



February 27, 2017

Regular City Council Meeting - Monday, February 27, 2017, 7:00 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 addition of presentation slides for agenda item 2.01 Presentation: David Provost, Chair, Burlington Telecom Advisory Board, re: Proposed Process and Timeline for Sale of BT (oral: no action); note correct version of consent agenda item 4.12 Communication: Benjamin Pacy, Human Resources Manager, re: Recommendation - Step placement Judy Dunn, Emergency Communications Manager (per HR Manager Pacy per Councilor Bushor); note final version of consent agenda item 4.19 Communication: John Vickery, City Assessor, re: 2016 Certifications of Increment for Burlington's TIF Districts; remove from the consent agenda item 4.21 Resolution: Authorization to Enter Into Financing for Parking Project (Board of Finance)(per CAO Rusten); note revised version of consent agenda item 4.23 Resolution: Reclassification of Administrative Assistant Position to Planning Technician Position - Planning & Zoning Department (Board of Finance)(per Councilor Bushor); note revised version of consent agenda item 4.30 Resolution: Authorization to Seek Renewal of Burlington's Designated Downtown and to Execute a Community Reinvestment Agreement and Memorandum of Agreement with Burlington Business Association (Board of Finance)(per Councilor Bushor); note written material for consent agenda item 4.31 Resolution: Authorization to Execute Quitclaim Deed for 44 West Road (Councilor Wright)(per City Attorney's Office)

2. Presentation regarding Proposed Process and Timeline for Sale of BT

2.01 Presentation: David Provost, Chair, Burlington Telecom Advisory Board, re: Proposed Process and Timeline for Sale of BT (oral: no action)

Type: Information, Presentation

****note addition of presentation slides for this agenda item**

 BT Sale Process - All Staff 01192017.pptx

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

3.01 Verbal Comments

Type: Information, Procedural

4. Consent Agenda



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4.01 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 following actions as indicated: note correct version of consent agenda item 4.12 Communication: Benjamin Pacy, Human Resources Manager, re: Recommendation - Step placement Judy Dunn, Emergency Communications Manager (per HR Manager Pacy per Councilor Bushor); note final version of consent agenda item 4.19 Communication: John Vickery, City Assessor, re: 2016 Certifications of Increment for Burlington's TIF Districts; remove from the consent agenda item 4.21 Resolution: Authorization to Enter Into Financing for Parking Project (Board of Finance)(per CAO Rusten); note revised version of consent agenda item 4.23 Resolution: Reclassification of Administrative Assistant Position to Planning Technician Position - Planning & Zoning Department (Board of Finance)(per Councilor Bushor); note revised version of consent agenda item 4.30 Resolution: Authorization to Seek Renewal of Burlington's Designated Downtown and to Execute a Community Reinvestment Agreement and Memorandum of Agreement with Burlington Business Association (Board of Finance)(per Councilor Bushor); note written material for consent agenda item 4.31 Resolution: Authorization to Execute Quitclaim Deed for 44 West Road (Councilor Wright)(per City Attorney's Office)

4.02 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 022717 cc
mtg LO.xlsx

4.03 Communication: C/T Office, re: November 14, 2016 Regular City Council Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, November 14, 2016, Contois Auditorium, City Hall

4.04 Communication: C/T Office, re: November 14, 2016 Local Control Commission Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Local Control Commission Meeting, Monday, November 14, 2016, 7:00 pm, Contois Auditorium - City Hall -

4.05 Communication: C/T Office, re: November 14, 2016 Board of Civil Authority Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, November 14, 2016 - Contois Auditorium - City Hall -



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4.06 Communication: C/T Office, re: November 28, 2016 City Council With Mayor Presiding Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, November 28, 2016 - 7:00 pm - Contois Auditorium, City Hall -

4.07 Communication: C/T Office, re: November 28, 2016 Regular City Council Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, November 28, 2016, Contois Auditorium, City Hall - will begin right after the City Council With Mayor Presiding Meeting -

4.08 Communication: C/T Office, re: December 12, 2016 Regular City Council Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, December 12, 2016, Contois Auditorium, City Hall

4.09 Communication: C/T Office, re: December 12, 2016 Local Control Commission Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Local Control Commission Meeting, Monday, December 12, 2016, 7:00 pm, Contois Auditorium - City Hall -

4.10 Communication: C/T Office, re: December 19, 2016 Regular City Council Meeting Minutes - Draft ☐

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 6, 2017 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, December 19, 2016, 7:00 pm, Contois Auditorium, City Hall



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4.11 Communication: Mayor Miro Weinberger, re: Re-Appointment of Cheryl Fatnassi to BHA Board of Commissioners

Type: Action (Consent), Communication

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

 2-14-17 - BHA Appointment Cheryl Fatnassi.pdf

4.12 Communication: Benjamin Pacy, Human Resources Manager, re: Recommendation - Step placement Judy Dunn, Emergency Communications Manager

Type: Action (Consent), Communication

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

****note correct version of this agenda item per HR Manager Ben Pacy per Councilor Bushor**

 Corrected Dunn Step Placement memo 2 27 17.pdf

 Dunn Step Placement 1 13 17.pdf

4.13 Communication: C/T Office, re: General Fund Revenue Unaudited - December 2016 Financial

Type: Action (Consent), Communication, Information

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

 20117_December Financial.xlsx

4.14 Communication: C/T Office, re: Sweep Accounts & Other Bank Accounts UNAUDITED

Type: Action (Consent), Communication

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

 123116_ Sweep Report For BOF.xlsx

4.15 Communication: Jannine Wright, Deputy Chief of Police, re: Taser-Axon Body Worn Camera purchase

Type: Action (Consent)

Recommended Action: to approve a contract with Taser International, Inc. for \$157,669.12 to purchase 110 body worn camera units and associated services and items, and authorize Police Chief Brandon del Pozo to execute such contract, subject to final approval of the City Attorney's Office and the Chief Administrative Officer

 AXON 2017 Quote and packet.pdf



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4.16 Communication: Steven A. Locke, Fire Chief, re: 2017-2020 Ambulance Billing Contract

Type: Action (Consent)

Recommended Action: to authorize Fire Chief Steven Locke to execute an ambulance billing services contract with ECP Services, LLC for an amount not to exceed 3.75% of revenue received from ambulance transports in FY18, FY19, and FY20, subject to prior approval of the City Attorney and Chief Administrative Officer

BoF & CC Checklist Ambulance Billing Contract.pdf

Ambulance Billing Contract 2017-2020 Final.pdf

Ambulance Billing Contract BoF and CC Memo Final.pdf

4.17 Communication: Martin Lee P.E., Public Works Engineer, re: Compressed Natural Gas Refueling Station Improvements - Authorization to Award Design-Build Contract

Type: Action (Consent)

Recommended Action: 1. Motion #1 for City Council: To approve awarding the bid to Engineers Construction, Inc. (ECI) and authorize Chapin Spencer, Director of Public Works, to execute a design/build contract with ECI in the amount of \$202,940, with an additional authorization to amend the contract and expend contingency funds in the amount up to \$40,588 if contingency funds are needed to complete the project, provided that these authorizations are contingent on the contract and any amendment thereto having the prior approval of the City Attorney and Chief Administrative Officer and the execution of the memorandum of agreement with UVM attached to Public Works memo. 2. Motion #2 for City Council: To approve the creation of a capital expense budget for the Compressed Natural Gas project in the amount of \$586,648, with # 709-19-150-804.9500 being the G/L expense account number for this budget.

CNG Project BOF CC Checklist for 2-27-17.pdf

4 - DRAFT (2) MOA_City-UVM Amendment #1 to CNG Facilities 2015.docx

3 - FTA CNG Grant Agreement.pdf

2 - Draft Agreement with ECI.3.docx

1 - BOF CC Memo - Authorization to Award Contract - CNG Upgrade 2-27-17 (004).doc

5 - MOA_City-UVM 2004 and 2015.pdf

4.18 Communication: Noelle MacKay, CEDO Director; Bob Rusten CAO, re: ECHO Development Agreement

Type: Action (Consent)

Recommended Action: approve the development agreement and authorize the Mayor or his designee to execute the appropriate documents

ECHO 1-25-17 Board Resolution Approving TIF Development Agreement.pdf

BoF_CC_Checklist ECHO DA_1_27_2017.pdf

Memo re. ECHO DA_for_CC_February 27_2017.docx

ECHO TIF Lake Champlain Navy Memorial Letter of Support 1-27-17.pdf

ECHO Development Agreement Exhibit 1_The Ground Lease 1995.pdf



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4.19 Communication: John Vickery, City Assessor, re: 2016 Certifications of Increment for Burlington's TIF Districts

Type: Action (Consent), Communication

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

****note final version of this agenda item (per City Attorney's Office)**

 CC Communication - TIF District Certification
FY 16 - final.pdf

 CC Communication - TIF District Certification
FY 16.pdf

4.20 FIO Documents

Type: Action (Consent), Information

Recommended Action: for information only

 FIO Documents.pdf

4.21 Resolution: Authorization to Enter Into Financing for Parking Project (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****this agenda item has been removed per CAO Rusten****

 BOFCC Financing Parking Garage
Checklist.pdf

 021317_Parking Garage Financing memo
(00175315xC0EA5) CS edits.docx

 Treasurer - Parking Project - Authorization to
Enter into Financing re parking lots & garages.pdf

4.22 Resolution: Creation of Regular Full Time Safety Manager Position - Human Resources (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Packet BOF.CC Memo_ Creation of Safety
Manager 02 06 17.pdf

 HR - Human Resources Safety Manager
Position.pdf

 Checklist Creation Safety Manager 02 06
17.pdf



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4.23 Resolution: Reclassification of Administrative Assistant Position to Planning Technician Position - Planning & Zoning Department (Board of Finance)

Type: Action (Consent)

Recommended Action: waive the reading and adopt the resolution

****note revised version of this agenda item per Councilor Bushor**

 Revised version P&Z Reclass Resolution.pdf

 HR – P&Z – Reclassify Administrative Assistant Position to Planning Technician.pdf

 02 21 17 Bof CC packet - Planning and Zoning.pdf

4.24 Resolution: Creation of One Full-time and One Part-time Regular Library Computer Assistant Positions - Fletcher Free Library (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BOFCC Checklist Creation Library Computer Assistant 021717.pdf

 Packet BOFCC Creation Library Computer Assistant 02 27 17.pdf

 HR - Library - Creation of One Full-Time & One Part-Time Library Computer Assistant.pdf

4.25 Resolution: Appointment of Acting Inspectors of Election for Wards Three, Four, Five, Six, Seven and Eight (Councilor Knodell)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Clerk City Council Appointment of Acting Inspectors of Election for Wards 3 4 5 6 7 and 8 LO DRAFT.docx

4.26 Resolution: Authorization to Execute Property Leases With Individual Renters for Each Property Located at "Kirby Cottages" in South Burlington at Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 3.4 -BoF_CC_Checklist.fillable Kirby Cottages.pdf

 3.2 - Airport Crew Quarters Residential Lease Agreement.FINAL 1.6.17.pdf

 BIA – Lease Agreements with Kirby Cottages for several houses on Lily Lane.pdf

 3.1 - BTV.Kirby Cottages Lease Agreement Memo..pdf



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4.27 Resolution: Calahan Park Easement to Champlain Housing Trust for Garden Parking Improvements (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

20170213 BPRW Calahan Park_CHT Easement Fillable Checklist.pdf

Parks - Calahan Park Easement to Champlain Housing Trust (CHT) for Garden Parking Improvements.pdf

20170213 BPRW Calahan Park_CHT Easement Memo.pdf

20170125 CHT Parks easement request.pdf

20170207 CHT Site Plan.pdf

4.28 Resolution: Authorization to Enter into License Agreement with Investors Corporation of Vermont to Obstruct the Street, Sidewalk, and Green Belt on a Portion of the City's right-of-way on College Street and Pine Street (ICV 94 College Street Renovation)(License Committee; Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BoF_CC_Checklist.94College St.pdf

Site Plan Including Encumbrance sq ft.pdf

ICV Encumbrance DPW Approval Form.pdf

obs-traffic control.pdf

License Agreement for Encumbrance - Investors Corporation of Vt. on College & Pine Streets (Construction; parking spaces) 2017.pdf

License Agreement for Encumbrance - ICV 94 College St. (One Burlington Square; Construction Project; Parking Meters) 2017.pdf

4.29 Resolution: Authorization to Enter into License Agreement with Champlain Industries to Obstruct the Street on a Portion of the City's right-of-way on Church Street and Maple Street (225 Church Street Renovation)(License Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Champlain Industries License Agreement.pdf

License Agreement for Encumbrance - Champlain Industries, 225 Church St. & Maple St. (parking spaces) 2017.pdf

License Agreement for Encumbrance - Champlain Industries, 225 Church St. & Maple St. (Attachments).pdf



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4.30 Resolution: Authorization to Seek Renewal of Burlington's Designated Downtown and to Execute a Community Reinvestment Agreement and Memorandum of Agreement with Burlington Business Association (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****note revised version of this agenda item per Councilor Bushor**

Revised version CEDO BBA Resolution.pdf

BoF_City Council_Checklist Downtwon
Renewal.fillable pdf.pdf

Downtown Designation Renewal revised
Memo and attachments for Feb 27 2017 BOF &
CC.pdf

CEDO - Designated Downtown - Renewal
Application, Community Reinvestment Agreement
& MOA with Burlington Business Assoc.pdf

4.31 Resolution: Authorization to Execute Quitclaim Deed for 44 West Road (Councilor Wright)

*material to be sent under separate cover

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****note written material for this agenda item per City Attorney's Office**

Clerk – Quit Claim Deed for 44 West Road
(former glebe land).pdf

Clerk – Quit Claim Deed for 44 West Road
(former glebe land) (Attachment #2).pdf

Clerk – Quit Claim Deed for 44 West Road
(former glebe land) (Attachment #1).pdf

5. Deliberative Agenda

5.01 Indoor Entertainment Permit Application (2017-2018): Esperanza Restaurante, 180 Battery Street, Suite #130

Type: Action

Recommended Action: approve 2017-2018 Indoor Entertainment Permit Application for Esperanza Restaurante with all standard conditions

Indoor EP Esperanza.pdf

5.02 Outdoor Entertainment Permit Application (2017-2018): Spot on the Dock, 1 King Street

Type: Action

Recommended Action: approve 2017-2018 Outdoor Entertainment Permit Application for Spot on the Dock with the following conditions: all City permits need to be closed out with all standard conditions

Outdoor EP Spot on the Dock.pdf



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5.03 Communication: Amy Bovee, Assistant City Clerk, re: March 7, 2017 Annual City Election Update (oral)

Type: Information

6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural

7. City Council - General Affairs

7.01 Verbal Reports

Type: Information, Procedural

8. City Council President - Council Updates

8.01 Verbal Reports

Type: Information, Procedural

9. Mayor - General Affairs

9.01 Verbal Reports

Type: Information, Procedural

10. Adjournment

10.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

11. Informational Statement



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11.01 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 865-7142 (TTY) 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)(TTY 865-7142)

Type: Information