that includes maintenance of the City's public art and administration of the City's Art in Public Places program to be included in the annual Mayor's Recommended Budget for City Council approval.

(d) Committee Authorization. The Executive Director may authorize the acquisition of any public art using the Percent for Public Art Fund, consistent with the approved budget and the Guidelines.

21-124 Public Art Project Guidelines and Policies

(a) Establishment of Guidelines. The Board of Advisors of Burlington City Arts will create and oversee the Guidelines related to the selection, management, and maintenance of public art and the related use of the Percent for Public Art Fund, subject to approval of the Guidelines by the City Council.

(b) Content of Guidelines. The Guidelines shall include:

- (1) criteria for the selection and placement of the City's public art, including standards for public solicitation of artists;
- (2) requirements to ensure that the City's public art reflects the cultural, racial, and ethnic diversity of the City, including methods to ensure representation by artists who reflect that cultural, racial, and ethnic diversity;

(3) standards to ensure sufficient funding for the continuing conservation, maintenance, repair, and restoration of the City's public art;

(4) procedures for acquiring and de-accessioning the City's public art;

(5) a process for public input and selection of members to serve on artist-selection juries.

(c) City Ownership. The City of Burlington shall own all public art funded pursuant to this ordinance unless formally deaccessioned.

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Minutes

Parks, Arts & Culture Committee Meeting

Wednesday, May 13, 2021, 5:30 pm

MEETING CONDUCTED VIA ZOOM

Attendance:

Committee Members: Chair Karen Paul, Councilor Ali Dieng, Councilor Joan Shannon

Mary Danko – Fletcher Free Library, Doreen Kraft – BCA, Sara Katz – BCA, Cindi Wight – BPRW, Holli Bushnell – BPRW Staff

Meeting called to order at 5:35pm by Chair Shannon

Approval of agenda

Councilor Dieng moved to approve the agenda with the following modification: Remove beltline sign art update. Councilor Paul Seconded, all were in favor.

Approval of draft minutes from March 10, 2020

Paul moved to approve the minutes. Dieng seconded. All were in favor

Public Forum

Public forum opened at 5:36pm.

Laurie Stavrand spoke about the need for public performance spaces in the wake of the closure of North End Studios and the dissolution of the Vermont Performing Arts League. She pointed out that Burlington has several large immigrant communities with different cultural practices, and that they need a place that's physically accessible, affordable, and supportive of their artistic practices. Some of these spaces are going away or are in danger of disappearing and there is a tremendous need for them.

Hemant Ghising teaches karate to middle and elementary refugees and immigrants and has lost his space in with the closure of North End Studios. That space was one of the only affordable spaces in Burlington and he's not sure he can find another location. If his costs go up it will force him to charge more and force some parents to cease classes due to the cost.

David Shein reported that he had just taken on dismantling Vermont Performing Arts League/North End Studios. He has been getting daily calls in regards to events scheduled at North End Studios that have had to be cancelled. No one knows what to do or how to help these folks figure out solutions. He hopes the council can help because these community events are at risk. He also expressed hope that the cities

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of Burlington and Winooski can get together and figure out a solution. The need is immediate and people are already starting to suffer.

The public forum was closed at 5:50pm

Agenda Items

1. Dog Task Force -

Shannon asked if Dieng could provide the committee with his concerns on this item. Dieng began by thanking Shannon and BPRW director Cindi Wight for coming to community meetings about the dog parks. Two separate meetings were held and different people came both times. The New North End has growing concerns about dogs/dog issues. The City and BPRW has done an amazing job improving Starr Farms dog park, but the issues concerning dogs are now citywide. Dieng's concern is in making Burlington safe and welcoming for everyone. There are already people interested in participating on the dog task force. Dieng's hope is that the committee will be able to bring a resolution to the full city council that includes the scope of the task force. Dieng is also willing to put a vision in writing, email committee members, and improve the current resolution to reflect goals.

Shannon suggested that the next agenda focus on what the job of task force will be and how members are selected. She pondered whether the committee may or may not want to specify categories to be filled. Due to the urgency of the public forum questions she asked if this item could be put off until next meeting. Both Dieng and Paul agreed that the closure of performance spaces was more urgent. Wight commented that she would be happy to get together with Dieng and Jake from BPRW to brainstorm. Shannon asked if Wight could put together a history of dog task forces and Wight agreed to do so.

2. 1% for Public Art

Doreen Kraft provided a brief update on the 1% for Public Art Ordinance. The ordinance was sent out earlier on 5/13/2021, and there is a lot to it. It may take time to go through and she did not expect a full discussion that evening. Sara Katz has been working with Eileen Blackwood and Kraft to develop the policy. With Blackwood's departure there is an urgency to get through ordinance. Kraft suggested the item be moved to next agenda to give the committee time to pre-read the ordinance and provide questions in advance. Instead of multiple meetings this would allow them to address concerns in advance. The committee was in agreement.

3. Asian History Month Updates

Mary Danko informed the committee that the Fletcher Free Library has changed up the stories at Leddy Story Walk. The new story focuses on the Moon festival and tells a beautiful Asian

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American story. They have also updated the story experience in window, book displays, and the carousel to reflect AAPI history and experiences.

4. Performing Arts Venues/North End Studios Closure

Shannon stated that this subject came up very suddenly and is effecting far more than just Burlington. She asked if there have been discussions on this issue or is this the first time. Wight commented that BPRW is in conversation with Champlain Housing Trust to take over rental and management of event room in the Old North End Community Center. Shannon asked if booked events that have had to be cancelled due to the NES closure could continue to happen. Wight wasn't sure if NES would be willing or able to provide schedule, but she will check with Melissa Cate to see if BPRW has received any information on that. NES managed the bookings for their space. Shannon asked Wight to find out if NES will share their schedule and contact info for the bookings. She also asked Wight to notify the community if NES is unable or unwilling to provide this info.

Kraft clarified that there are 3 spaces being discussed. CHT, 294 Winooski Ave (formal NES space), O'Brien Center in Winooski. O'Brien and CHT are the spaces that are closing. Sara Katz confirmed that the NES space is also closing. Shannon asked if there has been conversation about O'Brien center with Winooski folks. Kraft stated that she has spoken with Cindi about CHT, but has not been involved in any conversations about the O'Brien Center.

Shannon asked what other performance venues there are in the city. Dieng commented that it would be very valuable for city to take leadership role in this issue. He proposed a joint assessment through BPRW and BCA of what spaces currently exist in the city (both public and private rentable spaces – costs, contact, etc...). Once the city is assessed he proposed an assessment on spaces in the greater Champlain Valley – this would look at what community spaces exist, who manages them and any rental costs. Ultimately, this assessment would provide resources for community members looking for rental space. The assessment could be made available to Council/PACC as starting point.

Shannon agreed that the assessment is something that can start in one place and build on over time. She asked if the new BCA space might be available or coming online soon. Unfortunately, Kraft confirmed that the space is still primarily a warehouse with no occupancy permits. In terms of the assessment, she felt that understanding what the uses and needs of these spaces are – What equipment is needed, if there are sound or lighting requirements, and any sort of accessibility needs.

At this time David Shein jumped back into the conversation, requesting that the city moves quickly on this issue as the need is immediate. Shannon confirmed that the city is working on taking over the CHT space in the Old North End Community Center. She asked if Shein might have access to the NES schedule and contact info. Shein believed he could potentially provide that info and Shannon requested he connect with Wight.

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Shannon asked Kraft if BCA might be able to develop a website/webpage that would direct people to different space rental options. Kraft confirmed that they could develop something like that without too much difficulty. BCA already has a list of rental spaces from previous community events. They will develop a Google Doc or something similar that people can add to in case there are any changes or covid updates (a lot of spaces are still shut down).

Wight commented that BPRW is going forward with an RFP for the former occupied by the Hindu Temple. They are looking to rent the space in a fair and equitable way. Shannon asked if the rental of the former Hindu Temple space can that be coordinated with the CHT space. Unfortunately, they cannot be tied together. People could use the event hall, but there would be a fee.

Kraft asked if the council would support holding off on leasing the former Hindu Temple space as that space might suit for some of these current needs. Shannon supported this idea and asked Wight to explore it. Wight's concern is that the use of the space is equitable. Allowing more people to use the space would mean serving more people. Shannon suggested that the city manages the space on a temporary basis so events in crisis with need have a place to go. Kraft suggested that staff get together and talk it through spaces and usage with city partners.

Shannon thanked the committee and staff for their efforts and willingness to change gears.

Schedule next meeting – Committee will be queried via email

Adjournment

The meeting was adjourned at 6:28pm.