



March 22, 2021

Regular City Council Meeting - Monday, March 22, 2021, 7:00 pm **VIRTUAL MEETING**

 [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 written materials for consent agenda item 5.27 Resolution: Corrected Retroactive Pay For Two Reclassified Department Of Public Works Employees (Board of Finance)(per CAO Schad and City Attorney's Office); note revised version of this agenda item (per City Attorney Blackwood per BOF); add to the consent agenda item 5.28 Communication: Mark Barlow, Member, Parks & Recreation Commission, re: Resignation with the motion to "waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Mark Barlow thanking him for his time served as a Member of the Parks & Recreation Commission"; add to the consent agenda item 5.29 Communication: David White and Meagan Tuttle of the City's COVID-19 Analytics Team, re: State Workplace Guidance Changes Regarding Bars and Social Club Operating Restrictions with the motion to "waive the reading, accept the communication and place it on file" (per David White); remove/withdraw from the agenda item 6.02 Resolution: Joining The Vermont Coalition For Equity In Education (Councilors Shannon, Dieng)(per Councilor Shannon); note revised version of agenda item 6.03 Resolution: Recognizing The 200th Anniversary Of The Independence Of Greece And Celebrating Democracy In Greece And The United States (Full City Council)(per Councilor Paul)

1.02 Motion to further amend the agenda with the addition of agenda item 6.06 Resolution: Condemning Hate Crimes Against Asian Americans & Pacific Islanders (Councilor Dieng)

Type: Action

2. Briefing from Rep. Welch on American Recovery Act (verbal)

2.01 Briefing from Rep. Welch on American Recovery Act (verbal)

Type: Information

3. Public Forum: time certain: 7:30 pm - 9:30 pm

3.01 Verbal Comments

Type: Action, Information, Procedural

4. Climate Emergency Reports

4.01 Climate Emergency Reports

Type: Information

5. Consent Agenda



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5.01 Motion to adopt the consent agenda (as amended) and take the actions indicated

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda (as amended) and take the actions indicated

5.02 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 032221 cc
mtg LO.xlsx

5.03 Communication: C/T Office, re: February 8, 2021 Local Control Commission Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the March 8, 2021 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, February 8, 2021 **VIRTUAL MEETING**

5.04 Communication: C/T Office, re: February 8, 2021 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the March 8, 2021 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, February 8, 2021, 6:30 pm **VIRTUAL MEETING**

5.05 Communication: C/T Office, re: February 16, 2021 Board of Civil Authority Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the March 8, 2021 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting, Tuesday, February 16, 2021 **VIRTUAL MEETING**

5.06 Communication: C/T Office, re: February 16, 2021 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the March 8, 2021 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Tuesday, February 16, 2021, 7:00 pm **VIRTUAL MEETING**



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5.07 Communication: C/T Office, re: February 23, 2021 Special City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the March 8, 2021 Regular City Council Meeting

 View Minutes from Special City Council Meeting Re: CityPlace, Tuesday, February 23, 2021, 5:00 pm,
VIRTUAL MEETING

5.08 Communication: C/T Office, re: February 24, 2021 Public Information Hearing Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the March 8, 2021 Regular City Council Meeting

 View Minutes from Public Information Hearing re: March 2, 2021 Annual City Election Ballot Questions -
Wednesday, February 24, 2021, 5:00 pm **VIRTUAL MEETING**

5.09 Communication: Megan Moir and Steve Roy, DPW - Water Resources, re: Work Assignment Agreement #6 with Utility Services Co., Inc. for Design of Cell Antenna Corral for Redstone Tank

Type: Action (Consent), Communication

Recommended Action: to authorize Chapin Spencer, Director of the Department of Public Works, to execute a workassignment agreement with Utility Services Co. Inc. in an amount not to exceed \$15,000 forDesign of a Cell Antenna Corral on the Redstone Tank, subject to the final review and approval of the City Attorney's Office

 1 - BOF CC Memo 3.22.2021 WAA6 Design
Redstone Tank Cell Antenna Corral_Final.pdf

 0 - BOF CC Checklist Redstone Corral
Design.pdf

5.10 Communication: Richard Haesler, Projects & Policy Specialist, CEDO, re: Revised FY 2020 City of Burlington Waterfront TIF District Report to the Vermont Economic Progress Council (VEPC)

Type: Action (Consent), Communication

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

 Memo - Revised FY 2020 Waterfront TIF
District Annual VEPC Report.pdf

 BurlingtonWaterfront.FY2020AnnualReport-Certified (revised).xlsx

 BoF_CC_Checklist Revised FY20 Annual
Waterfront TIF Report to VEPC pdf.pdf



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5.11 Communication: Martha Keenan, Capital & Asset Program Manager and Kimberly Bleakley, Facilities Manager, re: Bay State Elevator Company/Otis Elevator contract

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Director of Parks, Recreation, and Waterfront to sign a contract with Otis Elevator Company, doing business as Bay State Elevator Company, in the amount from \$148,493.00 with a contingency of \$14,849 for a total amount not to exceed \$163,342.00 for the modernization of the elevator in the Fletcher Free Library, subject to final review and approval by the City Attorney's Office

BoF-CC memo contract Bay State Elevator
Otis Elevator 3-22-21.pdf

BOF CC Checklist Baystate Elevator contract
3-22-21.pdf

5.12 Communication: Megan Moir and Martin Lee, DPW - Water Resources, re: Construction Engineering Amendment for Wastewater Disinfection Improvements

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of the Department of Public Works to execute a second amendment to the Agreement with Wright Pierce for Construction Engineering of the Disinfection Improvements to increase the scope of work, work schedule, and the maximum limiting amount by \$65,000 to \$475,100, subject to the final review and approval of the City Attorney's Office

BOF CC Memo 3.22.2021 Disinfection
Construction Engineering Amendment.pdf

BOF CC Checklist_Disinfection Construction
Engineering Amendment.docx

5.13 Communication: Burlington International Airport, re: Request to Approve Execution of an Agreement for Construction of the Chamberlin School HVAC Upgrade with Engelberth Construction, Inc.

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Aviation to execute a contract with Engelberth Construction Inc. for the Chamberlin School HVAC Upgrade construction services in the amount of up to \$1,650,912.00, plus an additional \$247,637.00 (15%) contingency, for a total amount of up to \$1,898,549.00, subject to final review and approval by the City Attorney's Office

1 - 20210322 Chamberlin HVAC ECI Contract
AC- BOF-CC Memo.docx

1 - Checklist - Airport - BOF CC -Chamberlin
HVAC ECI Contract.docx

5.14 Communication: James Sherrard Jr., Stormwater Program Coordinator, re: Authorization to Execute First Amendment to Contract with Wind River Environmental LLC for Catch Basin Cleaning Services

Type: Action (Consent), Communication

First Amendment to CB Contract BOF-CC
Memo_Final_3-15-2021.pdf

CB Contractor Amendment BoF_City
Council_Checklist_3-15-2021.pdf



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5.15 Communication: Caleb Manna, Excavation Inspector, DPW, re: City Place Burlington - Bank and Cherry Street Right-of-Way

Type: Action (Consent), Communication

Recommended Action: to approve the Encumbrance Application of BTC Mall Associates, LLC, and authorize the Mayor to execute the attached License Agreement for continued use of right-of-way space on Bank and Cherry Streets retroactive to November 14, 2020

 FINAL Construction ENC Application
Packet-CPB.pdf

5.16 Communication: Caleb Manna, Excavation Inspector, DPW, re: 15 Ward Street - Driveway Apron and Curb Cut

Type: Action (Consent), Communication

Recommended Action: to approve the Encumbrance Application for 15 Ward Street requesting continued use of a preexisting curb cut and driveway apron

 Final ENC Application-15 Ward St.pdf

5.17 Communication: Steve Goodkind, re: Champlain Parkway

Type: Action (Consent), Communication

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

 Champlain Parway to CC.odt

5.18 Communication: Ali Dieng, Ward 7 City Councilor, re: City Council Initiatives Fund Reimbursement Request: \$556.40

Type: Action (Consent), Communication

Recommended Action: to approve a reimbursement to Councilor Ali Dieng in the amount of \$556.40 from the Council Initiatives Fund for the rental of a dumpster to clean up the Lori Lane neighborhood in October 2020

 Request of Riembursment from City Council
Initiative Funds .pdf

 Approved payment.png

 Full dumpster Lori lane.jpg

 Quote_255440_Damage_Waiver.pdf

5.19 Indoor and Outdoor Entertainment Permit Renewals (2021-2022): see attached list

Type: Action (Consent)

Recommended Action: approve the 2021-2022 Indoor and Outdoor Entertainment Permit Renewals as listed with all standard conditions

 Indoor and Outdoor EP Renewals.docx



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5.20 Outdoor Entertainment Permit Renewal (2021-2022): Orlando's Bar and Lounge, 1 Lawson Lane, Suite 10

Type: Action (Consent)

Recommended Action: approve the 2021-2022 Outdoor Entertainment Permit Renewal for Orlando's Bar and Lounge, 1 Lawson Lane, Suite 10: Sunday: 11:00 am - 10:30pm; Monday - Thursday: 4:00 pm - 10:30 pm; Friday: 4:00 pm - 11:00 pm; Saturday: 11:00 am - 11:00 pm

 Outdoor EP Renewal Orlando's Bar and Lounge.pdf

5.21 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Documents.pdf

5.22 Ordinance: B.C.O. - OFFENSES AND MISCELLANEOUS PROVISIONS Percent for Public Art Sections 21-120 through 21-123 (Councilor Paul)(Burlington City Arts)

Type: Action (Consent), Ordinance - First Reading

Recommended Action: waive the 1st reading and refer to the Ordinance Committee and the Parks, Arts & Culture Committee

 B.C.O. - Percent for Public Art, Art. 10 Sections 21-120 through 21-123 CC 1st read 3.22.21.EMB.pdf

5.23 Resolution: Continued Creation Of Tiered Progression Program For Union Positions - Burlington Electric Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 HR - BED - Continued Creation of Tiered Progression Program for Union Positions.pdf

 Signed CC Resolution Continued Creation Of Tiered Progression Program For Union Positions - BED.pdf

 Tiering Packet 3 15 21 R.pdf



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5.24 Resolution: Authorization For \$64,000 Step II And \$1,196,000 Step III Loans From Vermont Clean Water State Revolving Fund And Engineering Services Contract With Vanasse Hangen Brustlin, Inc. For \$100,000 For The Manhattan Stormwater Outfall Rehabilitation Project (Board Of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Authorization for \$64,000 & \$1,196,000 Loans from VT CWSRF & Engineering Contract with VHB - Manhattan Stormwater Outfall_Final Draft (002).pdf

0 - BOF CC Checklist Manhattan Outfalls.pdf

1 - BOF CC Memo Manhattan Outfalls Final Design and Construction Loan_Final Draft.pdf

Signed CC Resolution Authorization For \$64,000 STEP II and \$1,196,000 STEP III Loans From VT Clean Water State Revolving Fund & Engineering Services Contract With Vanasse Hangen Brustlin, Inc..pdf

5.25 Resolution: Release Of Certain Glebe And Perpetual Lease Land Interests And Revision Of The City Of Burlington Perpetual Lease Land Interests List (Councilor Mason)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Clerk - Release of Certain Glebe & Perpetual Leased Land Interests, Revision of City's Perpetual Lease Land Interests List 3-18-21.pdf

Signed CC Resolution Release Of Certain Glebe And Perpetual Lease Land Interests & Revision Of The COB Perpetual Lease Land Interests List.pdf

GLEBE attachment.pdf

5.26 Resolution: Approving Funds For City's First Annual Juneteenth Celebration (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

REIB - Approving Funds for the City's First Annual Juneteenth Celebration (2).pdf

Juneteenth Celebration CCBof.pdf

Signed CC Resolution Approving Funds For City's First Annual Juneteenth Celebration.pdf

DRAFT Juneteenth Budget.xlsx

Juneteenth Schedule as of 2.11.21.pdf



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5.27 Resolution: Corrected Retroactive Pay For Two Reclassified Department Of Public Works Employees (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

note written materials for this agenda item per CAO Schad and City Attorney's Office, posted on Friday, March 19, 2021, at 7:59 am, LO

note revised version of this agenda item per City Attorney Blackwood per BOF, posted on Monday, March 22, 2021, at 6:47 pm, LO

Corrected 3-22-21 BOF DPW Retro Pay Request.pdf

DPW Retroactive Pay Request 03.22.21.docx

HR - DPW - Corrected Retroactive Pay for Two Reclassified DPW Employees.pdf

Signed CC Resolution Corrected Retroactive Pay For Two Reclassified DPW Employees.pdf

5.28 Communication: Mark Barlow, Member, Parks & Recreation Commission, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Mark Barlow thanking him for his time served as a Member of the Parks & Recreation Commission

20210304 Barlow Resignation Letter.pdf

5.29 Communication: David White and Meagan Tuttle of the City's COVID-19 Analytics Team, re: State Workplace Guidance Changes Regarding Bars and Social Club Operating Restrictions

Type: Action (Consent), Communication, Information

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

Bars and Social Clubs Memo_20210319.pdf

6. Deliberative Agenda

6.01 Update from State House Delegation re: Education Funding/Tax Reform (verbal)

Type: Information

6.02 Resolution: Joining The Vermont Coalition For Equity In Education (Councilors Shannon, Dieng) **AGENDA ITEM REMOVED/WITHDRAWN**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

City Council - Joining the Vermont Coalition for Equity in Education.EMB.pdf



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6.03 Resolution: Recognizing The 200th Anniversary Of The Independence Of Greece And Celebrating Democracy In Greece And The United States (Full City Council)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note revised version of this agenda item per Councilor Paul, posted on Monday, March 22, 2021, at 3:47 pm, LO

 Revised Version of Agenda Item 6.03 per Councilor Paul.pdf

 City Council - Celebrating the 200th Anniversary of the Independence of Greece (Greek Independence Day).EMB - FINAL.pdf

 Signed CC Resolution Recognizing The 200th Anniversary Of The Independence Of Greece & Celebrating Democracy In Greece & The United States.pdf

6.04 Ordinance: B.C.O. - HOUSING - Change re Energy Efficiency and Weatherization in Rental Housing, Chapter 18 (Ordinance Committee, Department of Permitting & Inspections)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 B.C.O. - Housing - Change re Energy Efficiency and Weatherization in Rental Housing, Chapter 18 CC 1st read 3.8.2021, 2nd read 3.22.21.pdf

 Energy Efficiency in Rental Housing Resoution Staff Memo to Mayor City Council 3-18-21FINAL.pdf

6.05 Indoor Entertainment Permit Application (2021-2022): Coffee Black, LLC, d/b/a Muddy Waters, 184 Main Street

Type: Action

Recommended Action: approve the 2021-2022 Indoor Entertainment Permit Application for Coffee Black, LLC, d/b/a Muddy Waters, 184 Main Street with all standard conditions

 Indoor EP Application Muddy Waters.pdf



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6.06 Resolution: Condemning Hate Crimes Against Asian Americans & Pacific Islanders (Councilor Dieng)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

add Councilors Paul and Shannon as co-sponsors of this agenda item, per Councilor Dieng, on Monday, March 22, 2021, at 1:08 pm, LO

add Councilor Paulino as a co-sponsor of this agenda item per Councilor Paulino, on Monday, March 22, 2021, at 1:36 pm, LO

****add Councilor Pine as a co-sponsor of this agenda item per Councilor Dieng, LO****

add Councilors Tracy, Stromberg, Hanson and Carpenter as co-sponsors of this agenda item per Councilor Dieng, on Monday, March 22, 2021, at 2:36 pm, LO

add Councilor Hightower as co-sponsro of this agenda item per Councilor Dieng, on Monday, March 22, 2021, at 4:36 pm, LO

 Resolution - Condemning Hate Crimes Against Asian Americans and Pacific Islanders.3 22
21.docx

 Signed CC Resolution Condemning Hate Crimes Against Asian Americans & Pacific Islanders.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates

9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural



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11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements

12.01 This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142). Persons with disabilities, who require assistance or special arrangements to participate are encouraged to contact 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV the Wednesday after the meeting starting at 8:00 pm and repeating at 1:00 am and 7:00 am the following day. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.

Type: Information