



# **Regular City Council Meeting - Monday, March 26, 2018, 7:00 pm, Contois Auditorium, City Hall 3/26/2018**

**BURLINGTON CITY COUNCIL**

**CONTOIS AUDITORIUM, CITY HALL**

**BURLINGTON, VERMONT**

**MINUTES OF MEETING**

**March 26, 2018**

**MEMBERS PRESENT:** Jane Knodell (Council President) – Central District

David Hartnett – North District

Joan Shannon – South District

Richard Deane – East District

Sharon Foley Bushor – Ward 1[via telephone 9:30 PM to 11:20 PM]

Max Tracy – Ward 2

Sara Moore – Ward 3

Kurt Wright – Ward 4

William “Chip” Mason – Ward 5

Karen Paul – Ward 6

Ali Dieng – Ward 7

Adam Roof – Ward 8



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## **ADMINISTRATION:**

Miro Weinberger, Mayor

Beth Anderson, Interim CAO

Rich Goodwin, DFO

Eileen Blackwood, City Attorney

Brian Lowe, Mayor's Office

Katie Vane, Mayor's Office

Lori Olberg, C/T

Amy Bovee, C/T

Chapin Spencer, DPW

David White, P&Z

Scott Gustin, P&Z

## **OTHERS PRESENT:**

Dale Sargent

Anne Micanini

Betsy McGarrist

Drew Baker

Kensy Hines

Julie Masooga

Steve Norman

Doris Benninger

Richard Glich

Roseanne Gregco

Helen Riehle

Meaghan Emery

Jake Bell

Michael Mahoney

Monique Fordham

Donna Walters

Wayne Senville



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Peter Lacowski

Lisa Ventruss

Frank Chioffe

Ernie Pomerleau

Tony Bell

William Wells

Cilia Kingsbury

Alexander Lavent

James Leas

Rachel Siegel

John Rayhill

Dan Finnegan

Chris Kapouto

Charles Simpson

Gus Cline

Raymond Tangway

Fiona Griffin

Lucy Gluck

Loni Parrish

Robin Lloyd

Caryn Long

Sam Donnelly

Monica Osbee

David Ross

Barbara Winroth

Sandy Baird

Brian Cina



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Thomas Chittenden

## 1.0 CALL TO ORDER and AGENDA

City Council President Knodell called the City Council meeting to order at 7:15 PM on March 26, 2018 and led the assemblage in the Pledge of Allegiance.

### 1.01 Agenda

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

- Remove Item 2.01 (Christening of USNS Burlington)
- Note final memo for Item 5.10 (CY18 Street Reconstruction Project Contract)
- Note written materials and amended action for Item 5.16 (Water and Waste Water Billing)
- Note written materials and amended action for Item 5.17 (ELI Program Update)
- Add Item 5.23 (Dr. Kolodinsky Expert Opinion on Ballot Wording)
- Move Item 6.05 (Honor David White) to Item 3.005
- Note revisions to Item 6.06 (Alternate Mission VANG)
- Note written materials for Item 6.07 (Honfleur Sister City Committee) and move to Item 6.005

**VOTING: unanimous; motion carried.**

## 2.0 REPORTS

### 2.01 Christening of the USNS Burlington

Removed from agenda.

## 3.0 RESOLUTIONS

### 3.005 Resolution: David White, Fellow to American Institute of Certified Planners

**MOTION by Councilor Deane, SECOND by Councilor Mason, to adopt the resolution honoring David White for acceptance as a Fellow to the American Institute of Certified Planners.**

#### DISCUSSION:

- Councilor Deane read the resolution recognizing the professional achievements of David White, Planning & Zoning Director, and the challenges of the job and sacrifice of time away from family.
- Mayor Weinberger echoed the comments on the difficult role of planning that David White handles with grace and professionalism and leads the challenge with data, analysis, and attention to best practices. The city is fortunate to have Director White.
- Councilor Paul mentioned David White's work on PlanBTV which is an amazing accomplishment for the community. The effort of others is also recognized including David White's wife, Sue White.





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- David White said he is deeply honored by the recognition, but the work of staff also needs to be recognized.

**VOTING: unanimous; motion carried.**

3.01 Resolution: In Honor of Antonio "Tony" Pomerleau's Many Contributions to Burlington and Vermont

**MOTION by Councilor Paul, SECOND by Councilor Wright, to adopt the resolution honoring Tony Pomerleau and his contribution to Burlington and to Vermont.**

### DISCUSSION:

- Councilor Paul read the resolution honoring Tony Pomerleau and encouraging all Burlingtonians and Vermonters to embrace his legacy to build the world through care and concern for the community. Councilor Paul suggested the resolution be framed and presented to the Pomerleau family.
- Councilor Wright said there will be another resolution honoring Tony Pomerleau in Montpelier recognizing his incredible life and all the lives he touched and all that he gave to the state. Tony Pomerleau was a self-made man who gave back to the community immensely. Tony Pomerleau and the entire Pomerleau family are greatly appreciated.
- Mayor Weinberger said it is fitting to honor Tony Pomerleau who did so much for the city, shaping the Parks Dept. with waterfront celebrations, chairing the Police Commission and professionalizing the department into one of the finest of its size in the country. Mr. Pomerleau had many remarkable achievements in his lifetime.

**VOTING: unanimous; motion carried.**

## 4.0 PUBLIC FORUM

Public forum was opened at 7:37 PM.

### COMMENTS

- Dale Sargent spoke of the noise of the F-35 planes not being safe for children and asked City Council to use the words on the ballot that were voted on by the voters.
- Anne Micanini urged City Council to stand by the decision of the people and the wording of the vote.
- Betsy McGarrist urged honoring the democratic process and making sure the F-35 is cancelled.
- Drew Baker urged keeping the resolved language as the voters described and not betraying the voters.
- Kensey Hines, Ward 8, spoke against the F-35.
- Julie Masooga urged City Council not to alter the nature of the vote by changing the language.
- Steve Norman spoke in support of the resolution for making Burlington a center for French education and French friendliness. Some progress has been made with bilingual signage and employees.
- Doris Benninger stated 110 decibels is the threshold of pain. The F-35 is higher than that and does not need to come to Burlington.
- Richard Glich spoke in support of making Burlington a more French friendly community and urged approving the update to the French Friendly resolution.
- Roseanne Gregco said the Air Force sets the mission for the Vermont Air Guard and provides the aircraft. The Air Force outlined the harm the F-35 will cause particularly to children.



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- Helen Riehle and Meaghan Emery, South Burlington city councilors, said South Burlington City Council passed a similar resolution against the F-35 and urged City Council to send a message that is direct and to the point and to request low noise level and safe equipment at the airport.
- Jake Bell with Keep the Park Green urged saving and preserving the mature shade trees in City Hall Park and reopening the process to save more trees in the park. The trees need regular maintenance.
- Michael Mahoney said City Council voted without full knowledge of the F-35. The ballot wording was confusing. The vote was within the margin of error and there was no request for recount.
- Monique Fordham with Keep the Park Green spoke of the lack of transparency on the trees in the park. Copies of the 187 public comments on the trees were provided to City Council and request made to reopen the issue and come to a compromise on the trees in the park. The survey shows people want shade in the park.
- Donna Walters said there will be a march to save the trees. Nearly 70% of the trees will be cut down and that does not represent the value of a Tree USA community. City Council is asked for a stay of execution of the trees. A professional tree and soil assessment is needed along with a treatment plan for each tree.
- Wayne Senville urged reopening the plan for the park and reconsidering the removal of trees.
- Peter Lacowski suggested City Council ask the National Guard to request a mission that is more consistent with the security and well-being of the community.
- Lisa Ventruss, Honorary Commander of the 158th Fighter Wing of the Vermont Air National Guard, spoke in support of the current mission for the Guard, the economic impact of the Guard to the community and the state, the role of the Air Force in the community, and the importance of the mission for the state and national security. City Council was encouraged to support the current mission of the Guard. The Guard has been a good neighbor, good steward, and worked well with community leaders to address issues. There is concern of the precedent set to renegotiate the mission for the Vermont Air National Guard.
- Frank Chioffe said GBIC did an economic impact analysis of the Vermont National Air Guard and Army Guard that showed 3600 employees, \$151 million payroll of which \$57 million is for the Air Guard, \$100 million to be invested in the next five years in capital investments, and \$230 million requested by the Army Guard for investment. City Council is urged to keep this in mind during deliberations.
- Ernie Pomerleau said the ballot wording was flawed because "yes" meant "no" and "no" meant "yes". There is no "other mission" for the Guard. The F-35 issue had had four years of vetting through the courts. The sound of the F-35 and F-16 are similar, not four times louder. City Council gave the go ahead to the Air National Guard which will be spending \$100 million and has 1,100 families in the community. City Council needs to consider the magnitude of a flawed ballot.
- Tony Bell spoke in support of the mission of the Green Mountain Boys of the Air National Guard. The ballot used trickery and confused people. The Green Mountain Boys are tactical fighter pilots supporting the operational abilities of ground units. City Council should reject any proposal that keeps Vermont Air Guard from its mission.
- William Wells urged asking for a different mission that is safer and not as noisy and that the resolution contain the language on the ballot that was voted.
- Cilia Kingsbury spoke in support of bilingual education in Burlington schools and French education and French friendliness in Burlington.
- Alexander Lavent spoke of letting people help the leaders so they are not boondoggled.
- James Leas urged City Council to request cancellation of the F-35.
- Rachel Siegel spoke in favor of City Council supporting the resolution to cancel the F-35.
- John Rayhill said the ballot wording was deceitful and deceptive, and was not in support of the Guard. The F-35 is right for Vermont and the USA. The F-35 statistically has been proven safer than the F-16. The F-16 with after burner is louder than the F-35.
- Dan Finnegan asked City Council to clearly understand what is being asked before sending the resolution and to seek credible answers. The F-35 is a long term investment in the future and viability of Vermont Air National Guard and the airport.



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- Chris Kapouto spoke in support of the F-35 basing, noting City Council voted several years ago in favor of the basing. It is not certain what is democratic about a misleading ballot item that was editorialized. The intent of the Save Our Skies organization is to hijack the basing process at the 11th hour. Save Our Skies has lost at every level, state, federal, appellate, and nothing has changed. There has been no new information brought forward.
- Charles Simpson urged City Council to instruct the Air Force as advised by the ballot item to stick to the people's wording and ask for the cancellation of the F-35 basing.
- Gus Cline spoke in support of the F-35, City of Burlington, and the State of Vermont.
- Raymond Tangway spoke of the confusing wording on the ballot and spoke in support of the Air National Guard and the F-35 mission.
- Fiona Griffin spoke of children being impacted by the noise of the F-35 and requested the resolution be sent with the language on the ballot and City Council request an alternate mission and cancellation of the F-35.
- Lucy Gluck spoke in support of cancelling the F-35 mission because it is an unhealthy choice and there is an alternate mission and to stick to the wording on the ballot.
- Loni Parrish said the noise according to the EIS at 15 of the 22 site surveyed was quieter with the F-35. The F-35 will not be using after burners for takeoff. The noise level of the F-16 and F-35 at takeoff is virtually the same and the F-16 uses afterburners on takeoff. Takeoff is the most impact to Burlington, South Burlington, and Winooski.
- Robin Lloyd urged using the word "cancel" rather than "replace" in the resolution against the F-35.
- Caryn Long said the new plan for City Hall Park is ecologically insensitive. Changes should be thoughtful and measured. The design should be around the trees. The proposed design is a plaza. City Council is urged to look at the design again knowing the number of trees to be removed.
- Sam Donnelly urged researching options for an alternate mission before making a decision on the F-35. The ballot item asked multiple questions so a unified response cannot be claimed.
- Monica Osbee showed a photograph from 1918 and from 2018 which highlights the change in diversity in the community over the past 100 years.
- David Ross spoke of having post-traumatic stress syndrome and the impact of loud noises on him. Mr. Ross spoke against the F-35.
- Barbara Winroth urged City Council to review the F-35 matter with clarity.
- Sandy Baird spoke in support of the resolution to cancel the F-35.
- Brian Cina, State Representative, urged City Council to ask the Air Force to cancel the F-35 basing and ask for an alternate mission with low noise level, safe equipment for a high density, populated area.
- Thomas Chittenden spoke in support of basing the F-35 in Burlington and having the Airport Commission do more to hear the people on berms and sound barriers. Decision making needs to be separated from political influence.

There were no further comments. Public Forum was closed at 9:08 PM.

### 5.0 CONSENT AGENDA

- 5.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated
- 5.02 COMMUNICATION: Accountability List
- 5.03 COMMUNICATION: Annual Certificate of Highway Mileage
- 5.04 COMMUNICATION: January 2018 Financial
- 5.05 COMMUNICATION: Great Streets Initiative Downtown Design & Construction Standards
- 5.06 COMMUNICATION: Election Results Question on Ballot Annual City Election



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- 5.07 COMMUNICATION: Elected Candidates Annual City Election
- 5.08 COMMUNICATION: Improving Permitting Process
- 5.09 COMMUNICATION: Economic Impact Analysis Vermont Air and Army Guard
- 5.10 COMMUNICATION: CY18 Street Reconstruction Project Contract
- 5.11 COMMUNICATION: Inter-municipal Agreement-Regional Stormwater Education Program
- 5.12 COMMUNICATION: 2018 Water Line Rehabilitation Work
- 5.13 COMMUNICATION: Schmanska Park Court Reconstruction
- 5.14 COMMUNICATION: Street Franchise Agreement with Mobilitie
- 5.15 COMMUNICATION: Upgrades to Traffic Signal and Sidewalk, Battery/Maple Intersection
- 5.16 COMMUNICATION: Water Billing
- 5.17 COMMUNICATION: Early Learning
- 5.18 COMMUNICATION: FIO Document(s)
- 5.19 RESOLUTION: Reclassify Traffic Foreman Position
- 5.20 RESOLUTION: Capital Public Improvement Infrastructure Bonds, 3/6/18
- 5.21 RESOLUTION: Capital Public Improvement Infrastructure Bonds, 11/8/16
- 5.22 RESOLUTION: Waterworks System Supplemental Resolution No. 2
- 5.23 RESOLUTION: Dr. Kolodinsky Expert Opinion on Ballot Wording

**MOTION by Councilor Roof, SECOND by Councilor Deane, to adopt the Consent Agenda and take the action indicated for Items 5.01 through Item 5.23. VOTING: unanimous; motion carried.**

Councilor Bushor jointed the meeting via telephone at 9:30 PM.

### 6.0 DELIBERATIVE AGENDA

6.005 Resolution: Update 2011 French Friendliness Resolution

**MOTION by Councilor Paul, SECOND by Councilor Roof, to waive the reading and adopt the resolution on the update of the 2011 French Friendliness Resolution.**

#### DISCUSSION:

- Councilor Paul said the resolution is to accommodate French speaking natives, informational signage, French/English bilingual curriculum in schools, retail and hospitality industry hiring more French speaking



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staff, Burlington being a partner with Alliance Francais and local groups, and opportunities to increase French language and cultural education.

**VOTING: unanimous; motion carried.**

Council President Knodell recessed the City Council meeting at 9:38 PM to convene the Local Control Commission. The City Council meeting resumed at 9:45 PM.

6.01 Indoor Entertainment Permit Application (2017-2018): Stonecutter Spirits, LLC, 71 South Union Street

**MOTION by Councilor Deane, SECOND by Councilor Roof, to approve the Indoor Entertainment Permit Application 2017-2018 for Stonecutter Spirits, LLC, 71 South Union Street, with the condition all city permits need to be closed out.**

**DISCUSSION:**

- Councilor Deane explained the applicant will have non-amplified music, no dancing, and the hours of entertainment are the same as the hours of operation.

**VOTING: unanimous; motion carried.**

6.02 Outdoor Entertainment Permit Application (2017-2018): Shanty on the Shore, 181 Battery Street

**MOTION by Councilor Deane, SECOND by Councilor Roof, to approve the Outdoor Entertainment Permit Application 2017-2018 for Shanty on the Shore, 181 Battery Street, with all standard conditions.**

**DISCUSSION:**

- Councilor Deane said the applicant proposes to raise the exterior deck and have seating below. The hours of entertainment are limited and the neighbors have no objections.

**VOTING: unanimous; motion carried.**

6.03 Public Hearing: ZA#17-17, Retaining Walls

The public hearing was opened at 9:48 PM. Scott Gustin, Planning & Zoning, explained the zoning regulation sets the height, setbacks, review process, and design review standards for retaining walls. There were no comments from the public. The public hearing was closed at 9:49 PM.

6.04 Ordinance: ZA#17-17, Retaining Walls – Planning, Ordinance Committee

**MOTION by Councilor Mason, SECOND by Councilor Bushor, to waive the reading and adopt the ordinance for retaining walls, ZA#17-17. VOTING: unanimous; motion carried.**





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6.05 Resolution: Honoring David White

Moved to Item 3.001.

6.06 Resolution: Request Alternate Mission for Vermont Air National Guard

**MOTION by Councilor Shannon, SECOND by Councilor Paul, to waive the reading and adopt the resolution.**

### **DISCUSSION:**

- Councilor Shannon explained the resolution speaks to the importance of the Guard to the community and the will of the voters. Councilor Shannon read excerpts from the resolution requesting a written response by May 1, 2018 for a mission with low noise level airplanes with a proven safety record.
- Councilor Hartnett said the New North End voted against the ballot item and wants the F-35 basing in Burlington. The question on the ballot should have been simple and asked whether the voters want the plane here or not. The ballot item as worded was not in "strong support of Vermont Air National Guard" and is disrespectful to the men and women who serve. City Council voted two years ago to support basing the F-35 in Burlington and made the decision with the facts. Every court has ruled against the group fighting the F-35 and they are now as a last resort and less than a year from the plane coming and all the work and resources that have been expended using a deceptive question put before the voters with the hope the voters would misunderstand. The Washington delegation supports the plan. Councilor Hartnett urged everyone to turn their attention to working with the Guard and local schools, local businesses, and the neighborhoods.
- Councilor Dieng spoke of the level of outreach on the issue so people were not misled. How the ballot was worded should not be used as an excuse. Councilor Dieng suggested amending the resolution to add a definition of "Town Meeting Day" in the first "Whereas" clause. The motion was not seconded and failed.

**AMENDMENT by Councilor Dieng, SECOND by Councilor Moore, to insert the percentage of votes cast in favor as "55.31% of the total votes cast".**

### **DISCUSSION OF AMENDMENT:**

- Councilor Shannon said it is not appropriate to be making these types of changes to the resolution at this point in time. The resolution is trying to get at the crux of a very important issue.
- Councilor Hartnett said the ballot question was advisory and over 5,000 people said they wanted the plane in Burlington. The margin of votes between wards was not great (129 votes). It was thought the percentage would have to be around 65% in order for City Council to take action on an advisory question.
- Councilor Tracy said stating the percentage helps to make the outcome as clear as possible.

**AMENDMENT by Councilor Mason, SECOND by Councilor Roof, to amend the resolution by removing the number "2" in the second line. VOTING: unanimous; motion carried.**

### **CONTINUED DISCUSSION OF AMENDMENT (to insert**

**percentage):**

- Councilor Dieng said the resolution by Councilor Shannon as read was revised with last minute changes. It is important to add the percentage.
- Councilor Shannon stressed the resolution that was read was the same text posted on BoardDocs. There were no last minute changes.



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### **VOTING BY ROLL CALL ON AMENDMENT (to insert percentage):**

- **Ayes – Knodell, Deane, Bushor, Tracy, Moore, Dieng, Roof**
- **Nays – Hartnett, Shannon, Wright, Mason, Paul**

**7 ayes, 5 nays; motion carried. The resolution is amended to include the percentage figure.**

**AMENDMENT by Councilor Dieng, SECOND by Councilor Tracy, to delete lines 29 through 55 in the resolution including the “Resolve” clause and the questions requesting answers.**

### **DISCUSSION OF AMENDMENT:**

- **Councilor Dieng said the Guard is respectfully being asked to cancel the F-35.**
- **Councilor Mason said there are two proposed ‘Resolve’ clauses that are diametrically opposed to each other in that one is asking to replace the planned basing and one is asking not to replace, but to cancel the basing. Also, it is legitimate to ask the questions given the misinformation that abounds.**
- **Councilor Shannon said the resolution was circulated to City Council and the opposition group in advance for comment. The community wants answers to the questions in the resolution and should not fear the answers. There was plenty of time to cover the suggested amendment prior to now.**

**CALL THE QUESTION by Councilor Hartnett, SECOND by Councilor Mason. VOTING (by roll call):**

- **Ayes – Hartnett, Knodell, Deane, Shannon, Bushor, Moore, Wright, Mason, Paul, Roof**
- **Nays – Tracy, Dieng**

**10 ayes, 2 nays; motion carried. Debate ceased.**

### **VOTING BY ROLL CALL ON AMENDMENT (delete lines 29 through 55):**

- **Ayes – Tracy, Moore, Dieng**
- **Nays – Hartnett, Knodell, Deane, Shannon, Bushor, Wright, Mason, Paul, Roof**

**3 ayes, 9 nays; motion did not carry. The amendment failed.**

**MOTION by Councilor Wright, SECOND by Councilor Hartnett, to suspend the rules to complete the agenda.  
VOTING: unanimous; motion carried.**

**AMENDMENT by Councilor Dieng, SECOND by Councilor Tracy, to delete lines 24 through 28 and substitute a Resolve clause saying that Burlington City Council requests written response by May 1, 2018 to the request to cancel the F-35 and have a low noise level plane with a proven high safety record.**

### **DISCUSSION:**

- **Councilor Dieng said the amendment is what the voters of Burlington voted for and what needs to go to the National Guard. The voters voted for the cancellation and replacement. Anything else is not respecting the will of the people.**
- **Councilor Shannon pointed out the proposed Resolve clause is already stated in the Whereas clauses so there**



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is no need to add confusion. The will of the voters was to have the requests combined. Also, the correct number of votes is 5,238.

- Councilor Tracy said he wants it as clear as possible to cancel the F-35. It is incumbent upon City Council to listen to the public. It is exciting to see the vote and some city councilors change their position in support of cancelling the mission and replacing with low noise equipment.
- Councilor Mason said there are different opinions on what the language meant. A host of problems with the wording has been identified.
- Mayor Weinberger said the resolution and cancelling the F-35 will be difficult to support. The resolution proposed by Councilor Shannon goes a long way toward respecting the long history and importance of the Guard and maintaining the economic vitality that stems from the Guard's presence as well as makes clear that there must be a replacement mission.

**VOTING ON AMENDMENT (delete lines 24 through 28):**

- Ayes – Tracy, Moore, Dieng, Roof
- Nays – Hartnett, Knodell, Deane, Shannon, Bushor, Wright, Mason, Paul

4 ayes, 8 nays; motion does not carry. The amendment fails.

**CONTINUED DISCUSSION ON MOTION AS AMENDED (include percentage figure and remove the number "2" in the second line):**

- Councilor Wright said City Council received a report from UVM Professor Kolodinsky who has 30 years of experience studying ballot questions. The report said the language of the ballot question can impact voter results. There are multiple problems with the language of the ballot question. The matter should have gone before a judge on whether City Council needed to put a question on the ballot at all. The wording of the ballot question was misleading and leading voters to the writer's desired result. It is confusing to have the question say in support of the men and women of the Guard when virtually all the men and women of the Guard disagree with the question. Going forward City Council should not allow editorialized advisory questions on the ballot that are confusing in meaning. Only straight forward questions should be allowed. City Council does not know the will of the voters based on the ballot question. It is interesting that members of South Burlington City Council were urging City Council to listen to the will of the voters when South Burlington did not even put a question on the ballot. It is a bad precedent and a mistake to send the resolution. Apology is made to the men and women of the Guard.
- Councilor Deane said the National Guard is a big contributor to the community. The wording of the question was not clear because a "no" vote meant support of the Guard, and a "yes" vote meant not supporting the Guard.

**AMENDMENT by Councilor Hartnett, SECOND by Councilor Wright, to include Professor Kolodinsky's report on the ballot question wording with the resolution by adding:**

- "Be it further resolved the Professor Kolodinsky Report shall be sent to the Secretary of the United States Air Force with the resolution."

### **DISCUSSION OF AMENDMENT:**

- Councilor Wright said the study has been cited by many and the author is an expert. City Council does not know the will of the voters. The Air Force at least should know what the report found.
- Councilor Mason expressed confidence the memo will find its way to the Air Force.
- Councilor Tracy said he has not read the full report personally.





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### **VOTING ON AMENDMENT (to include Kolodinsky Report):**

- **Ayes – Hartnett, Shannon, Wright**
- **Nays – Knodell, Deane, Bushor, Tracy, Moore, Mason, Paul, Dieng, Roof**

**3 ayes, 9 nays; motion did not carry. The amendment failed.**

### **CONTINUED DISCUSSION ON MOTION AS AMENDED (include percentage figure and remove the number "2" in the second line):**

- **Councilor Paul said the vote on basing was overwhelmingly approved by City Council in 2014 and the vote before City Council now is about the vote of the people which is not easy due to the nature of the question already measured. Councilor Paul spoke of respect for the work by the Guard in protecting the people and allowing the freedom to debate issues which is a precious right. The Guard needs to be thanked for that privilege.**
- **Councilor Dieng said if there was a mistake with the question on the ballot that was made by City Council by allowing the ballot question. All due respect for the work and mission of the Guard, but the request is simply for a low noise mission. Councilor Dieng said he has a resolution to ask the Congressional delegation to work with City Council to request another type of airplane for Burlington. Only one question needs to be asked and that is whether there will be another plane if the F-35 is cancelled.**
- **Councilor Hartnett agreed City Council should not have allowed the question on the ballot which showed disrespect for the Guard especially the way the question was worded. It does not square and is disingenuous to the Guard to say there is respect for the Guard when the question was allowed on the ballot.**
- **Councilor Wright said the men and women of the Guard do not feel good about the resolution, and it is difficult to respect the will of the voters when the will of the voters is not known. It appears City Council is saying action will be taken on any advisory question on the ballot going forward. Councilor Wright read from the Kolodinsky Report pertaining to the phrase "as part of our strong support for the men and women of the Vermont National Guard" pointing out the report says the phrase could be used as an example of a leading question which set the voter up to answer "yes". City Council allowed preferential treatment of the question on the ballot and allowed a leading and misleading statement meant to direct voters to a "yes" vote. The crafters of the ballot question got what they wanted.**

### **VOTING ON MOTION AS AMENDED (include percentage figure and remove the number "2" in the second line):**

- **Ayes – Knodell, Deane, Shannon, Bushor, Tracy, Moore, Mason, Paul, Roof**
- **Nays – Hartnett, Wright, Dieng**

**9 ayes, 3 nays; motion carried.**

6.07 Resolution: Update 2011 French Friendliness Resolution

Moved to Item 6.005.

## **7.0 COMMITTEE REPORTS**

- **Councilor Tracy announced the TEUC will meet 3/27/18 to discuss Great Streets items, street construction 2018, and Eagles Landing parking.**



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### **8.0 CITY COUNCIL – GENERAL AFFAIRS**

- Council members recognized Councilor Moore's service and contributions while serving on City Council for the past three years. This is Councilor Moore's last meeting.
- Council members recognized Council President Knodell's last meeting as City Council President and expressed gratitude for efficiently facilitated meetings and leading City Council forward.
- Mayor Weinberger echoed the comments on Councilor Moore, noting her warmth, open-mindedness, and caring, and recognized the work of Council President Knodell week to week in a joint effort to manage the city and work through issue after issue.
- Council President Knodell presented Councilor Moore with a plaque in recognition of service on City Council representing Ward 3 from 2015-2018.
- Councilor Moore said being a city councilor has been a most difficult job, but much was learned. There is a lot City Council can do and a lot more that can be done, especially engaging with people who do not generally have a voice.

### **9.0 CITY COUNCIL PRESIDENT – COUNCIL UPDATES**

Council President Knodell thanked Lori Olberg for the assistance during her service as City Council President.

### **10.0 MAYOR – GENERAL AFFAIRS**

Mayor Weinberger noted the following:

- Permit reform information was included in the Council's meeting packets.
- Action on the Early Learning Initiative grant was taken by the Finance Board. The item was on the Consent Agenda for City Council.
- Action on Public Works moving forward on an ambitious summer paving schedule was also on the Consent Agenda.

### **11.0 ADJOURNMENT**

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

The meeting was adjourned at 11:45 PM.

*RScty: MERiordan*



**Regular City Council Meeting - Monday, March 26, 2018, 7:00 pm,  
Contois Auditorium, City Hall  
3/26/2018**

