



Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

February 19, 2019

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

Jane Knodell – Central District

David Hartnett – North District

Joan Shannon – South District

Richard Deane – East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Brian Pine – Ward 3

William “Chip” Mason – Ward 5

Karen Paul – Ward 6

Ali Dieng – Ward 7

Adam Roof – Ward 8

ADMINISTRATION: Miro Weinberger, Mayor

Beth Anderson, CAO

Rich Goodwin, DFO

Eileen Blackwood, City Attorney

Richard Haesler, Assistant City Attorney

Jordan Redell, Mayor’s Office

Olivia LaVecchia, Mayor’s Office



Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

Brian Lowe, IT

Carolyn Felix, BTVStat Analyst

Lori Olberg, C/T

Amy Bovee, C/T

Chapin Spencer, DPW

David White, CEDO

Kirsten Merriman Shapiro, CEDO

Meagan Tuttle, Planning & Zoning

Steven Locke, Fire

OTHERS PRESENT: Chris Flinn

Scott McIntyre

Elana Gorsek

[Note: Minutes reflect the order of the published agenda.]

1.0 CALL TO ORDER and AGENDA

Council President Wright called the meeting to order at 6:16 PM on February 19, 2019 and led the assemblage in the Pledge of Allegiance.

1.01 Agenda

MOTION by Councilor Shannon, SECOND by Councilor Bushor to approve the agenda with the following amendments:

- **Remove Item 4.07 (BERS Report)**
- **Note revisions to Item 4.09 (Election Inspectors)**
- **Final version of Item 4.11 (BED Staffing Reorganization)**
- **Note materials for Item 5.01 (Management Letter)**
- **Note materials on Item 5.02 (Equity Report) and move to Item 5.06**
- **Note materials for Item 5.03 (Moran FRAME Project)**
- **Note materials for Item 5.04 (Issuance of Waterfront TIF Funds)**
- **Add Item 5.05 (Draft 2019 Update planBTV)**

VOTING: unanimous; motion carried.



Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

2.0 EXECUTIVE SESSION

2.01 Airport

MOTION by Councilor Shannon, SECOND by Councilor Bushor, to find that premature public knowledge of legal matters involving the airport would place the city at substantial disadvantage. VOTING: unanimous; motion carried.

MOTION by Councilor Shannon, SECOND by Councilor Bushor, based on the finding of premature public knowledge of legal matters involving the airport placing the city at a disadvantage to go into Executive Session to discuss the airport and invite the Airport Director and members of the Airport Administration, the Mayor and Mayor's Office staff, CAO, and City Attorney to attend. VOTING: unanimous; motion carried.

Executive Session was convened at 6:21 PM.

MOTION by Councilor Roof, SECOND by Councilor Dieng, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous; motion carried.

Executive Session was adjourned at 7:13 PM. The regular City Council meeting resumed at 7:17 PM.

Council President Wright recessed the City Council meeting at 7:27 PM to convene the City Council with Mayor Presiding meeting. City Council meeting resumed at 7:36 PM.

3.0 PUBLIC FORUM

Public forum was opened at 7:36 PM.

COMMENTS

- Chris Flinn, Ward 6, urged City Council to get answers to questions on the Moran FRAME project and ensure the project is on a secure financial basis. A financial accounting of the increase in the original cost estimate of \$5.4 million to \$5.649 is needed.

There were no further comments. Public Forum was closed at 7:41 PM.

4.0 CONSENT AGENDA

4.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated





Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

- 4.02 COMMUNICATION: Accountability List
- 4.03 COMMUNICATION: 411 Form, Tax Book Report, Error & Omissions
- 4.04 COMMUNICATION: Ambulance Fee Increase
- 4.05 COMMUNICATION: BED Environmental Information System Multi-Year Software Maintenance Proposal
- 4.06 COMMUNICATION: Reclassification Request for CEDO Director
- 4.07 COMMUNICATION: BERS Report (removed from agenda)
- 4.08 COMMUNICATION: FIO Document(s)
- 4.09 RESOLUTION: Acting Inspectors of Election
- 4.10 RESOLUTION: Quitclaim Deed, 47 Barley Road
- 4.11 RESOLUTION: Update Staffing Structure, BED

MOTION by Councilor Knodell, SECOND by Councilor Roof, to adopt the Consent Agenda with the noted amendments and take the actions indicated for Items 4.01 through 4.11. VOTING: unanimous; motion carried.

Council President Wright recessed the City Council meeting at 8:09 PM to convene the Local Control Commission. The City Council meeting reconvened at 8:20 PM.

5.0 DELIBERATIVE AGENDA

5.01 FY2018 Audit

Auditors, Scott McIntyre and Elana Gorsek, reported the FY2018 audit went well. There were no significant deficiencies. The net pension liability is a fluctuating, long term liability that is down by approximately \$2 million. The unassigned fund balance is \$9.7 million which is an increase of \$1.3 million (\$650,000 in operations and \$650,000 in reimbursements). Recommendations include reviewing of the pension census data. The recommendation to do a capital fund accounting is presently being handled by a consultant.

MOTION by Councilor Paul, SECOND by Councilor Bushor, to waive the reading and adopt the resolution to accept and approve the FY2018 audit. VOTING: unanimous; motion carried.

5.02 Presentation: Update on Equity Report – Brian Lowe & Carolyn Felix

City Council heard a presentation on the equity report that looked at equity across five domains (economic stability, housing, education and workforce development, public safety and community health, community and natural resources) plus population and sub-populations. Findings and recommendations include creating more housing opportunity in the city (accessory dwelling units), establishing an advisory group, and programs with scholarships are better balanced.



Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

Councilor Bushor urged using a collaborative approach to outside agencies and having a diverse group to review the equity report to provide feedback.

Councilor Pine suggested sharing the data with the state policy makers and the Congressional delegation and non-profits to achieve outcomes.

Councilor Tracy stressed the recommendations should include the Rooney Rule in the hiring process to ensure people of color are interviewed.

Council President Wright commented the statistics in the report are sobering relative to the poverty level and median household income so it is important to keep taxes and services under control.

Councilor Knodell asked if the equity report is a substitute for the Diversity and Equity Plan, adding City Council should engage in the report in a meaningful way. The report should be circulated to all city boards and commissions.

Councilor Hartnett suggested forming a commission to discuss the equity report and to have basic fairness and quality of life.

Councilor Dieng said some groups that come to the city to start a life here are not mentioned in the report. Each department should be asked how they can help people have equity.

5.03 Moran FRAME Project

5.04 Waterfront TIF Funds for Moran FRAME Project

MOTION by Councilor Hartnett, SECOND by Councilor Roof, to waive the reading and adopt the resolution on proceeding with the Moran FRAME project and issuance of TIF Funds as amended.

DISCUSSION:

- **Councilor Hartnett said though the Moran plan may not be perfect it is time to take action. The cost is the same to demolish the building as proceeding with the first phase of the project. The new addition will enhance the waterfront and encourage more families to visit.**
- **Council President Wright noted City Council will review the answers to the questions submitted by Mr. Flinn.**
- **Councilor Bushor reviewed amendments to the resolution relative to the cost change from \$5.4 million to \$5.649 million and the bond capacity not to exceed \$3.559 million.**
- **Assistant City Attorney Haesler clarified his memo referenced the \$5.4 million as an approximation. The**





Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

figure was greater once the numbers were refined.

- Mayor Weinberger said project accounting is challenging. The original authorization was \$9.6 million total spending and what is remaining is \$5.649 million to be spent on the Moran project or 7% of the money must be returned. The project is on sound financial footing. The Waterfront TIF District is healthy with over \$2 million excess in capacity. The plan is to fully pay off the debt instrument before the district expires. If the Moran project comes in over-budget, where scale back is possible will be decided.
- Councilor Pine asked how the large amount of principal will be retired in a six year period. Mayor Weinberger explained there is a substantial amount of reserve accrued to the District. When the exact time period is known an amortization table will be set. There is capacity to pay off the \$5.6 million loan in a six year period. The Administration will seek the best rate. The costs are based on the worst case scenario.
- Councilor Tracy asked about the relationship between General Fund money and bonding. CAO Anderson said per the reimbursement resolution the current fund balance will be used to cover expenses before bonding.
- Councilor Dieng said risk assessment was not done with the project and there is concern about the project staying on budget. Project Specialist Shapiro explained two construction firms provided estimates on the project and the numbers were similar. A construction management firm will be hired to determine the appropriate "not to exceed" numbers. Staff will do another cost estimate once the figures are known.
- Councilor Mason asked about impact on the operating budget. Project Specialist Shapiro said the Parks Dept. said impact of Phase 1 is estimated at no more than \$72,000 per year. Moran will be treated like a park and will generate revenue.
- Councilor Paul suggested the Resources and Uses document for the project be posted online, and an explanation of the change in cost estimate should be posted on BoardDocs (and on the CEDO website). The March 2018 analysis should be posted as well so people know there is capacity.
- Councilor Knodell confirmed the debt refers to the voter approved, but not yet bonded amount for Moran, and active spending in the Waterfront TIF District includes ECHO project, Moran, Community Sailing Center, waterfront access north, bike path, marina, Waterfront Park.
- Councilor Bushor asked if bond insurance is rolled into the debt. CAO Anderson said the insurance would be wrapped into the 4.75%.
- Councilor Shannon observed it is useful to use TIF dollars so the money does not have to be returned to the state.
- Councilor Tracy said he visited a site similar to the Moran project design in Switzerland (was a beautiful site) and urged programming the space for year round use.
- Councilor Hartnett said Burlington residents must be made aware that at this point where the money for future phases of the project will come from is not known. Only the first phase is moving forward, and to tear down the building will cost the same as doing the first phase. Mayor Weinberger said doing Phase 1 of the project along with other changes in the District will be a vast improvement over what is there today.
- Council President Wright asked what would trigger a special election. Mayor Weinberger answered committing some of the excess capacity to the project.

VOTING (Item 5.03 Moran FRAME and Item 5.04 TIF funds): unanimous; motion carried.

Council President Wright recessed the City Council meeting at 8:42 PM to convene the Full Board of Tax Abatement. City Council meeting resumed at 8:45 PM and then recessed for the Board of Civil Authority meeting. City Council resumed at 8:46 PM.



Regular City Council Meeting - Tuesday, February 19, 2019, 6:00 pm, Contois Auditorium, City Hall 2/19/2019

Planner Tuttle reported the updated version of the plan will be posted prior to the second public hearing on March 11, 2019. Comments from the public were considered and incorporated into the plan where appropriate.

Councilor Bushor asked if protection of the bee population and historic building renovations are addressed in the plan. Planner Tuttle said strengthened language dealing with conservation and increasing vegetation along corridors and trails will be incorporated. Director White added there are sections in the plan to look at Burlington's priorities for historic preservation.

6.0 COMMITTEE REPORTS

- Councilor Tracy said the TEUC is meeting 2/21/19.

7.0 CITY COUNCIL – GENERAL AFFAIRS

- Councilor Hartnett opined it is a waste of taxpayer dollars to be plowing bike lanes in winter when the roads have potholes that need to be filled. The city needs to exercise common sense with streets and sidewalks.
- Councilor Dieng thanked DPW for clearing the roads and sidewalks for people who ride their bikes to work every day.
- Councilor Pine challenged all city councilors to participate in the Spectrum sleep out event.

8.0 CITY COUNCIL PRESIDENT – COUNCIL UPDATES

- Public Information Meeting 2/27/19 on town meeting ballot items.
- Elections are in two weeks. All are urged to vote.
- Kurt Wright will seek another term as City Council President.

9.0 MAYOR – GENERAL AFFAIRS

Mayor Weinberger reported on the following:

- Results of steps taken in 2018 to address the opioid crisis show the number of overdoses declined by 50%.
- Public Utilities Commission approved the sale of BT to Shurz's Communications.

10.0 ADJOURNMENT

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





**Regular City Council Meeting - Tuesday, February 19, 2019, 6:00
pm, Contois Auditorium, City Hall
2/19/2019**

The meeting was adjourned at 9:44 PM.

RScty: MERiordan

mployment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.