



Special City Council Meeting - Friday, March 29, 2019, 1:00 pm, Contois Auditorium, City Hall 3/29/2019

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF SPECIAL MEETING

March 29, 2019

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

Jane Knodell – Central District

David Hartnett – North District

Joan Shannon – South District

Richard Deane – East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2 [via telephone]

William “Chip” Mason – Ward 5

Karen Paul – Ward 6

Ali Dieng – Ward 7

Adam Roof – Ward 8

MEMBERS ABSENT: Brian Pine – Ward 3

ADMINISTRATION: Miro Weinberger, Mayor

Eileen Blackwood, City Attorney

Jordan Redell, Mayor’s Office

Olivia LaVecchia, Mayor’s Office

Lori Olberg, C/T

Amy Bovee, C/T

OTHERS PRESENT: Wayne Senville



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Shireen Hart

John Bossange

Hannah King

Grace Visaitu

1.0 CALL TO ORDER and AGENDA

Council President Wright called the special meeting to order at 1:09 PM on March 29, 2019 and led the assemblage in the Pledge of Allegiance.

1.01 Agenda

MOTION by Councilor Knodell, SECOND by Councilor Bushor to approve the agenda as presented. VOTING: unanimous; motion carried.

2.0 PUBLIC FORUM

Public forum was opened at 1:14 PM.

COMMENTS

- Wayne Senville mentioned his background as a planner and service on the Burlington Planning Commission and DRB, and read a statement on public input per the Open Meeting Law noting the lack of opportunity for the public to review the updated documents for the City Hall Park project which could be a violation of the Open Meeting Law.
- Shireen Hart said there was no violation of the Open Meeting Law as alleged. The park project materials were before the Board of Finance and then before City Council.
- John Bossange, Waterfront Commission, spoke of public input on the park project and the opposition group placing a burden on the project's progress.
- Grace Visaitu and Hannah King spoke in support of the park project and expressed concern about some people undermining the democratic process in order to get what they want.

There were no comments from the public. Public Forum was closed at 1:25 PM.

3.0 DELIBERATIVE AGENDA

3.01 Alleged Open Meeting Law Violation at 3/25/19 City Council Meeting

City Attorney Blackwood said there was 48-hour notice of the agenda for the 3/25/19 City Council meeting. The city goes beyond what is required by the Open Meeting Law. The claim of violation is invalid.



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Councilor Bushor acknowledged the good guidance on the Open Meeting Law from the City Attorney, but stressed people are entitled to raise an issue. City Council should have a forum on the Open Meeting Law rules and regulations.

MOTION by Councilor Knodell, SECOND by Councilor Hartnett, that there was no violation of the Open Meeting Law as alleged on 3/25/19 and no cure is necessary.

DISCUSSION:

- Councilor Tracy expressed concern about the process and the public not having adequate time to review information on significant changes to the park plan. The city needs to ensure the public has the information and can weigh in before a vote. There is a feeling there was a rush to get the vote done before the newly elected members join City Council.
- Councilor Knodell said there was a walk through on the changes to the project plan and the public was present. An activist government acts on behalf of the people. A paralyzed government cannot act in effective ways to meet goals.
- Councilor Shannon assured City Council hears comments and is responsive. Amendments cannot be made on the fly so information should be received for all to see prior to making a decision.
- Councilor Dieng said there is a culture of holding information until the last minute. The information should have been shared before the City Council meeting. Councilor Dieng asked if it is a violation of the Open Meeting Law to change the amount of time the public has to speak.
- Council President Wright said limiting the time for the public to speak has been a long-standing practice of the Council President to employ to keep the meeting moving forward.
- Councilor Hartnett urged City Council to vote on the park project. Keep the Park people have repeatedly put up roadblocks and because City Council conceded, the park now has fewer amenities and the project will cost more money. If the city continues to fall behind people will not want to visit. It is time to move on with the park project.
- Mayor Weinberger noted there was an extensive public meeting before the City Council meeting when the information on the park was brought forward. As soon as the information was compiled it was brought forward. Staff was responding to City Council up to the start of the City Council meeting.
- City Attorney Blackwood said the final documents were posted on BoardDocs at 6:44 PM on 3/25/19. With what has been outlined there was no violation of the Open Meeting Law.
- Councilor Roof clarified the question is whether there has been a legal violation of the law and the legal advisors indicate there has not been a violation.
- Councilor Bushor said the introduction of information was not in time for the public to comment.

VOTING (by roll call): Councilor Bushor – aye, Councilor Deane – aye, Councilor Dieng – aye, Councilor Hartnett – aye, Councilor Knodell – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Roof – aye, Councilor Shannon – aye, Councilor Tracy – nay, Council President Wright – aye (10-1); motion carried.

4.0 ADJOURNMENT

MOTION by Councilor Hartnett, SECOND by Councilor Shannon, to adjourn the meeting. VOTING: unanimous; motion carried.



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The special City Council meeting was adjourned at 1:53 PM.

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