



Regular City Council Meeting - Monday, April 15, 2019, 7:00 pm, Contois Auditorium, City Hall 4/15/2019

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

April 15, 2019

MEMBERS PRESENT: Kurt Wright (Council President) – Ward 4

Perri Freeman – Central District

Franklin Paulino – North District

Joan Shannon – South District

Jack Hanson – East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Brian Pine – Ward 3

William "Chip" Mason – Ward 5

Karen Paul – Ward 6

Ali Dieng – Ward 7

Adam Roof – Ward 8

ADMINISTRATION: Beth Anderson, CAO

Rich Goodwin, DFO

Justin St. James, Assistant City Attorney

Jordan Redell, Mayor's Office

Olivia LaVecchia, Mayor's Office

Deanna Paluba, HR

Brian Lowe, IT



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Lori Olberg, C/T

Amy Bovee, C/T

Chapin Spencer, DPW

Nicole Losch, DPW

Norm Baldwin, DPW

Laura Wheelock, DPW

Megan Moir, Water Resources

David White, CEDO

Meagan Tuttle, Planning & Zoning

OTHERS PRESENT: Joe Serimenti

Luke Zarazacki

1.0 CALL TO ORDER and AGENDA

Council President Wright called the meeting to order at 7:32 PM on April 15, 2019 and led the assemblage in the Pledge of Allegiance. New members of City Council were welcomed to their first full City Council meeting.

1.01 Agenda

MOTION by Councilor Mason, SECOND by Councilor Roof, to approve the agenda with the following amendments:

- **Removed Item 3.40 (Inspection Services Position)**
- **Remove Item 3.37 (Annual Report Livable Wage Ordinance) and place on Deliberative Agenda as Item 4.02**
- **Note additional information for Item 4.01 (Staffing Structure Water Resources Division)**

VOTING: unanimous; motion carried.

2.0 PUBLIC FORUM

Public forum was opened at 7:34 PM.

COMMENTS





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- Joe Serimenti spoke in support of rank choice voting in Burlington.
- Luke Zarazeki spoke in support of signs in different languages so immigrants in Burlington can understand the message.

There were no further comments from the public. Public Forum was closed at 7:40 PM.

3.0 CONSENT AGENDA

- 3.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated
- 3.02 COMMUNICATION: Accountability List
- 3.03 COMMUNICATION: Minutes, City Council Work Session, 10/15/18
- 3.04 COMMUNICATION: Minutes, City Council, 10/15/18
- 3.05 COMMUNICATION: Minutes, Special City Council, 10/29/18
- 3.06 COMMUNICATION: Minutes, Full Board of Abatement, 10/29/18
- 3.07 COMMUNICATION: Minutes, BCA, 10/29/18
- 3.08 COMMUNICATION: Minutes, Mayor Presiding, 10/29/18
- 3.09 COMMUNICATION: Minutes, Local Control, 10/29/18
- 3.10 COMMUNICATION: Minutes, City Council, 10/29/18
- 3.11 COMMUNICATION: Minutes, City Council, 11/13/18
- 3.12 COMMUNICATION: Minutes, Full Board of Abatement, 11/13/18
- 3.13. COMMUNICATION: Minutes, BCA, 11/26/18
- 3.14 COMMUNICATION: Minutes, Special City Council Work Session, 11/26/18
- 3.15 COMMUNICATION: Minutes, City Council, 11/26/18
- 3.16 COMMUNICATION: Minutes, Special City Council, 12/3/18
- 3.17 COMMUNICATION: Minutes, City Council, 12/10/18
- 3.18 COMMUNICATION: Minutes, Local Control, 12/17/18
- 3.19 COMMUNICATION: Minutes, City Council, 12/17/18
- 3.20 COMMUNICATION: Minutes, City Council, 1/7/19
- 3.21 COMMUNICATION: Minutes, Mayor Presiding, 1/22/19
- 3.22 COMMUNICATION: Minutes, Local Control, 1/22/19



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- 3.23 COMMUNICATION: Minutes, City Council, 1/22/19
- 3.24 COMMUNICATION: Minutes, City Council, 1/28/19
- 3.25 COMMUNICATION: 2019 Certificate of Highway Mileage
- 3.26 COMMUNICATION: How Iceland Got Teens to Say No to Drugs
- 3.27 COMMUNICATION: CHP
- 3.28 COMMUNICATION: Parking Meter Bags
- 3.29 COMMUNICATION: Kelly Devine, CHP Handout
- 3.30 COMMUNICATION: Step Placement, Margaret Williams
- 3.31 COMMUNICATION: Step Placement, Orieta Glozheni
- 3.32 COMMUNICATION: Conservation Legacy Fund Disbursement, 311 North Ave.
- 3.33 COMMUNICATION: Summary of Fuel Contract Results
- 3.34 COMMUNICATION: Audit Services
- 3.35 COMMUNICATION: CY19 Street Reconstruction Project Contract
- 3.36 COMMUNICATION: Key Facility Decisions, 645 Pine Street
- 3.37 COMMUNICATION: Annual Report: Livable Wage Ordinance FY19 (moved to Deliberative Agenda, Item 4.02)
- 3.38 COMMUNICATION: Independent Auditors Reports Year Ending 6/30/18
- 3.39 COMMUNICATION: 2019-2020 City Council Standing Committees
- 3.40 COMMUNICATION: Inspections Services Position (removed from agenda)
- 3.41 COMMUNICATION: FIO Document(s)
- 3.42 COMMUNICATION: Quitclaim Deed, 163 Pleasant Avenue

MOTION by Councilor Bushor, SECOND by Councilor Roof, to adopt the Consent Agenda and take the actions indicated for Items 3.01 through 3.42. VOTING: unanimous; motion carried.

4.0 DELIBERATIVE AGENDA

4.01 Update Staffing Structure of DPW Water Resources Division – Board of Finance

DPW Director Spencer and Water Resources Director Moir spoke of mitigating the impacts of the costs related to a revised rate structure, affordability programs, and adequate staffing which is needed in order to address legacy issues, cover personnel leave time, and address storm water and waste water issues. Existing staff and the union membership have been briefed on the staffing changes.



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Councilor Pine asked if legacy issues are essentially deferred maintenance. DPW Director Spencer said part is infrastructure and part is the billing system. Councilor Pine recalled the multiple rate increases in the 1980s and 1990s, and the people saying enough.

Councilor Paulino confirmed the requests for phases 1 & 2 will result in a \$20 per year increase for two consecutive years, and since 2015 there have been only three staffing changes. Water Resources Director Moir said the most recent staff addition was the third Water Resources engineer in 2017. A Water Resources engineer was added in 2016 and a Water Resources Infrastructure Asset Manager was added in 2018. Councilor Paulino observed with the six requested changes in Phase 1 the rate increase is still within the average, and for seven times in the last 10 years the rate increase has been 4.5%. Water Resources Director Moir said the total budgetary impact with the annual operating drivers and staffing changes Phases 1 & 2 (five positions plus three reclassifications) is a rate increase of 4.5% which is within the normal tolerances of the national average.

Councilor Paul asked how the burden is lessened on those who cannot afford the increases. DPW Director Spencer assured staff is fully committed to doing a rate analysis and full evaluation of affordability programs and other incentives. The analysis will be ready by FY21. DPW Director Spencer suggested the following wording addition to the end of the resolution:

- Be it further resolved that City Council directs the department to evaluate alternate rate structures and affordability programs to minimize impact on low income and low use customers, engage the public in development and review of the options, and present the findings to City Council for consideration prior to the FY21 budget presentation.

Councilor Bushor spoke of finding a balance between the needs of the department and the long term impact on the ratepayer. Councilor Bushor requested information on the impact on the department if the engineering positions is delayed.

Councilor Dieng asked if the positions and reclassifications will guarantee the system will function. Water Resources Director Moir said there can be no guarantee, but it is certain without the staffing there is great concern about being able to continue to move forward. Staff can provide more data and explanation of the affordability programs at the next meeting.

Councilor Freeman echoed concerns about the long term expenses and impact on taxpayers. Staff explained the need to have people in place to cover the anticipated leave time by members of the department.

Councilor Tracy said it would be helpful to hear from the union managers and to give the public all the information so there is full understanding of the matter. More specificity is needed on public engagement.





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MOTION by Councilor Tracy, SECOND by Councilor Hanson, to postpone action on the Water Resources staffing until the April 29, 2019 City Council meeting.

DISCUSSION:

- Councilor Mason pointed out a motion was not made to adopt the resolution. Council President Wright declared discussion was held on amendments so the motion to postpone can move forward.
- Councilor Paulino said postponing sends a message to employees about waste water and clean water. The request by Water Resources is reasonable.
- Councilor Shannon said her constituents have sent a clear message that the lake and clean water is a high priority so the decision should not be delayed. The issues and amendments can be addressed when the budget is done.
- Councilor Hanson said postponing for two weeks allows the public to have input and the opportunity to understand the situation.
- Councilor Roof said it is critical to move forward and strive for opportunity for consensus to send the message that City Council gets things done.
- Councilor Mason questioned if opportunity for public input or an alternate rate structure can happen in the next two weeks. The plan is to work with the consultant. City Council can be included in determining the public process.
- Councilor Dieng said the proposal was well vetted and should move forward.
- Councilor Pine said everyone supports clean water. City Council has an obligation to move ahead and not leave people behind. A \$20 increase may not be much for some, but it is for others.
- Councilor Shannon pointed out the vote is on staff restructuring, not the rate increase.
- DPW Director Spencer said there are funds in FY19 for the requested changes. There will be a modest cost pressure in FY20 of \$1.70 to the increased rate in FY20.
- Councilor Roof asked what would be done in the next two weeks. DPW Director Spencer said some additional public notification can be done. The resolution can be fleshed out, but the rate structure or programs cannot be substantively fleshed out in two weeks. Councilor Roof asked if the rate structure and programs would be pursued regardless. Water Resources Director Moir said consultants are being interviewed now for the work. The Board of Finance and City Council will have input on any contracts. The consultants will also be looking at alternate revenue sources in addition to the rate structure.
- Councilor Bushor said City Council needs to look at the head count and salary ranges to make sure the people of Burlington can afford this and do not leave the city.
- Councilor Hanson said the people need to know the impact and it is important to have collaboration and public input.

VOTING (by roll call): Councilor Bushor – aye, Councilor Hanson – aye, Councilor Dieng – aye, Councilor Paulino – nay, Councilor Freeman – nay, Councilor Mason – nay, Councilor Paul – aye, Councilor Pine – aye, Councilor Roof – aye, Councilor Shannon – nay, Councilor Tracy – aye, Council President Wright – aye (8 ayes, 4 nays); motion carried.

Action was postponed to the April 29, 2019 meeting.

4.02 Annual Report on Livable Wage Ordinance FY19 – City Attorney





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Assistant City Attorney St. James reported staff is working on education to raise awareness on compliance. The ordinance has enforcement mechanisms if the contractor is not paying a living wage. There is a database of contracts that are livable wage eligible. The information is shared with worker centers to identify where projects are happening and help with outreach and compliance.

MOTION by Councilor Bushor, SECOND by Councilor Tracy, to accept the report and place it on file.

DISCUSSION:

- **Councilor Bushor commended the City Attorney's Office for an excellent report.**

VOTING: unanimous; motion carried.

5.0 COMMITTEE REPORTS

- Councilor Roof reported the Licensing Committee will meet 4/17/19 to discuss renewals. The Public Safety Committee meeting is to be determined, and the Vehicle for Hire Licensing Board meeting is 4/16/19.
- Councilor Pine reported the Community Development Neighborhood Revitalization Committee will meet 4/22/19 to discuss the annual plan and how the city allocates block grants.

6.0 CITY COUNCIL – GENERAL AFFAIRS

- Councilor Bushor announced the East District NPA passed a resolution to request additional funding for small projects in the district and for live streaming of meetings. Also, DPW is asked to do sidewalk one slab at a time to make it easier for people in wheelchairs.
- Councilor Shannon announced the May 1, 2019 Burlington 2030 Celebration for Climate Change.
- Councilor Pine announced the Vermont Council on Foreign Affairs is bringing Jordanian mayors and elected officials to Burlington on 4/18/19.
- Councilor Mason invited all to the Ward 5 NPA meeting on 4/18/19 with special speakers on climate change.

7.0 CITY COUNCIL PRESIDENT – COUNCIL UPDATES

Council President Wright said Councilor Tracy is appointed to the Winooski Avenue Transportation Study.

8.0 MAYOR – GENERAL AFFAIRS

No report.

9.0 ADJOURNMENT

MOTION by Councilor Roof, SECOND by Councilor Pine, to adjourn the meeting. VOTING: unanimous; motion



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carried.

The City Council meeting was adjourned at 9:08 PM.

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