



March 09, 2020

Regular City Council Meeting - Monday, March 9, 2020, 6:00 pm, Contois Auditorium, City Hall

 [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 power point presentation slides for agenda item 3.01 Presentation Regarding Net Zero Energy (per COS Redell); note revised version of draft lease for consent agenda item 5.08 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront, re: Miller Community Center Lease (per Assistant City Attorney St. James); add to the consent agenda item 5.15 Communication: Jennifer L. Morrison, Chief of Police, re: Police Department Budget - FY 20 Budget Amendment - Salary with the motion to "to approve an amendment to the Police Department budget decreasing GL account 5000_100 Salaries by \$95,193 and increasing GL accounts 6015 Computer Software by \$42,570, 6017 Computer Licensing by \$12,623, 6700_105 Special Training by \$30,000, and 9500_100 Capital Outlay-Construction by \$10,000"; add Councilors Pine, Tracy and Hanson as co-sponsors to agenda item 6.03 Resolution: Adopting Amended Fair And Impartial Policing Policy (Councilor Freeman)(per Councilor Freeman); note proposed amendments for agenda item 6.04 Resolution: Winooski Avenue Transportation Study (TEUC)(per Councilor Shannon); note added written material for agenda item 6.08 Ordinance: Burlington Code of Ordinances - Housing Minimum Standards - Parking Plan Required (Councilors Bushor and Hanson)(1st reading)(per COS Redell)

2. Work Session Regarding Water Resources Rate and Affordability Study **6:00 pm - 7:00 pm, Location: Conference Room 12

2.01 Work Session Regarding Water Resources Rate and Affordability Study **6:00 pm - 7:00 pm, Location: Conference Room 12, DPW Division Director Megan Moir and consultant Dave Fox from Raffellis will be presenting

Type: Discussion, Information

Materials added per COS Redell at 4:33 pm 3/6/20



Burlington_VT_City_Council_Rate_Presentation_3-9-2020_Final.pdf

3. Presentation Regarding Net Zero Energy **7:00 pm - 7:30 pm**

3.01 Presentation Regarding Net Zero Energy

Type: Information, Presentation

note power point presentation slides for this agenda item per COS Redell, posted on Monday, March 9, 2020, at 5:00 pm, LO



2020-02 Mayor NZE memo.pdf



City Building Improvement Projects.pdf



Net Zero Energy Roadmap – City Departments.pptx



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4. Public Forum: time certain: 7:30 pm

4.01 Verbal Comments

Type: Information, Procedural

5. Consent Agenda

5.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the actions as indicated as follows: note revised version of draft lease for agenda item 5.08 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront, re: Miller Community Center Lease (per Assistant City Attorney St. James); add to the agenda item 5.15 Communication: Jennifer L. Morrison, Chief of Police, re: Police Department Budget - FY 20 Budget Amendment - Salary with the motion to "to approve an amendment to the Police Department budget decreasing GL account 5000_100 Salaries by \$95,193 and increasing GL accounts 6015 Computer Software by \$42,570, 6017 Computer Licensing by \$12,623, 6700_105 Special Training by \$30,000, and 9500_100 Capital Outlay-Construction by \$10,000"

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 030920 cc
mtg LO.xlsx

5.03 Communication: Rich Goodwin, Director Financial Operations and Darlene Bayko, Banking and Cash Operations Manager, re: Investment Performance Summary: FYTD 12/31/19

Type: Action (Consent), Communication, Information

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

031120_Investment Memo + RGG
+KS_FINAL.pdf

123119_Burlington_VT_Quarterly Investment
Summary+RGG+KS_FINAL.pdf

5.04 Communication: C/T Office, re: January Sweep Report

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

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

07 - 01312020_ Sweep Report.pdf



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5.05 Communication: Solveig Overby, re: Soverby statement at 2/18 Council Meeting - Recommendation against City investment in Schurz

Type: Action (Consent), Communication

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

Communication Solveig Overby re 218 Council Meeting - Recommendation against City investment in Schurz.pdf

5.06 Communication: Cindi Wight, Director, Department of Parks, Recreation and Waterfront, re: Valet Bicycle Parking - Authorization to Award Contract

Type: Action (Consent)

Recommended Action: to authorize the Director of Parks, Recreation and Waterfront to execute a five year contract for valet bicycle parking services with Local Motion, subject to City Attorney's office approval

Local Motion bike parking Memo 20200305.pdf

ATTACHMENT C- CITY OF BURLINGTON VENDOR AGREEMENT_Local Motion_Final 20200305.pdf

ATTACHMENT C- Burlington Standard Vendor Conditions.pdf

BOF CC Checklist_Local Motion.docx

5.07 Communication: Rich Goodwin, Director of Financial Operations, re: Request for approval to sign agreement for Trash Removal Services

Type: Action (Consent)

Recommended Action: authorize the Chief Administrative Officer, Katherine Schad, to execute a 3-year agreement with Myers Container Services Corporation for trash and recycling services for up to \$175,000 annually, subject to change based on volume and also subject to review by the City Attorney's Office

030920_Trash Removal Recommendation+Rgg.doc.pdf

030920_Checklist -Trash Removal.docx

5.08 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront, re: Miller Community Center Lease

Type: Action (Consent)

Recommended Action: to approve a lease with the Sara Holbrook Community Center on the terms provided in and substantially in conformance with the attached lease, and to authorize Mayor Weinberger to execute the lease, subject to final approval by the City Attorney's Office

note revised version of draft lease for this agenda item per Assistant City Attorney St. James, posted on Monday, March 9, 2020, at 2:53 pm, LO

SHTC Lease Memo for BOF CC 20200303.pdf

SHTC 2019-2023 Draft 20200303.pdf

SHTC 2019-2023 Draft 20200309.pdf

BOF_CC Checklist Miller.docx



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5.09 Communication: Megan Moir, Martin Lee, and Ashley Walenty of the Department of Public Works Water Resources Division, re: Authorization to Award the Contract for Construction Oversight of Distribution and Collection System Improvements to DuBois & King, Inc.

Type: Action (Consent)

Recommended Action: to approve awarding the contract for Construction Oversight of Distribution and Collection System Improvements to DuBois & King, Inc. and to authorize Chapin Spencer, Director of the Department of Public Works, to execute a contract with DuBois & King with a maximum limiting amount of \$141,678 subject to final review and approval of the City Attorney's Office

 BOF CC Memo 3-9-2020 Distribution and Collection System Construction Oversight.pdf

 BOF CC Checklist_Distribution and Collection System Construction Oversight.docx

5.10 Communication: Jenna Olson, Water Policy & Programs Manager, re: Authorization to Extend Master Services Agreement with VHB Through FY22

Type: Action (Consent)

Recommended Action: to authorize Chapin Spencer, Director of the Department of Public Works, to execute an updated Master Agreement with Vanasse Hangen Brustlin, Inc. (□VHB□), which will run through Fiscal Year 2022 and increase the maximum limiting amount an additional \$261,562.00, for a total of \$472,220.00, subject to the final review and approval of the City Attorney's Office; to authorize Chapin Spencer, Director of the Department of Public Works, to execute a Work Assignment Agreement for Manhattan Outfall (WAA #4) with a maximum limiting amount of \$100,000 subject to the final review and approval of the City Attorney's Office and to authorize Chapin Spencer, Director of the Department of Public Works, to execute a new Work Assignment Agreement with a maximum limiting amount to \$173,406.97 for GSI-CSO Retrofits (WAA #5) subject to the final review and approval of the City Attorney's Office

 SW On-Call Renewal FINAL 3-4-20.pdf

5.11 Communication; Jenna Olson, Water Policy & Programs Manager, re: Request for Approval for Department of Public Works' Water Resources to Execute a Multi-Year Contract for Janitorial Services with Cleantech Building Maintenance, Inc.

Type: Action (Consent)

Recommended Action: to approve awarding the contract to Cleantech Building Maintenance, Inc., and authorize Chapin Spencer, Director of the Department of Public Works, to execute a contract with Cleantech Building Maintenance, Inc. in the amount of \$101,680 subject to the final review and approval of the City Attorney's Office

 Water Janitorial Services_Final Package 3-4-20.pdf

5.12 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Documents.pdf



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5.13 Resolution: Creation Of Tiered Progression Program For Lineworkers - Burlington Electric Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

HR - BED Creation of Tiered Progression Program for Lineworkers.pdf

Packet 3 9 2020 R V2.pdf

Creation of Tiered Progression Program for Lineworkers - BED.pdf

Signed CC Resolution Creation of Tiered Progression Program for Lineworkers - BED.pdf

5.14 Resolution: Elimination Of Maintenance Worker And Creation Of Event Manager/Development Specialist - Church Street Marketplace (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

HR - Church St. Marketplace - Elimination of Maintenance Worker & Creation of Event Manager-Development Specialist.pdf

BOF CC Checklist_CSM_Re-org.docx

BoF CC packet 03.09.20 v2.pdf

Elimination of Maintenance Worker and Creation of Event Manager and Development Specialist - CSM.pdf

Signed CC Resolution Elimination of Maintenance Worker and Creation of Event Manager Development Specialist - CSM.pdf

5.15 Communication: Jennifer L. Morrison, Chief of Police, re: Police Department Budget - FY 20 Budget Amendment - Salary

Type: Action (Consent)

Recommended Action: to approve an amendment to the Police Department budget decreasing GL account 5000_100 Salaries by \$95,193 and increasing GL accounts 6015 Computer Software by \$42,570, 6017 Computer Licensing by \$12,623, 6700_105 Special Training by \$30,000, and 9500_100 Capital Outlay-Construction by \$10,000

BOF and CC memo - Salary BA FY20 - to Mayor.doc

BOF CC Checklist-Police FY 20 BA from Salary to Operations Accounts - Misc Projects.docx

6. Deliberative Agenda



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6.01 Indoor Entertainment Permit Application (2019-2020): Riot Squad LLC, d/b/a Arts Riot, 400 Pine Street

Type: Action

Recommended Action: approve the 2019-2020 Indoor Entertainment Permit Application for Riot Squad LLC d/b/a Arts Riot, 400 Pine Street with all standard conditions and the following special condition that all outstanding Arts Riot gross receipt payments be received by the Clerk/Treasurer's Office prior to the Arts Riot license being issued (The condition can be withdrawn prior to the meeting if the City Attorney's Office receives a draft settlement statement reflecting the City payout and communications from the attorneys for the buyer and the seller indicating that neither party will participate in a closing that does not include the payout to the City).

note indoor EP hours every day NOW end time will be 12 am

 Arts Riot Indoor EP Application.pdf

6.02 Outdoor Entertainment Permit Application (2019-2020): Riot Squad LLC, d/b/a Arts Riot, 400 Pine Street

Type: Action

Recommended Action: approve the 2019-2020 Outdoor Entertainment Permit Application for Riot Squad LLC d/b/a Arts Riot, 400 Pine Street with all standard conditions and the following special condition that all outstanding Arts Riot gross receipt payments be received by the Clerk/Treasurer's Office prior to the Arts Riot license being issued (The condition can be withdrawn prior to the meeting if the City Attorney's Office receives a draft settlement statement reflecting the City payout and communications from the attorneys for the buyer and the seller indicating that neither party will participate in a closing that does not include the payout to the City).

 Arts Riot Outdoor EP Application.pdf

6.03 Resolution: Adopting Amended Fair And Impartial Policing Policy (Councilor Freeman)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

add Councilors Pine, Tracy and Hanson as co-sponsors to this agenda item per Councilor Freeman

 City Council – Police – Policing Policy - Adopt Amended Fair & Impartial Policy.pdf

 Unsigned CC resolution Adopting Amended Fair And Impartial Policing Policy.pdf

 2020 Proposed Fair and Impartial Policing Policy (3).pdf



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6.04 Resolution: Winooski Avenue Transportation Study (Transportation, Energy, Utilities Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note proposed amendment for this agenda item per Councilor Shannon, posted on Monday, March 9, 2020, at 4:56 pm, LO

DPW - Winooski Avenue Transportation Study.pdf

BOF CC Checklist_WinAve-March2020.docx

Signed CC Resolution Winooski Avenue Transportation Study.pdf

CC-WinAveMemo_030342020final.pdf

Resolution_WinAveStudy- JS wAmendments.docx

6.05 Public Hearing Regarding ZA-20-02 Accessory Uses and Structures

Type: Action, Public Hearing

Recommended Action: open the public hearingclose the public hearing

ZA 20-02 CC PH Notice for 3-9-20.docx

6.06 Ordinance: Comprehensive Development Ordinance - Accessory Uses and Structures ZA #20-02 (Office of City Planning, Planning Commission, Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Zoning Amendment - ZA #20-02 Accessory Uses and Structures, Secs. 3.1.2, 4.4.5, 5.1.2, 11.1.6, 13.1.2, 14.8.docx.pdf

CDO Accessory Uses & Structures ZA 20-02 signed cc ordinance.pdf

ZA-20-02 explanatory memo for CC PH 03092020.pdf



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6.07 Public Hearing Continuation - Communication: Laura Wheelock, P.E., Senior Public Works Engineer and Olivia Darisse, P.E., Public Works Engineer, re: Shelburne Street Roundabout Compensation Hearing Continuation

Type: Action, Communication, Information

Recommended Action: move to close the Compensation Hearing and direct staff to prepare draft decision determining compensation for City Council consideration at its March 23, 2020 meeting

DPW March 9 Compensation Memo for the Shelburne Street Roundabout.pdf

2019-10-28 Benoir Comments.pdf

Exhibit 10 - Appraisal Report.pdf

VTrans March 9 Compensation Memo for the Shelburne Street Roundabout.pdf

04 DPW November 18 Compensation Memo_Final.pdf

CC Checklist_2020-3-9 Shelburne Roundabout.docx

Majestic Car Rental Group Business Loss Report dated Jan 31 2020.pdf

6.08 Ordinance: Burlington Code of Ordinances - Housing Minimum Standards - Parking Plan Required (Councilors Bushor and Hanson)(1st reading)

Type: Action, Ordinance - First Reading

Recommended Action: consider first reading and refer it to the Ordinance Committee

note added written material for this agenda item per COS Redell, posted on Monday, March 9, 2020, at 8:44 am, LO

BCO - Housing, Minimum Standards - Parking Plan Required §18-113 (2-11-20).pdf

Housing Minimum Standards - Parking plan.pdf

6.09 Ordinance: Miscellaneous Provisions - Fletcher Free Library Rules of Conduct (Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Misc. Provisions - Fletcher Free Library Rules of Conduct, Sec. 21-43.pdf

Miscellaneous Provisions - FFL Rules of Conduct signed cc ordinance.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs



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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

11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements

12.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 711 (Deaf/Hard of Hearing) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(Deaf/Hard of Hearing 711)

Type: Information



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12.02 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. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

Type: Information