



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOICE
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www.burlingtonvt.gov/dpw

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

To: Tenzin Chokden, Clerks Office
From: Chapin Spencer, Director
Date: February 11, 2021
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **February 17, 2021**
Time: 6:30 – 9:00 p.m.

Due to current social distancing measures, this meeting will be held entirely virtually.

To view the meeting:

1. CCTV YouTube Channel (*streamed live*) or on Burlington Telecom Channel 317 (aired on a later date, *not live*). Comments on YouTube are not monitored by DPW staff.
<https://www.youtube.com/channel/UCJkWMLSqRNKLoyUZQiNoAcQ>
2. Join via Zoom: <https://us02web.zoom.us/j/83495330508>
3. Call in for audio only: Phone number: 301-715-8592 Webinar ID: 834 9533 0508

To participate in public comment:

1. You must either join the meeting via the Zoom link above or by calling via the call-in information above.
2. If signed in via Zoom, please use the “Raise Your Hand” feature. This will alert DPW staff that you wish to speak and will automatically add you to the queue. When it’s your turn to speak, your name will be called and you will be unmuted.
3. If you are calling in, please press *9 which will alert DPW staff that you wish to speak. When it’s your turn to speak, your phone # will be called out and you will be unmuted.
4. If you encounter any difficulties when attempting to speak during public forum, please email DPWCommunications@burlingtonvt.gov.
5. In the event of challenges with Zoom video, please use the call-in option.

AGENDA

ITEM

- 1 Call to Order – Welcome – Chair Comments

- 2 5 Min Agenda
- 3 10 Min Public Forum (3 minute per person time limit)
- 4 5 Min Consent Agenda
 - A Proposed Stop Sign at Westernmost Hillside Terrace – Riverside Ave Intersection
 - B 192 Park St Accessibility Parking Change
 - C COVID Vaccine Parking Plan
 - D Amendments to Burl. City Ordinances – Chapter 20, 6 & Appendix C
- 5 15 Min Downtown Burlington High School Parking Plan
 - A Communication, P. Peterson
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested –Vote
- 6 10 Min BSD Rates – Special Temporary Rate for BHS Staff & Students at Lakeview Garage & College St Garage
 - A Communication, J. Padgett
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested –Vote
- 7 5 Min Approval of Draft Minutes of 1-20-21
- 8 10 Min Director's Report
- 9 10 Min Commissioner Communications
- 10 **Adjournment & Next Meeting Date – March 17, 2021**

Non-Discrimination

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.



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MEMORANDUM

Date: February 17, 2021

To: Public Works Commission

From: Madeline Suender, Associate Public Works Engineer

CC: Susan Molzon P.E., Senior Public Works Engineer

Subject: Proposed Stop Sign at Westernmost Hillside Terrace – Riverside Ave Intersection

**Staff recommends that the Commission adopt:
3 Stop sign locations.**

Stop signs are authorized at the following locations:

- At the westernmost intersection of Hillside Terrace and Riverside Avenue, causing traffic on Hillside Terrace to stop.

Purpose & Need:

The purpose is to provide a safe intersection and clear transition between Hillside Terrace and Riverside Ave at this location. The need is to comply with MUTCD standards for Stop Signs.

Project Checklist:

	N/A	Yes	No	Reference
Aligns with MUTCD standards and/or established City Policy?		X		MUTCD
Aligns with City plans?	X			
Followed Public Engagement Plan?		X		These Traffic Regulation changes are defined as an INVOLVE project in the Public Engagement Plan (PEP).

Summary and Conclusion:

This issue was brought up by a consultant as they were creating the plan set for the 2022 VTrans paving work that includes Riverside. The consultant noted in the site survey that this location did not have a stop sign. However, there is an existing stop bar pavement marking at this location. Upon inspection by DPW, it was determined that according to the Standards of the MUTCD, a stop sign is warranted at this location based on traffic volumes.

Public Engagement:

In preparation for the 02/17/21 DPW Commission Meeting, Staff distributed fliers to the homes along Hillside Terrace on 1/19/21. Staff received one email in support of this proposal.

Site Map:**Public Correspondence:**

My name is [REDACTED] I live at [REDACTED] Hillside Ter. Burlington. 05401 VT

I have seen your proposal for putting a stop sign.

I would love to express my support for this project.

I don't walk there often because mostly I drive, but pedestrians are the most vulnerable people and there is no such thing as too much protection.

Thank you for taking care of our community.



City of Burlington
Department of Public Works

Technical Services Engineering Division
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Burlington, VT 05402
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Memo

Date: February 17, 2021

To: Public Works Commission

From: Madeline Suender, Associate Engineer

CC: Susan Molzon P.E., Senior Public Works Engineer

Subject: 192 Park Street Accessibility (ADA) Parking Change

Staff recommends the DPW Commission remove:

7A Accessible spaces designated.

No person shall park any vehicle at any time in the following locations, except automobiles displaying special handicapped license plates issued pursuant to 18 V.S.A. § 1325, or any amendment or renumbering thereof:

- ~~On the east side of Park Street in front of 192 Park Street.~~

Purpose & Need:

The purpose of this request is to allow public parking at a no longer needed accessibility space. This change will meet the needs of local Park St Residents who no longer use this ADA space.

Project Checklist:

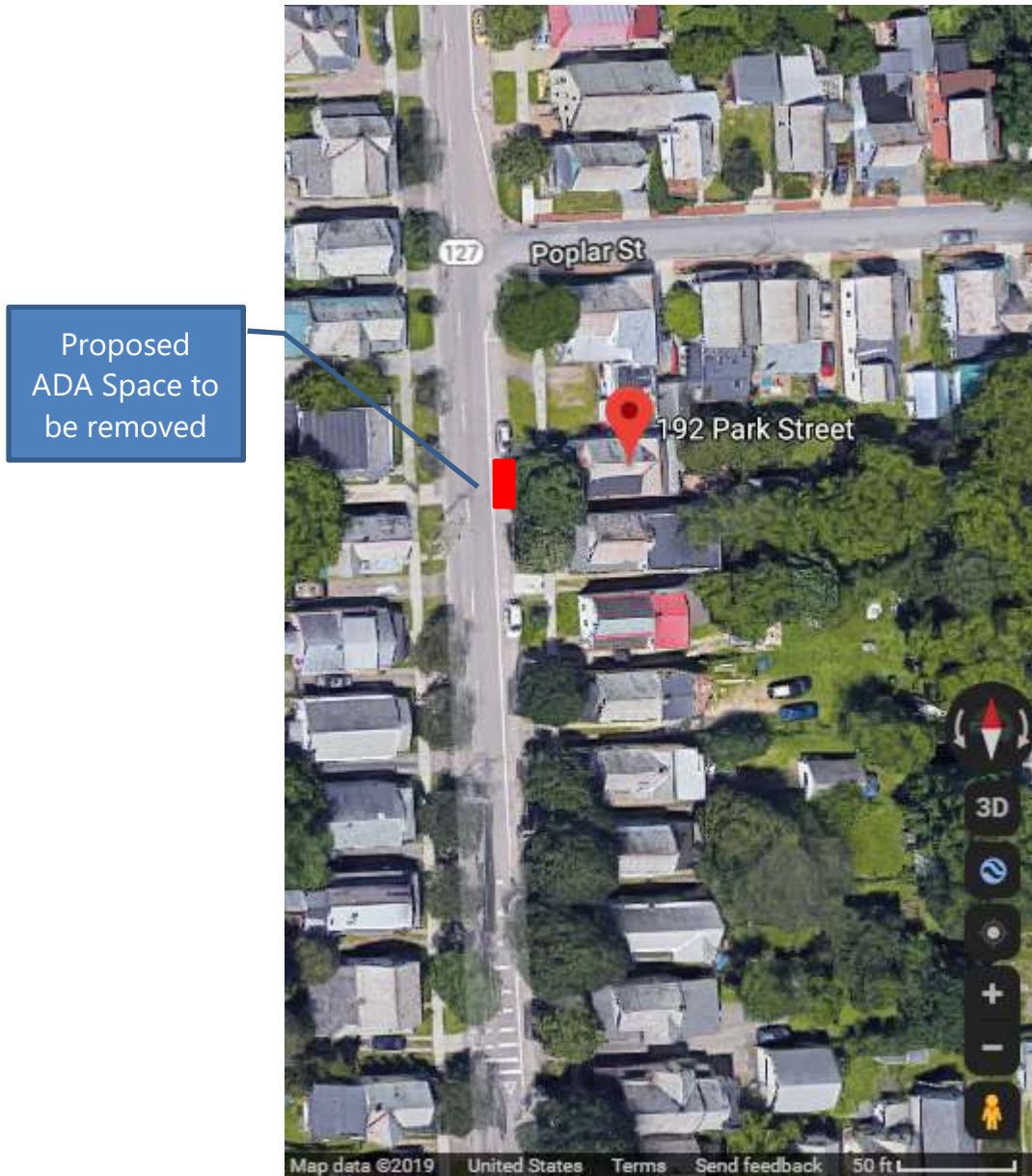
	N/A	Yes	No	Reference
Aligns with MUTCD standards and/or established City Policy?	X			
Aligns with City plans?	X			
Followed Public Engagement Plan?		X		These Traffic Regulation changes are defined as an INVOLVE project in the Public Engagement Plan (PEP).

Summary and Conclusion:

This ADA space was requested in late 2019 to allow better access to 192 Park St. This space was requested by a resident who only needed the space until May of 2020. It was determined when this request was first made that a second round of flyers would be distributed to notify residents and again ask for feedback before the sign is proposed to be removed.

Public Engagement:

In preparation for the 2/17/21 DPW Commission Meeting, Staff distributed flyers to residents in the vicinity of 192 Park St on 1/19/21. Staff received one email in support of this matter.

Site Map:

Public Comment:

Email Received 1/19/2021

First and foremost, thank you for giving us the opportunity to weigh in on this!

Initially, my partner and I were in full support of our neighbor having an Accessible space. Over time, however, it appears that the space had been actually utilized less frequently and now, almost not at all. It might go without saying, but it's almost 2 wasted parking spaces, as typically 2 average sized cars could fit.

I hope this is helpful!

Best,

██████████ at ██████ Park St.



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Department of Public Works

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P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450
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Memo

Date: February 11, 2020

To: Public Works Commission

From: Phillip Peterson, Associate Public Works Engineer *PCP*

CC: Susan Molzon P.E., Senior Public Works Engineer

Subject: Parking for COVID-related Efforts

Recommendations:

Staff recommend the DPW Commission approve:

Section 31. Temporary Regulations:

- The Director of Public Works or his or her designee, may allow parking spaces described in Appendix C to be reallocated as parking for COVID vaccine and testing clinics as needed. Proper temporary signage will be posted.
- On the west side of Walnut Street between the hours 8 am - 4 pm, beginning at the Walnut Street driveway for Integrated Arts Academy and extending north for one-hundred forty (140) feet, Wednesdays, for COVID vaccine related purposes only, for a maximum of thirty (30) minutes.
- On the west side of Walnut Street, the existing area designated as "No Parking except for Vehicles Loading and Unloading for School Purposes Only", shall also be available between the hours 8 am - 4 pm, on Wednesdays, for COVID vaccine related purposes only, for a maximum of thirty (30) minutes.
- On the east side of Walnut Street, the existing space designated fifteen-minute parking, shall also be available between the hours 8 am - 4 pm, on Wednesdays, for COVID vaccine related purposes only, for a maximum of thirty (30) minutes.

Purpose & Need:

The purpose of the 30-minute COVID vaccine clinic parking is to provide additional parking and parking turnover adjacent to the Integrated Arts Academy where the COVID vaccine will be distributed, see Attachment-1. Additionally, by granting the Director of Public Works the authority to reallocate parking, DPW will be able to quickly and efficiently provide support to the City and Vermont Department of Health as vaccination and testing clinics are expanded throughout the City

Project Checklist:

	N/A	Yes	No	Reference
Aligns with MUTCD standards and/or established City Policy?		X		City of Burlington Public Health Emergency Plan, Current State of Vermont Health and Safety Guidelines
Aligns with City plans?		X		City of Burlington Public Health Emergency Plan
Followed Public Engagement Plan?		X		These Traffic Regulation changes are defined as an INVOLVE project in the Public Engagement Plan (PEP).

Summary and Conclusion:

The immediate change in parking of the spaces on Walnut Street has been enacted by the Burlington Police Department, pursuant to BCO s. 20-3(a) ("The police department shall have authority to manage vehicular traffic on all public streets."). Given that these spaces will be necessary for the foreseeable future, it is necessary to have the Public Works Commission authorize them under Appx. C, Sec. 31 "Temporary Regulations." Based on a recommendation from the City Attorney's office, DPW Staff recommend the Commission authorize an additional provision to the Temporary Regulations; this provision will allow the DPW director (or their designee) to designate certain spots as parking for vaccination and testing clinics, with after-the-fact approval by the Commission, to support the expansion of vaccination and testing clinics throughout the City.

Public Engagement:

In preparation for the 02/17/21 DPW Commission Meeting, Staff distributed fliers to the homes and businesses along Walnut Street. Staff received one email in support of this proposal.

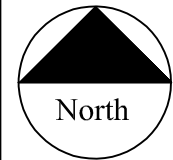
Attachments:

1. Site map.
 2. Public input correspondence.
-

NOTES:

PROPOSED EVENT PARKING

1. On the west side of Walnut Street between the hours 8 am - 4 pm, beginning at the Walnut Street driveway for Integrated Arts Academy and extending north for one-hundred forty (140) feet, Wednesdays, for COVID vaccine related purposes only, for a maximum of thirty (30) minutes.
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INTEGRATED ARTS ACADEMY
PROPOSED EVENT PARKING FOR
COVID VACCINE DISTRIBUTION



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094
(802) 863-0466 (Fax)

DESIGNED PMP	SCF NO. NA
DRAWN PMP	SCALE 1"=60'
CHECKED SM	DRAWING NO.
DATE 2/3/21	SHEET 1 OF 1

Attachment 2

Public input correspondence emails

Wed 2/10/2021

Hi Phillip,

We got the flier explaining the proposed Wednesday parking changes for vaccine distribution. I am 100% in favor. We'll definitely need more parking on our street during those times.

I think the existing parking restrictions make a lot of sense when there are kids trying to get to school. Visibility at those times is crucial and the reduced parking is an important safety measure. However, given that there aren't really kids around on Wednesdays during Covid, I support these temporary changes. Thanks for keeping parking challenges in mind and for including us in your considerations.

Also, as a side note, plowing on our street has been excellent this year, much better than last year-- thanks to DPW for making that happen!

Kate Desrochers



February 11, 2021

TO: Public Works Commission
FROM: Nicole Losch, PTP, Senior Planner
CC: Phillip Peterson, Associate Engineer
SUBJECT: Amendments to Burlington City Ordinances: Chapter 20; Chapter 6; and Appendix C

Recommendation

Department of Public Works staff recommends that the Public Works Commission pass the three proposed regulations (attached) to amend the Burlington Code or Ordinances and Appendix C (Rules and Regulations of the Traffic Commission) relating to:

1. BCO Chapter 20, Motor Vehicles and Traffic
 - a. Article I. In General – Section 20-1, Definitions
 - b. Article IV. Traffic Control Devices – Section 20-121, Traffic Control Signal Legend Generally
 - c. Article IV. Traffic Control Devices – Addition of Section 20-125, Bicycle-Specific Traffic Control Signals
 - d. Article IV. Traffic Control Devices – Addition of Section 20-126, Bicycle Use of Pedestrian Signals
2. BCO Chapter 6, Bicycles – Article I, In General
 - a. Section 6-1, Definitions
 - b. Section 6-3, Riding on Sidewalks, Bicycle and Pedestrian Pathways, and in Parks.
3. BCO Appendix C, Rules and Regulations of the Traffic Commission
 - a. Section 2, Traffic-Control Light Locations

Purpose & Need

The purpose of these amendments is to ensure traffic regulations relate to the current state of the transportation system. The need is to address a lack of clarity in the traffic regulations as modes of transportation continue to evolve.

Project Checklist

	N/A	Yes	No	Describe
Aligns with MUTCD standards and/or established City Policy?		X		
Aligns with City plans?		X		
Followed Public Engagement Plan?		X		This project falls under INFORM on the Spectrum of Engagement.

Enabling Authority to Amend Ordinances, in Addition to Appendix C:

The Burlington City Charter grants to the Public Works Commission the power to regulate the parking, operation, and speed of vehicles and pedestrian and vehicular traffic on the public highways of the City, and to govern and control the erection of guideposts, street signs, and street safety devices on the highways. See 24 App. V.S.A. c. 3 § 48(58)(B).¹ The Public Works Commission may do so by promulgating regulations, and these shall have the force and effect of ordinances of the City. Ordinances, such as those in Chapter 20 (Motor Vehicle and Traffic), may be altered, amended, or repealed by the Public Works Commission promulgation of regulations.

The City Attorney's Office has advised that the Public Works Commission may promulgate regulations to enact the proposed attached ordinance amendments because these fall within the permissible scope of authority described in the Charter and are in keeping with historical procedures of the Public Works Commission.

Description of Proposed Ordinance Amendments

A brief summary of the recommended amendments is included for ease of reference:

- BCO Chapter 20
 - Section 20-1 – Amended Definitions
 - New: Assistive mobility device
 - New: Bicycle
 - New: Non-motorized vehicle

¹ 24 App. V.S.A. c. 3 § 48(58)(B) states: "The Board of Public Works Commissioners shall have general control, management, and supervision of all municipal parking lots and garages. The Board shall have power to make regulations with respect to the use of all such municipal parking lots and garages, including reasonable terms, conditions, and charges, and **shall also have the power to regulate the parking, operation, and speed of vehicles and pedestrian and vehicular traffic on the public highways of the City, including such ways, streets, alleys, lanes, or other places as may be open to the public, to erect, maintain,** and operate equipment and systems for the regulation of parking of vehicles, to govern and control the erection of guideposts, street signs, **and street safety devices** on the highways, and to prescribe regulations and penalties for violation of the same in respect to all of the matters and to remove and impound as a public nuisance, at the expense of the owner, any vehicle found parking on a public highway or in a municipal parking lot or garage in violation of any City ordinance or any regulation hereunder, and to prescribe the terms and conditions upon which the owner may redeem such vehicle from the pound, which regulations, when published in the manner provided in section 49 for the publication of ordinances, shall have the force and effect of ordinances of the City, and violations of which shall be subject to the penalties provided in section 50 of this charter. All ordinances of the City, and all regulations of the Board of Parking Commissioners, in effect prior to July 1, 1959, shall remain in full force and effect notwithstanding that the subject matter thereof shall be within the jurisdiction of the Board of Public Works Commissioners, unless and until such Board shall, by regulation duly adopted and published, alter, amend, or repeal the same." (Emphasis added).

- New: Motor-assisted bicycle
- New: Motor-assisted micromobility device
- Amended: Motor vehicle
- Amended: Pedestrian

These amendments are included to provide clarity regarding the various types of low-speed devices used for personal transportation, including motor-assisted micromobility devices such as scooters and skateboards.

- Section 20-121 – Traffic-Control Signals Generally
This section has been amended for consistency with the MUTCD and new BCO Ch 20 Sections 125 and 126
- New Section 125 – Bicycle-Specific Traffic-Control Signals.
This section has been added to establish traffic regulations for bicycle-specific traffic signals. Bicycles, motorized bicycles, and motor-assisted micromobility devices will be required to follow these new signals.
- New Section 126 – Bicycle Use of Pedestrian-Control Signals
This section has been added as a long-standing request from the biking community and after consultation with the State of Vermont.
- BCO Chapter 6
 - Section 6-1, General Regulations
 - Section 6-3, Riding on Sidewalks, Bicycle and Pedestrian Paths, and in Parks
 These sections have been amended for consistency with definitions in BCO Ch 20 and to clarify traffic regulations on sidewalks and pathways.
- Appendix C Section 2 – Traffic-Control Light Locations
 - This section has been amended to remove an outdated reference to an object that no longer exists at this location.

Attachments

1. An Ordinance in Relation to CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—ARTICLES I, IV—SECTION 20-1, UPDATING DEFINITIONS—SECTION 20-121, UPDATING TRAFFIC CONTROL SIGNALS—ADDITION OF SECTION 20-125, BICYCLE-SPECIFIC TRAFFIC CONTROL SIGNALS—ADDITION OF SECTION 20-126, BICYCLE USE OF PEDESTRIAN SIGNALS
2. An Ordinance in Relation to Chapter 6, Bicycles—Article I, In General—General Bicycle Regulation Updating Definitions And Operations Re Motor-Assisted Bicycles
3. A Regulation in Relation to APPENDIX C RULES AND REGULATIONS OF THE TRAFFIC COMMISSION—SECTION 2 TRAFFIC-CONTROL LIGHT LOCATIONS

Questions and concerns can be directed to Nicole Losch, Senior Planner, nlosch@burlingtonvt.gov or 391-6809.

CITY OF BURLINGTON

In the Year Two Thousand Twenty-One

A Regulation in Relation to

BURLINGTON CODE OF ORDINANCES—
CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—
ARTICLES I, IV—
SECTION 20-1, UPDATING DEFINITIONS—
SECTION 20-121, UPDATING TRAFFIC CONTROL
SIGNALS —
ADDITION OF SECTION 20-125, BICYCLE-SPECIFIC
TRAFFIC CONTROL SIGNALS—
ADDITION OF SECTION 20-126, BICYCLE USE OF
PEDESTRIAN SIGNALS

Sponsor(s): Department of Public Works

Action: _____

Date: _____

Attestation of Adoption: _____

Phillip Peterson

Associate Engineer, Technical Services

Published: _____

Effective: _____

It is hereby Ordained by the Public Works Commission of the City of Burlington as follows:

That Chapter 20, Motor Vehicles and Traffic, Article I. In General, of the Code of Ordinances of the City of Burlington is hereby amended as follows:

Chapter 20. MOTOR VEHICLES AND TRAFFIC

Article I. In General

20-1. Definitions.

Whenever in this chapter the following terms are used, they shall have the following meanings respectively given to them:

Assistive mobility device: A human-powered or motorized wheelchair, personal mobility scooter, or other similar device designed to produce a speed of no more than twenty (20) miles per hour to increase, maintain, or improve the functional capability of an individual with a disability. A user of an assistive mobility device shall be considered a pedestrian and not a vehicle.

Authorized emergency vehicles: Vehicles of the fire and police departments, ambulances, emergency vehicles of federal, state and municipal departments, and public service corporations, when the latter are responding to an emergency in relation to the police or fire department.

Bicycle: A pedal-driven device propelled entirely by human power having two wheels. For the purposes of this chapter, a bicycle shall also mean any pedal-driven device propelled entirely by human power and having one (1) or more wheels.

Crosswalk: That portion of the roadway ordinarily included within the prolongation of curb and property lines at street intersections, or that portion of a roadway clearly indicated for pedestrian crossing by lines marked on the surface.

An Ordinance in Relation to

BURLINGTON CODE OF ORDINANCES—

CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—

ARTICLES I, IV—

SECTION 20-1, UPDATING DEFINITIONS—

SECTION 20-121, UPDATING TRAFFIC CONTROL SIGNALS —

ADDITION OF SECTION 20-125, BICYCLE-SPECIFIC TRAFFIC CONTROL SIGNALS—

ADDITION OF SECTION 20-126, BICYCLE USE OF PEDESTRIAN SIGNALS

Intersection: The area embraced within the prolongation of the lateral boundary lines of two (2) or more streets which join one another at an angle, whether or not one such street crosses the other.

Motor-assisted bicycle: Any bicycle with fully operable pedals and equipped with a motor that in itself is capable of producing a speed of no more than thirty (30) miles per hour on a paved level surface. A user of a motor-assisted bicycle shall obey all traffic regulations applicable to bicycles, except as otherwise provided by law or other ordinances.

Motor-assisted micromobility device: Any motor-assisted device for personal transportation not requiring registration with the state, and with a motor that in itself is capable of producing a speed of no more than twenty-five (25) miles per hour on a paved level surface. Motor-assisted micromobility device shall not mean assistive mobility devices or motor-assisted bicycle. Motor-assisted micromobility devices shall obey all traffic regulations applicable to bicycles, except as otherwise provided by law or other ordinances.

Motor vehicle: Every vehicle as herein defined which is self-propelled and requires vehicle registration. This definition shall not include motor-assisted bicycles or motor-assisted micromobility devices.

Non-motorized vehicle: Any device not powered by a motor, used for propelling or transporting one (1) or more persons, including, but not limited to, skateboards, in line skates, scooters, and roller skates. This definition shall not include bicycles. For the purposes of this chapter, a user of a non-motorized vehicle shall be considered a pedestrian and not a vehicle, except as otherwise provided by law or other ordinances.

Official traffic signs: All signs, signals and markings placed or erected by authority of the city council, traffic commission or the chief of police for the purpose of regulating or directing traffic or parking of vehicles.

Operator or driver: Any person who is in actual physical control of a vehicle.

Parking: The stopping or standing of a vehicle on a roadway, whether occupied or unoccupied, attended or unattended, other than temporarily for the purpose of and while actually engaged in loading or unloading passengers or goods, or in obedience to a police officer or traffic regulations, signs or signals, or while making emergency repairs, or if disabled, while arrangements are being made to move such vehicle.

Pedestrian: For the purposes of this chapter, Any any person on foot, using an assistive mobility device, or using a non-motorized vehicle.

Roadway: That portion of a street between regularly established curblines, or that part devoted to vehicular traffic.

Sidewalk: That portion of a street between curblines and adjacent property lines.

An Ordinance in Relation to

BURLINGTON CODE OF ORDINANCES—

CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—

ARTICLES I, IV—

SECTION 20-1, UPDATING DEFINITIONS—

SECTION 20-121, UPDATING TRAFFIC CONTROL SIGNALS —

ADDITION OF SECTION 20-125, BICYCLE-SPECIFIC TRAFFIC CONTROL SIGNALS—

ADDITION OF SECTION 20-126, BICYCLE USE OF PEDESTRIAN SIGNALS

68
69 *Street:* The entire width between property lines of every way used for vehicular and pedestrian travel which
70 has become public by authority of the law, and such ways in public places other than highways as the public
71 is permitted to use for vehicular and pedestrian traffic.

72
73 *Vehicle:* Any contrivance on wheels or runners used in the roadways of public streets for carrying persons or
74 things.

75
76 **Cross references**—Bicycle, motor-assisted bicycle, motor-assisted micromobility device defined, § 6-1;
77 Operation of bicycles restricted, 6-3; Operation of non-motorized vehicles restricted in City Center, City Hall
78 Park, and Church Street Marketplace District, § 27-18.

79
80 **20-2—20-22.** As written.

81
82
83 **Articles II—III.** As written.

84
85
86 **Article IV. Traffic-Control Devices**

87
88 **20-120.** As written.

89
90 **20-121 Traffic-Control Signals Generally.**

91 Whenever traffic is controlled by a traffic-control signal exhibiting the words "Go," "Caution" or "Stop" or
92 exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall
93 be used and the terms and light shall indicate and apply to drivers of vehicles, except when otherwise
94 directed by a police officer, and subject to the right-of-way of emergency vehicles, as follows:

95
96 (a) *Green alone or "Go":* Vehicular traffic facing the signal may proceed straight through or turn right or
97 left unless a lane-use-sign, turn prohibition sign, lane marking, roadway design, separate turn signal
98 indications, or other traffic control device at that place prohibits ~~either turn~~ such movement. But vehicular
99 traffic, including vehicles turning right or left, shall yield the right-of-way to pedestrians lawfully within an
100 associated crosswalk and to other vehicles lawfully within the intersection when the signal is exhibited.

101 (b) *Steady yellow alone:* Vehicular traffic facing the signal is thereby warned that the related green
102 movement or the related flashing arrow movement is being terminated or that a steady red or "Stop" signal
103 will be exhibited immediately thereafter and the vehicular traffic, except such vehicles lawfully within the
104 intersection, shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

An Ordinance in Relation to

BURLINGTON CODE OF ORDINANCES—

CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—

ARTICLES I, IV—

SECTION 20-1, UPDATING DEFINITIONS—

SECTION 20-121, UPDATING TRAFFIC CONTROL SIGNALS —

ADDITION OF SECTION 20-125, BICYCLE-SPECIFIC TRAFFIC CONTROL SIGNALS—

ADDITION OF SECTION 20-126, BICYCLE USE OF PEDESTRIAN SIGNALS

(c) *Steady red alone or "Stop"*: Vehicular traffic facing the signal, except as provided in (e) below, shall stop at a clearly marked stop line, but if there is no stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection. Such vehicular traffic and shall remain ~~standing~~ stopped until the green or "Go" is shown alone.

(d) *Steady red with green arrow*: Vehicular traffic facing the signal may cautiously enter the intersection only to make the movement indicated by the arrow and shall yield to other traffic lawfully using the intersection.

(Rev. Ords. 1962, § 5201)

(e) *Turn on red after stop*: Except when a traffic control device is in place prohibiting a turn on red or a steady red arrow signal indication is displayed, When a sign is in place permitting a turn vehicular traffic facing a steady red signal may cautiously enter the intersection to make the turn indicated by such sign after stopping as required by subsection (c). Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within the adjacent crosswalk and to other traffic lawfully using the intersection. The right to proceed with the turn shall be subject to the rules applicable after making a stop at a STOP sign.

20-122—20-124. As written.

~~20-125—20-134 Reserved.~~

20-125. Bicycle-Specific Traffic-Control Signals.

(a) Notwithstanding Section 20-121, wherever there exists a bicycle traffic-control signal, persons riding a bicycle, motor-assisted bicycle, or motor-assisted micromobility device shall obey the instructions of any official bicycle traffic-control device.

(b) Bicycle-Specific Traffic-Control Signals Legend. Whenever bicycle traffic is controlled by bicycle traffic control signals exhibiting different colored bicycle symbols successively, or with arrows, the following colors and signals shall be used and shall indicate and apply to persons riding bicycles, except when otherwise directed by a police officer, and subject to the right-of-way of emergency vehicles, as follows:

(1) *Green bicycle signal*: Persons riding bicycles facing this signal may proceed straight through or turn right or left unless a sign at that place prohibits either turn, provided that the bicyclists are not in conflict with any simultaneous motor vehicle movements at the signalized location, and further provided that the bicycle movement is not modified by lane-use signs, turn prohibition signs, pavement markings, separate turn signal indications, or other traffic control devices. But persons riding bicycles, including persons riding bicycles turning right or left, shall yield the right-of-way to

An Ordinance in Relation to

BURLINGTON CODE OF ORDINANCES—

CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—

ARTICLES I, IV—

SECTION 20-1, UPDATING DEFINITIONS—

SECTION 20-121, UPDATING TRAFFIC CONTROL SIGNALS —

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ADDITION OF SECTION 20-126, BICYCLE USE OF PEDESTRIAN SIGNALS

other persons riding bicycles and pedestrians lawfully within the intersection when the signal is exhibited.

(2) *Yellow bicycle signal:* A steady yellow bicycle signal indication shall be displayed following a green bicycle signal indication or a green arrow in the same signal face. Persons riding bicycles facing this signal are thereby warned that the red signal will be exhibited immediately thereafter, and bicycle traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited, unless persons riding bicycles cannot safely stop before entering the intersection. The yellow bicycle indication shall be followed by a red bicycle signal indication.

(3) *Red bicycle signal:* Persons riding bicycles facing the signal, except as provided in (4) below, shall stop at a clearly marked stop line, but if there is no stop line, persons riding bicycles shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection. Such persons riding bicycles shall then remain stopped until the green bicycle signal is shown.

(4) *Right turn after stopping for red bicycle signal:* Persons riding bicycles facing a steady red bicycle signal, unless otherwise indicated by official signage, may, after coming to a complete stop, cautiously enter the intersection to make the indicated right turn. Such persons riding bicycles shall yield the right-of-way to pedestrians lawfully within the adjacent crosswalk and to other traffic lawfully using the intersection. Turning right on a red bicycle signal after stopping is not permitted as stated if the persons riding bicycles are positioned to the left of adjacent motor vehicle traffic on the same approach.

20-126. Bicycle Use of Pedestrian-Control Signals.

Notwithstanding Section 20-121, and where there are no bicycle traffic-control signals, persons riding a bicycle may utilize pedestrian-control signals instead of vehicular traffic control signals as follows:

- (a) Persons riding a bicycle facing a “steady red alone” or “Stop” signal shall come to a complete stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain stopped until either a “Walk” pedestrian-control signal or a “green alone,” “green arrow,” or “Go” traffic signal.
- (b) Persons riding a bicycle proceeding through an intersection as described in subsection (a) shall yield the right-of-way to any pedestrian lawfully within the adjacent crosswalk.

20-127—20-134 Reserved.

Articles V—VI. As written.

Page 6
An Ordinance in Relation to
BURLINGTON CODE OF ORDINANCES—
CHAPTER 20, MOTOR VEHICLES AND TRAFFIC—
ARTICLES I, IV—
SECTION 20-1, UPDATING DEFINITIONS—
SECTION 20-121, UPDATING TRAFFIC CONTROL SIGNALS —
ADDITION OF SECTION 20-125, BICYCLE-SPECIFIC TRAFFIC CONTROL SIGNALS—
ADDITION OF SECTION 20-126, BICYCLE USE OF PEDESTRIAN SIGNALS

175
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180 * Material stricken out deleted.
181 ** Material underlined added.
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186 CNL/TPD: Burlington Code Of Ordinances—Chapter 20, Motor Vehicles And Traffic—Articles I, IV—Section 20-1, Updating Definitions—
187 Section 20-121, Updating Traffic Control Signals—Addition Of Section 20-125, Bicycle-Specific Traffic Control Signals—Addition Of Section
188 20-126, Bicycle Use Of Pedestrian Signals
189 2/17/2021

CITY OF BURLINGTON

In the Year Two Thousand Twenty One

A Regulation in Relation to

BURLINGTON CODE OF ORDINANCES—
CHAPTER 6, BICYCLES—
ARTICLE I, IN GENERAL—
UPDATING DEFINITIONS AND OPERATION
RE MOTOR-ASSISTED BICYCLES

Sponsor(s): Department of Public Works

Action: _____

Date: _____

Attestation of Adoption:

Phillip Peterson

Associate Engineer, Technical Services

Published: _____

Effective: _____

It is hereby Ordained by the Public Works Commission of the City of Burlington as follows:

That Chapter 6, Bicycles, Article I. General Bicycle Regulation, of the Code of Ordinances of the City of Burlington is hereby amended as follows:

Chapter 6 BICYCLES

Article I. In General

6-1. Definitions; General Bicycle Regulation.

(a) ~~*Bicycle defined.* A bicycle shall be defined for the purposes of this section as any non-motorized wheeled vehicle that is propelled manually by pedals.~~ Definitions. Whenever in this chapter the following terms are used, they shall have the following meanings respectively given to them:

Bicycle: A pedal-driven device propelled entirely by human power having two wheels. For the purposes of this chapter a bicycle shall also mean any pedal-driven device propelled entirely by human power and having one or more wheels.

Motor-assisted bicycle: Any bicycle with fully operable pedals and equipped with a motor that in itself is capable of producing a speed of no more than thirty (30) miles per hour on a paved level surface. This definition shall not include bicycles.

Motor-assisted micromobility device: Any motor-assisted device for personal transportation not requiring registration with the state and with a motor that in itself is capable of producing a speed of no more than twenty-five (25) miles per hour on a paved level surface.

(b) *Obedience to traffic regulations.* Every person riding a bicycle, motor-assisted bicycle, or motor-assisted micromobility device upon the streets, alleys and highways within the city shall observe and comply with all signals, signs and ordinances regulating the operation of traffic not inconsistent with the provisions of this chapter. A user of a motor-assisted bicycle or a motor-assisted micromobility device shall obey all traffic regulations applicable to bicycles, except as otherwise provided by law or other ordinances.

**An Ordinance in Relation to Chapter 6, Bicycles—Article I, In General—General Bicycle Regulation
Updating Definitions And Operations Re Motor-Assisted Bicycles**

**Cross reference— Bicycle, motor-assisted bicycle, motor-assisted micromobility device defined, § 20-1;
Bicycle-Specific Traffic-Control Signals, §20-125.**

6-2. As written.

6-3. Riding on sidewalks, bicycle and pedestrian pathways and in parks.

(a)—(e) As written.

(f) No person shall operate a motor-assisted bicycle or motor-assisted micromobility device upon any sidewalk.

(g) Persons riding a motor-assisted bicycle or motor-assisted micromobility device on a bicycle and pedestrian pathway shall yield the right-of-way to any pedestrian.

6-4—6-24. As written.

* Material stricken out deleted.

** Material underlined added.

CITY OF BURLINGTON

In the Year Two Thousand Twenty One

A Regulation in Relation to

APPENDIX C RULES AND
REGULATIONS OF THE TRAFFIC
COMMISSION –
SECTION 2 TRAFFIC-CONTROL
LIGHT LOCATIONS

Sponsor(s): Department of Public Works

Action: _____

Date: _____

Attestation of Adoption:

Phillip Peterson

Associate Engineer, Technical Services

Published: _____

Effective: _____

It is hereby Ordained by the Public Works Commission of the City of Burlington as follows:

1 That Appendix C, Rules and Regulations of the Traffic Commission, Section 2 Traffic-control
2 light locations, of the Code of Ordinances of the City of Burlington is hereby amended as
3 follows:

4

5 **Appendix C Rules and Regulations of the Traffic Commission**

6 **Section 2 Traffic-control light locations**

7

8 **(a) As written.**

9

10 ~~(b) The traffic posts known as silent policemen located at the following intersections shall be~~
11 ~~continued in use and operation as now placed:~~

12 ~~(1) South Willard Street and Shelburne Road.~~

13

14 CNL/TPD/Regulations 2020/Appendix C Rules and Regulations of the Traffic Commission – Section 2 Traffic-control light locations
15 1/20/2021



City of Burlington
Department of Public Works

Technical Services Engineering Division
645 Pine Street, Suite A
Burlington, VT 05402
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www.burlingtonvt.gov/DPW

Memo

Date: February 12, 2021

To: Public Works Commission

From: Phillip Peterson, Associate Public Works Engineer *PCP*

CC: Chapin Spencer, Director of Public Works
Norm Baldwin, P.E., City Engineer/Asst. Director – Technical Services
Susan Molzon P.E., Senior Public Works Engineer

Subject: Downtown Burlington High School (BHS) Parking Plan

Recommendations:
Staff recommend the DPW Commission approve:

7 No parking areas.

No person shall park any vehicle at any time in the following locations:

- On the south side of Cherry Street in the first space east of the crosswalk at 67 Cherry Street.
- On the south side of Cherry Street in the first and second space west of the crosswalk at 67 Cherry Street.
- On the south side of Cherry Street in the first space east of the crosswalk at 55 Cherry Street.

12-1 No parking except vehicles loading or unloading.

The following spaces are designated as vehicle loading and unloading:

- On the south side of Cherry Street beginning twenty (20) feet east of the crosswalk at 67 Cherry Street and extending east forty (40) feet, effective between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday, from August 20 to June 20.
- On the north side of Cherry Street beginning twenty (20) feet west of the crosswalk at 67 Cherry Street and extending west eighty (80) feet, effective between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday, from August 20 to June 20.
- On the south side of Cherry Street beginning forty (40) feet west of the crosswalk at 67 Cherry Street and extending west sixty (60) feet, effective

between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday, from August 20 to June 20.

- On the east side of Pine Street in the first two (2) spaces south of Bank Street, effective between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday, from August 20 to June 20.
- On the north side of Bank Street beginning directly east of the vehicle loading zone and extending east four (4) parking spaces, effective between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday, from August 20 to June 20.

15 Designated school zones

No person shall operate a vehicle at a rate of speed greater than twenty-five (25) miles per hour on the following streets:

- Cherry Street beginning at Battery Street and extending east to Saint Paul Street.
- Bank Street beginning at Pine Street and extending east to Saint Paul Street.
- Pine Street beginning at Bank Street and extending south to College Street.

16 Bus stops.

The following spaces are designated as bus stops:

- On the south side of Cherry Street beginning sixty (60) feet east of the crosswalk at 67 Cherry Street and extending east eighty (80) feet effective between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday.

Purpose & Need:

The purpose is to provide the Downtown BHS community a safe and efficient transportation system. The need is to comply with MUTCD standards for transportation networks adjacent to a public school.

Project Checklist:

	N/A	Yes	No	Reference
Aligns with MUTCD standards and/or established City Policy?		X		MUTCD Part 7 "Traffic Control for School Areas"
Aligns with City plans?	X			
Followed Public Engagement Plan?		X		These Traffic Regulation changes are defined as an INVOLVE project in the Public Engagement Plan (PEP).

Summary and Conclusion:

The Department of Public Works (DPW) in partnership with the Burlington School District (BSD), is developing a school travel plan for the relocation of BHS to the old Macy's in Downtown Burlington. This school travel plan will include changes to the parking along Cherry Street, Bank Street, and Pine Street. BSD Staff expect approximately 420 students to be in attendance at BHS on a daily basis starting in early March. In order to ensure a safe and efficient transportation system, DPW Staff recommend on-street operational changes; these changes will allow for pedestrian and bicyclist safety, vehicle drop off and pick up, and bus drop off and pick up.

Given that BHS is scheduled to have students on campus in early March; the immediate change in parking, of the spaces described above, will be enacted by the Burlington Police Department (BPD), pursuant to BCO s. 20-3(a) ("The police department shall have authority to manage vehicular traffic on all public streets.") The BPD authority will only be used as an interim measure, while DPW Staff wait for the approved amendments to become effective.

DPW Staff will continue to monitor this situation once the Downtown BHS begin operations. DPW Staff will make observations and collect data on-site during morning and afternoon commute. Our assessment of this observational data will drive future recommendations to the adjacent transportation network.

Public Engagement:

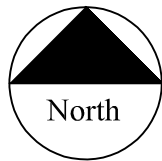
In preparation for the 02/17/21 DPW Commission Meeting, Staff mailed fliers to the businesses and homes adjacent to the Downtown BHS along Cherry Street, Bank Street, and Pine Street. Staff received three emails and three phone call in regards to this proposal. All communications expressed resistance to the drop off and pick up area on Pine Street, see Attachment-2. Based on community input DPW Staff removed drop-off and pick-up spaces on the west side of Pine Street, and added four (4) drop-off and pick-up spaces on the north side of Bank Street.

Attachments:

1. Downtown BHS Parking Plan.
 2. Public input correspondence.
-



SCALE: 1" = 100'



DOWNTOWN BHS
PARKING PLAN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094
(802) 863-0466 (Fax)

DESIGNED PMP	SCALE 1"=100'
DRAWN PMP	DRAWING NO.
CHECKED SM	DATE 2/12/2021
SHEET 1 OF 1	

Attachment 2

Public input correspondence emails

Fri 2/5/2021

Good afternoon Chapin,

I hope that this email finds you doing well.

Earlier this afternoon Kathy Schirling, Doug Nedde and I had a conversation with your colleagues copied here. They were both very respectful and helpful in explaining the current recommendation to include parking spots immediately in front of our 77 Pine Street location as a designated drop off zone for BHS. After our conversation I remain unconvinced that this is an appropriate plan.

As I told Ms. Wheelock and Mr. Peterson, Doug Nedde and People's United have made a multi-million dollar investment to completely renovate the 77 Pine Street property and commit to staying downtown while many businesses have already left for the suburbs. Before we can even open our new space, we are going to be faced with traffic congestion that will negatively impact the ability of our customers to access our offices and our drive-up banking facilities. Over the years, we had the obligation to spend a great deal of time obtaining permits which dealt with traffic considerations and stacking at our drive-up facility. This proposed designation of a drop off zone in front of our offices is being rushed without proper consideration of impacts on traffic and ingress/egress issues for adjoining property owners. I had three sons who went through BHS, so I know very well the magnitude of traffic and it's challenges even on a major road like North Avenue.

In addition to the aforementioned concerns, you are literally proposing to drop off high school students in front of a construction zone where construction vehicles will be coming and going throughout the day. As a parent and Burlington Resident, I cannot believe that the city would consciously decide to put students in that type of risky environment. The city's exposure will be immense.

I ask that you review your recommendations and choose another option. Please give me a call with your thoughts.

Best,

Michael L. Seaver

Fri 1/29/2021

Hi Laura-

We have concerns around BHS drop off in the Bank/Pine vicinity. Our preference is to have the drop off focused on Cherry Street, which makes more sense given the entrance to the school is on Cherry. The loading zone in front of 100 Bank is important for the operations of the building. Thanks for reaching out to us.

--

Erik J. Hoekstra (he/him) | Managing Partner | Redstone

Fri 1/29/2021

Hi Erik,

Thanks so much for your input. We are proposing drop-offs on both sides of the building; please see the attached flyer for Cherry Street. Happy to chat on the phone should you need to.
Best,

Phillip Peterson, Associate Engineer

Fri 1/29/2021

Thanks Erik,

I do understand, we don't expect that Bank/Pine will be all that busy if Cherry St. is working well. There is a good number of the student population that lives south and east of this location so we are providing the accommodation but honestly it is anyone's best guess as to how any of this will work.

We do have plans to observe, monitor, and react where needed. If Bank/Pine become a huge drop off then I can see us adding space, if it work as design and all uses and needs are met for the current businesses and residents as well as BHS then there may not need to be many more changes. If the spaces on this side of the building end up not being used at all, we will react to that as well.

Thank you again for your quick turn around on looking at the plan.

Laura K. Wheelock P.E.
Senior Public Works Engineer

Fri 1/29/2021

Thanks to you both.

We are supportive of BHS downtown in general and think it will add some vitality to the neighborhood.

Let's keep open lines of communication about how things are going as BHS gets going. We appreciate DPW's willingness to tweak things as we go.

Erik J. Hoekstra | Managing Partner | Redstone

Public input correspondence phone calls

Thu 2/12/2021

DPW Director Chapin Spencer participated in a phone conference with and Michael L. Seaver; Mr. Seaver is a business owner on Pine Street. Mr. Spencer explained to Mr. Seaver that DPW Staff have revised the pick-up and drop off proposal based on his and other business owners concerns. Mr. Seaver appreciated the revised concept as a step in the right direction, but would prefer all formal school drop off away from face of 77 Pine and active construction area. Additionally, Mr. Seaver understands whatever is implemented is going to shift once we better understand actual student / parent behavior.

Thu 2/12/2021

DPW Director Chapin Spencer participated in a phone conference with and Eric Hoekstra; Mr. Hoekstra is a business owner on Bank Street. Mr. Spencer discussed the proposed reduction in initial short term loading and unloading spaces and shifting the location of some on to Bank Street. Mr. Hoekstra saw a potential upside with requiring turnover of those Bank St spaces. Mr. Hoekstra understands whatever is implemented is going to shift once we better understand actual student / parent behavior.

Fri 2/5/2021

Associate Engineer Phillip Peterson and Senior Engineer Laura Wheelock participated in a phone conference with Kathy Schirling, Doug Nedde, and Michael L. Seaver; all of them represent the local business community adjacent to the downtown BHS. The local business community is concerned that customers will not have access to their buildings during drop off and pick up for BHS. Additionally, Mr. Seaver has concerns about mixing students commuting to and from school during construction efforts; there are potential hazards for all road users. DPW Staff response, the school is projected to produce less traffic than what was produced from Macy's.



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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Jeffrey A. Padgett, MBA
*ASSISTANT DIRECTOR for PARKING &
TRAFFIC*

Date: February 17, 2021

To: Public Works Commission

From: Jeffrey A. Padgett, MBA
Assistant Director for Parking and Traffic

C.C. Chapin Spencer, Director of Public Works

Subject: Parking Agreement Approval
Burlington High School

Motion

"To authorize the Department of Public Works to enter into a parking agreement through FY23 (2+ years) with the Burlington School District to allow staff and students to park Monday-Friday at the Lakeview and College Street garage complex at a rate of \$10/month from March 1, 2021 through June 30, 2022 and \$40/month from July 1, 2022 through June 30, 2023 and stipulate that if the City expects to incur additional costs to provide a safe parking environment, the School District will be notified and the parties will negotiate an amendment to this agreement, if necessary.

Background

Due to construction at the Burlington High School (BHS) the Burlington School District (BSD) is temporarily relocating BHS to the former Macy's department store building, adjacent to the Lakeview/College Street (LVG/CSG) garage complex. Parking for this building is provided at the LVG/CSG by the development agreement and controlled by parking agreements with the tenant/user of the building.

DPW has been working directly with BSD on parking needs and logistics over the past months to ensure that the LVG/CSG can accommodate their needs. We understand the importance of helping BSD achieve their goal of returning their students to in-person learning. On a technical level, the facility has the capacity to house the expected parking demand: 160 staff, 120 students Monday through Friday. There are a variety of other technical issues related to bike parking and parking in the Right of Way on Bank St. and Cherry Street that are being handled by the DPW Technical Services group. No drop off/pickup is expected to take place in the garage.

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

Although the technical needs of the BHS are readily accommodated, our mutual financial situations provide a significant challenge. The emergency nature of the construction at BHS has caused significant financial hardship for BSD and the impacts of COVID-19 have seriously impacted the health of finances of the city garages. Therefore, working closely with BSD to balance these competing needs, we have agreed upon the terms in the attached draft Parking Agreement is based on the “standard” agreement with the following adjustments:

Term:	FY21, FY22, FY23
Rate:	FY21: \$10/month FY22: \$10/month FY23: \$40/month
Operation Costs:	If significant additional operating costs are incurred to accommodate their parking needs (for example: Security) the City will notify the BSD and negotiate an amendment to the agreement, if necessary
Contacts:	Specific Contact information is specified in the contract for emergencies and parking management.

Attachments:

- A. BSD/BHS Parking Agreement - DRAFT



PARKING PERMIT AGREEMENT

City of Burlington

This Parking Agreement (“Agreement”) is entered into by the City of Burlington (“City”), by and through its Department of Public Works (“DPW”) doing business as the ParkBurlington brand, and

Burlington School District located at 150 Colchester Avenue, Burlington, VT (“Permittee”)

OR

_____ an individual

with a mailing address: _____ (“Permittee”).

The Permittee and the City agree to the terms of this Agreement.

1. EFFECTIVE DATE AND NOTICE OF NONLIABILITY

This Agreement shall not be valid or enforceable until the Effective Date. The City shall not be bound by any provision of this Agreement before the Effective Date and shall have no obligation to pay Permittee for any performance or expense incurred before the Effective Date or after the expiration or termination of this Agreement.

2. RECITALS

- A. Authority.** Authority to enter into this Agreement exists in the City Charter. Required approvals, clearance, and coordination have been accomplished from and within each Party.
- B. Consideration.** The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Agreement.
- C. Purpose.** Permittee seeks to utilize 300 parking permits at the College Street and Lakeview parking garages owned by the City for their use or users that they employ/manage.

3. DEFINITIONS

- A. “Parking Structures”** means the City-owned parking structures known as the College Street Parking Garage (located at located at 60 College Street) and the Lakeview Parking Garage (located at 41 Cherry Street) that function as a single facility.
- B. “Effective Date”** means the date on which this Agreement is approved and signed by the City, as shown on the signature page of this Agreement, whichever date is later.

C. “Party” means the City or Permittee and “Parties” means both the City and Permittee.

4. TERM AND EARLY TERMINATION

A. **Term.** This Agreement and the Parties’ respective performance shall commence on the first day of March 2021 and shall continue until June 30 2020 and shall continue subject to termination in accordance with §4.B.

B. **Termination.** Either Party may terminate this Agreement for any reason upon written notice to the other Party with 60 day notice. The notice shall specify the date of the effective termination. Permits may be suspended for use pursuant to the provisions set forth in Section 6 (B) and Section 7 below.

5. GRANT OF PERMIT

A. **Use of Facilities.** The City shall provide Permittee with parking permits to be used by Permittee and its authorized permit users at the Parking Structures for the term of this Agreement as set forth in §4.A.

B. **Timing Restrictions.** The parking permits granted under this Agreement shall be as follows and defined by Appendix C of the City of Burlington Ordinance:

Parking Permit Product 1: FY21 5 Day Permit (M-F) Fee Per Product: \$10/month

Parking Permit Product 2: FY22 5 Day Permit (M-F) Fee Per Product: \$10/Month

Parking Permit Product 2: FY23 5 Day Permit (M-F) Fee Per Product: \$40/Month

Parking duration is limited to 2 weeks of continuous parking on all products.

C. **User Restrictions.** Only currently registered vehicles that are legally allowed to be operated on public streets may be issued a parking permit and utilize the Parking Structures privileges granted in this Agreement. Motorcycles, scooters, electric or motorized bicycles, bicycles of any other kind, or other similar light-weight vehicles are not allowed.

D. **Permit Credentials.** All persons possessing parking permit granted under this Agreement must utilized the appropriate credentials via the automated entry/exit point to utilize the parking privileges granted herein. Such credentials may include a card, decal, hangtag, entry on a license plate registry, bar code, or other means as provided by the city.

6. PAYMENT

A. **Permit Fee.** Permit shall pay the City the fee(s) shown in 5.B per month as defined by Appendix C of the City of Burlington Ordinance for each parking permit product granted under this Agreement. ~~The City may change the fee for each parking permit by providing 60 days advanced notice to Permittee.~~

B. **Billing.** The billable term of each issued permit shall begin on the day the permit is issued to Permittee, and no earlier than on the first day of the month following the Effective Date. Permittee shall be issued an invoice on the last day of the month with payment due within a grace period of 25 days of the invoice. The City reserves the right to suspend use of any parking permit for non-payment at any time after the grace period. There is no proration of permit fees.

7. PARKING CONDITIONS

- A. Use of Parking Structures.** The monthly parking permits issued under this Agreement authorize permit users designated by the Permittee to self-park (and lock) one vehicle for each permit in an available (i.e. not being used) parking space located within the Parking Structures. If a permit user is unable to park in the Parking Structures due to full occupancy, the City may, at its sole discretion, offer parking to permit users at a different City-owned parking structure. Notwithstanding the foregoing, the City **does not guarantee** the availability of parking spaces under this Agreement nor will it cover costs associated with obtaining alternative parking if the facility is full. The City will operate in good faith to maintain available capacity in the structure.
- B. Management of Parking Structures.** The City reserves the right to manage parking in its facilities in the best interests of the City. Permittee acknowledges and agrees that management of City facilities may require the users of the parking permits granted under this Agreement to use another parking structure or be relocated.
- C. Emergency Removal.** In the event of an emergency (a threat of imminent danger to life or property created by a problem with the Parking Structures or permit user's vehicle), the City may move the vehicle to another space in the Parking Structures or remove the vehicle to a space outside the Parking Structures without notification to the permit user. If the emergency derives from the condition of the Parking Structures, the City will notify the Permittee of the location of the removed vehicle after removal, and the City shall pay for removal expenses. If the emergency derives from the permit user's vehicle, the City will notify thereafter the Permittee of the location of the removed vehicle, and the Permittee/permit user may have to pay for removal expenses at the City's discretion. The City will determine what constitutes an emergency.
- D. Burlington Police Department Enforcement.** Permittee and permit users understand that the Burlington Police Department ("BPD") polices the Parking Structures and enforces all traffic laws, posted signs, striping, gates and other directions and markings provided in the Parking Structures. Parking Structures staff may issue warnings to assist permit users with compliance or call BPD to ensure enforcement of compliance with said directions and markings.
- E. Acceptance of Risk.** Parking is at the Permittee and its designated permit users' sole risk. The City shall not guard, assume care, custody, or control of any vehicle or its contents. The City shall not be responsible for any loss or damage caused to vehicles or their contents utilizing the City's Parking Structures including fire, theft, damage, or loss directly resulting from the negligence of the City. No bailment is created under this Agreement.
- F. Reporting.** Permittee shall require that as a condition of issuing a parking permit granted herein, the permit user shall report any damage to the Parking Structures caused by the permit user's vehicle. Such damage includes, but is not limited to, the leaking of any chemicals, oil, gas, or antifreeze.
- G. Leaks.** If a vehicle is discovered to be leaking any chemical, oil, gas, or antifreeze, the City may temporarily suspend the parking permit privileges of the permit user until the permit user provides the City with written proof that necessary repairs were made to prevent further leakage. Any suspension issued under this §7.F. shall not suspend Permittee's obligation to pay the fee set forth in §6.A.
- H. Limitation on Use.** The parking permits granted herein are for the exclusive use of the Permittee and its authorized permit user(s). Parking permits shall not be loaned, altered, transferred or sold. Permittee agrees that misuse of a permit may be deemed as theft of services and the permit user may be locked out and that parking privileges in the Parking Structures may be rescinded/suspended. Permit users are limited to natural persons who can and will provide a legal name, a valid and active email address, and a license plate number to the City in order to create an account. Permittee must provide the City with a legal name and a valid and active email address to

create an account with the City. Other information may be asked for by DPW to facilitate proper administration.

- I. Compliance.** Permittee shall inform its permit users that compliance with instructions for the use of a permit is a condition of its use. If a permit user fails to properly comply with use instructions the permit user's parking privileges in the Parking Structures may be rescinded/suspended.
- J. Insurance.** Permittee shall ensure that all permit users possess minimum levels of vehicle insurance as required by law. If a permit user fails to properly comply with use instructions the permit user's parking privileges in the Parking Structures may be rescinded/suspended.
- K. Operation Costs.** If the City incurs additional costs to provide a safe parking environment for all customers (i.e. additional security, staffing, signs, etc.) to provide a safe parking environment, the School District will be notified and the parties will negotiate an amendment to this agreement, if necessary.
- L. The following staff will be the primary contacts at the School District:**
- | | | |
|-----------------------------------|------------|----------------|
| a. Safety and Operational Issues: | Name _____ | Contact: _____ |
| b. Parker Management: | Name _____ | Contact: _____ |

8. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement and understanding of the Parties with respect to the subject matter of this Agreement. All prior representations and understandings of the Parties, oral or written, are merged into this Agreement. Prior or contemporaneous additions, deletions, or other changes to this Agreement shall not have any force or effect whatsoever, unless embodied herein.

9. THIRD PARTY BENEFICIARIES

This Agreement does not and is not intended to confer any rights or remedies upon any person or entity other than the Parties. Enforcement of this Agreement and all rights and obligations hereunder are reserved solely for the Parties. Any services or benefits which third parties receive as a result of this Agreement are incidental to the Agreement and do not create any right for such third parties.

10. WAIVER

A Party's failure or delay in exercising any right, power, or privilege under this Agreement, whether explicit or by lack of enforcement, shall not operate as a waiver, nor shall any single or partial exercise of any right, power, or privilege preclude any other or further exercise of such right, power, or privilege.

11. CHOICE OF LAW

Vermont law shall be applied in the interpretation, execution, and enforcement of this Agreement. Any provision included or incorporated herein by reference which conflicts with Vermont law shall be null and void. Any provision rendered null and void by operation of this provision shall not invalidate the remainder of this Agreement, to the extent capable of execution.

12. JURISDICTION

All suits or actions related to this Agreement shall be filed and proceedings held in the State of Vermont.

13. ASSIGNMENT

Permittee's rights and obligations under this Agreement are personal and may not be transferred or assigned without the prior written consent of the City. Any attempt at assignment or transfer without

such consent shall be void. Any assignment or transfer of Permittee's rights and obligations approved by the City shall be subject to the provisions of this Agreement.

— *Signature Page Follows* —

SIGNATURE PAGE

Persons signing for the Parties hereby swear and affirm that they are authorized to act on behalf of their respective Party and acknowledge that the other Party is relying on their representations to that effect.

The Parties hereto have executed this Parking Agreement

PERMITTEE

Permittee Name: _____

Address: _____

Signature: _____

Printed: _____

Title: _____

Date: _____

CITY OF BURLINGTON Department of Public Works

Signature: _____

Printed: _____

Title: _____

Date: _____

**DEPARTMENT OF PUBLIC WORKS
645 PINE STREET
BURLINGTON, VERMONT 05401
COMMISSION MEETING JANUARY 20, 2021**

Video of the meeting can be found on Channel 17's YouTube channel or their website, once ready.

Commissioners Present: Commissioner Archambeau, Commissioner Barr, Commissioner Bose, Commissioner Gillman, Commissioner Hogan (Chair), Commissioner O'Neill-Vivanco (Vice-Chair), Commissioner Overby.

ITEM 1 – CALL TO ORDER

Commissioner Hogan called meeting to order at 6:33 p.m.

ITEM 2 – AGENDA

Commissioner Barr made a motion to accept the agenda.
Commissioner Archambeau seconded
Unanimous approval

ITEM 3 – PUBLIC FORUM

Jeff Nick chairs the Church Street Marketplace Commission and he expressed concerns with the changes made to South Winooski Avenue, he understands the multi-modal goals but feels there are problematic components to the design. This includes the offset of intersection at Bank Street and City Market and Cherry Street and Buell Streets. Not bad now with not much traffic but is concerned when downtown gets busy again that there will be problems.

Joanne Larson lives at 50 Charlotte Street and called stating she is looking for guidance. On January 4th, recycling was not picked up and she was told it was because cars were parked on both sides of street and truck could not get down the street. Charlotte meets requirements for a narrow street. She has concerns that if recycling cannot get down the street, can emergency vehicles?

Trina Beck lives at 77 Charlotte Streets and stated that large trucks cannot get down the street in winter when two cars are parked directly across from each other which is a serious safety issue. Would like seasonal parking on one side of the street. She has been in touch with Phillip Peterson at DPW about this.

Asa Long liked the discussion in December on the roundabout on Shelburne Road. Stated the design looks good; has concerns about speed coming onto South Willard.

ITEM 4 – CONSENT AGENDA

Commissioner Archambeau made a motion to approve the consent agenda

Commissioner Bose seconded

Unanimous approval

ITEM 5 - Water Resources Rate Restructuring and Affordability Program Update

There was a power point presentation on this delivered by DPW Water Resources staff including Megan Moir, Jenna Olsen and Jessica Lavalette.

Division Director Megan Moir stated they started doing a public outreach on this program but it was put on hold due to the pandemic and since then have made some changes to the plans.

Water Resources Policy & Programs Manager Jenna Olsen stated that sustainable funding is crucial for drinking water. They have been evaluating alternative rate structures, alternative revenue sources, affordability frameworks, as well as conducting a process to educate and solicit input on Water Resources rates.

Jessica Lavalette explained six proposed rate and policy changes.

Jenna stated that they are going to attend NPA's, present at TEUC and send out notifications to higher use customers the proposals and changes that they had developed for their program.

Commissioner O'Neill asked about how the program will be rolled out, about irrigation and about residential sprinklers, if they have evaluated irrigation for the Intervale. She was advised that about 210 residents have sprinkler systems right now and their bills will likely not lower.

Commissioner O'Neill asked if we had a program like BED's 'Defeat the peak'. Jenna advised that water usage is higher in summer and stated we hand out kits to residents to test for leaks. We are looking into a program for smart meter assistance for implementing or helping.

Commissioner Archambeau asked about private fire protection and Megan informed him that there is an additional cost charged to customers who have this fire protection.

Commissioner Bose stated that elements of our presentation should be put out there in pamphlets for the public to help them understand what DPW wants to do.

Commissioner Gillman stated to get this information out to as many people as possible.

Commissioner Archambeau made a motion to support and advance the Rate Restructuring and Affordability Program effort.
Commissioner O'Neill-Vivanco seconded
Unanimous approval.

ITEM 6 – Parking Request for South End Green Stormwater Infrastructure

We are looking to remove parking in several locations in a south end neighborhood for space, which will be needed for rain garden systems in the area. This will include the space needed for the proposed stormwater treatment systems and provide the needed space for emergency services to conduct operations.

Commissioner Gillman asked if parking utilization had been measured in the neighborhood. Philip Peterson stated that while they did not measure the utilization, parking is abundant in the neighborhoods and most houses do have driveways. Commissioner Gilman recommended that measuring this could be valuable data to inform decisions.

Jenna Olsen explained that the rain gardens coincide with the catch basins which are at the low points in the roadway. Jenna also stated that there is a municipal maintenance plan to get cleaned out and on routine basis. Jenna discussed the public engagement, subsequent changes and spoke about concerns of the residents.

Commissioner Barr asked if any of these areas were residential only parking and Philip Peterson stated that no they were not.

Commissioner Archambeau made a motion to approve the parking change.
Commissioner Barr seconded.
Unanimous approval

ITEM 7 – Asset management

Looking for Commission support to the full implementation of the City's Asset Management Program, specifically advancing a contract with DTS to implement VUEWorks software as a computerized software maintenance management system. Seeking to amend contract with consultant KCI to assist city through Task 3 of asset management and implementation program. To advance a contract with ROK Technologies to host the city GIS data in a cloud based servicer. Looking for Commission support for amendment to the existing Drinking Water and Clean Water State revolving fund planning loans to fund the Water Resources portion of above costs.

Gustave Sexauer shared a power point presentation on all of the above.

Commissioners agree that there was a lot of detail in the presentation and they support this program. Work orders will be able to be put into this program and updated.

Vice Chair O'Neil-Vivanco recommends robust training, tracking success, compliments the potential savings of using this program.

Commissioner Overby said that successful program implementation is key for the people in the field. Asked how long VueWorks has been in use. Gustave confirmed at least 10 years and that there has been communication with communities who used the program and are happy with it, including South Portland, Anne Arundel County, Springfield Water & Sewer (MA), Dover (NH). Commissioner Overby expressed strong support for the concept. Asked for clarity on "critical elements" and how they get done if there are service interruptions. Gustave confirms that data storage requirements have been met.

Chair Hogan asked about legacy systems; pipe breakages and confirms if that data will be transferred into the new system. Division Director Moir confirms that it will and additional functionality will be included. Chair Hogan asks for clarity on why additional fleet management system is necessary. Martha discusses the specificity of fleet software needs.

Commissioner Overby made a motion to accept staff's recommendation.
Commissioner Barr seconded.
Unanimous approval

ITEM 8 – Approval of Draft Minutes of 12/16/21

Commissioner Overby stated she wanted to make a change in the minutes in Questions and comments under Item 5 of the Agenda of the December meeting: Commissioner Overby expressed concern that the proposed 25 mile per hour approach speed to the roundabout was too fast for the safety of pedestrian crossings at the roundabout . She recommended the approach speed be 15 miles per hour. DPW staff stated that Burlington is prohibited by state law from setting City traffic speeds to less than 25 mph. Commissioner Overby said she would ask her state Reps what steps were necessary at the state level to enable Burlington to set a 15 mph speed limit for the approach to a roundabout

Commissioner Barr made a motion to accept minutes with the changes of Commissioner Overby.

Commissioner Bose seconded.
Unanimous approval

ITEM 9 - Director's Report

Director Spencer stated that the Waterfront/Rail Park work is continuing for the bike path relocation and Amtrak passenger rail service. There have been regular meetings continuing with the City, VTTrans and Vermont Rail and we are preparing for a busy 2021 construction season. We are hopeful for passenger rail service starting late this year.

ITEM 12 – COMMISSIONER COMMUNICATIONS

Commissioner O'Neill-Vivanco stated she was downtown during the holiday season and absolutely liked the new configuration of North Winooski Avenue.

Commissioner Barr stated that he has heard complaints about the cars travelling down East Avenue quite fast and fielded requests for the speed radar to be put back up. Offered kudos on the recent snow removal efforts. Old East End Winterlude festivities have been scaled back. There will be activities but do it yourself ones.

Commissioner Hogan asked if narrow streets publish where things stand. Have staff make notes on streets with issues, such as being unable to get recycling due to the cars being parked on the street.

ITEM 13 – ADJOURNMENT AND NEXT MEETING DATE February 17, 2021

Commissioner Archambeau made a motion to adjourn the meeting.
Commissioner O'Neill-Vivanco seconded
Unanimous approval.

Meeting adjourned at 9:15 p.m.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Burlington, VT 05401
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

To: DPW Commissioners
Fr: Chapin Spencer, Director
Re: **DPW Director's Report**
Date: February 10, 2021

The February 2021 Public Works Commission meeting will be held online via Zoom.

Railyard Enterprise Project: I am pleased to report that VTrans and FHWA have agreed to advance the Railyard Enterprise Project (REP) to preliminary engineering and to fund 90% of participating expenses. The goal is to begin preliminary engineering phase in FY'22, as long as the project remains in the State's FY'22 budget. The REP will improve multi-modal connectivity between Pine Street and Battery Street, spur economic development in the area and reduce vehicular traffic in the King and Maple neighborhood. Here's a link to a Burlington Free Press article:

<https://www.burlingtonfreepress.com/story/news/2020/12/31/fix-downtown-traffic-jams-burlington-gets-big-dollar-boost/4084957001/>

Waterfront Rail / Bike Path Coordination: As Commissioners will recall from previous months, the City is partnering with VT Agency of Transportation (VTrans) and Vermont Rail Systems to bring a multi-million dollar investment in sustainable transportation to the Burlington waterfront this season. With the City Council's approval of 10 legal documents at their January 25, 2021 meeting, the State was able to finalize the necessary documents to put the critical King St to College St section out to bid today. It is a major milestone in this cooperative project. We will be attending the Burlington Business Association's Waterfront Access Group tomorrow to update stakeholders on the upcoming improvements.

Enterprise Asset Management: Thank you to the Commission's support in January, the City Council approved executing a contract to acquire an Enterprise Asset Management / Computerized Maintenance Management System at its February 8, 2021 meeting to better manage the broad array of City assets. We will keep the Commission posted on our progress.

Water Rate and Affordability Program Study: Following our presentation to the Commission in January, we are providing information on our recommended changes to the Neighborhood Planning Assemblies this month. If any customer has questions or concerns about the proposed changes, they can contact Jenna Olson at jolson@burlingtonvt.gov. We expect to be in front of the Council this spring with a request for them to approve an updated rate structure – so that we have enough time to implement the necessary administrative and billing updates and communicate the upcoming changes to our ratepayers.

Street & Sidewalk Maintenance: We had our second winter parking ban of the season on February 2, 2021. Because it was a longer duration storm, we had alternating plow teams so we could continue 24/7 operation through the storm. I want to thank the staff from Parks, Equipment Maintenance, Parking & Traffic, Wastewater, Water and Technical Services for joining Street Maintenance in this effort. Feel free to pass along any feedback to Lee Perry (lperry@burlingtonvt.gov) or me as we always work to improve our operations.

Please reach out with any questions prior to Wednesday's Commission meeting.

OFFICE OF MAYOR MIRO WEINBERGER
149 Church Street | Burlington, VT 05401 | [\(802\) 865-7272](tel:8028657272)

FOR IMMEDIATE RELEASE

December 29, 2020

Contact: Olivia LaVecchia
(802) 734-0617

**Railyard Enterprise Project Advancing to
Preliminary Engineering**

Burlington, VT - Last week, the City Council [unanimously approved a motion](#) in support of the advancement of the Railyard Enterprise Project to preliminary engineering. The City and the Vermont Agency of Transportation (VTrans) expect that design work could begin in 2021, and the Federal Highway Administration (FHWA) and VTrans have committed to providing 90 percent of the funding. When complete, the Railyard Enterprise Project will create an important new link in our transportation network and connect Pine Street to Battery Street adjacent to the Vermont Rail System railyard.

In response to this action, Mayor Miro Weinberger released the following statement:

“For decades the City of Burlington has sought to connect Battery Street and Pine Street in order to improve the City’s connectivity, create new economic development opportunities, and reduce traffic in the neighborhoods that border the blocks of Pine Street south of Main Street. While progress toward this goal has been slow and uneven over the years, last week we took a big step toward making this vision a reality as the City Council unanimously supported the Administration’s plan to move three Railyard Enterprise Project concepts to Preliminary Engineering and further evaluation. This City action, combined with the commitment by VTrans Secretary Joe Flynn to provide 90 percent Federal and State funding for the project, ensures that after years of conceptual planning, millions of dollars of engineering work will now be invested this critical infrastructure project in the next few years.”

“This is great news for the King and Maple neighborhood,” said Michael Monte, Chief Operating Officer of the Champlain Housing Trust. “Constructing the Pine Street to Battery Street connection will significantly reduce traffic in the King Street neighborhood and will enhance its livability.”

For additional information about the Railyard Enterprise Project, including plans showing the concepts that will now receive further evaluation, please see [the materials](#) that are part of the City Council’s December 21, 2020 agenda or the [project’s website](#).

#

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Olivia LaVecchia
(802) 734-0617
Pronouns: she/her

Communications & Projects Coordinator
Office of Mayor Miro Weinberger
City Hall | 149 Church Street
Burlington, VT 05401
burlingtonvt.gov/Mayor

Patrick B. Mulligan, Jr
500 Pine Street
Burlington, Vermont 05401
Parkingczar@hotmail.com

February 12, 2021

Phillip Peterson, Associate Public Works Engineer
Department of Public Works
City of Burlington
645 Pine Street
Burlington, Vermont 05402

Dear Phillip;

I have reviewed the possible parking plan for the Downtown Burlington High School (BHS) and I have a few suggestions and comments. Additionally, as noted in your January 14th, 2021 memorandum to the DPW commission you stated you did not have the final school travel plan, if you are in possession of the BHS traffic plan, could you please share it with me? I am guessing that this proposal was formulated by a request from BHS.

No parking areas. I concur with this recommendation.

No parking except vehicles loading or unloading.

- I have no issues with the areas on the south side of Cherry Street.
- The north side of Cherry Street should mirror the south side of Cherry Street. The GMT traffic along with other truck traffic sometimes requires GMT busses to occupy the center lane. School busses will not always fully curb for loading /unloading. The additional space on the north side could be coned for specific times to allow proper space for traffic movement. I do not think BHS has taken in consideration the traffic this street handles when the hotels are operating at full capacity and the garage is handling a normal traffic load.
- Westside of Pine Street first six (6) spaces. The first space of the six is a designated handicapped space for the Peoples Bank. How will this be handled to ensure bank customers needing that space are accommodated?
- Eastside of Pine Street first two (2) spaces south of Bank St. – I have no immediate issues except to know how traffic and pedestrian safety will be assured when the construction site is reactivated.
- Loading zone in front of 100 Bank Street. This is zone is very active, how will BHS/City ensure this space remains open for the business located at 100 Bank?

Bus Stops.

I concur with this recommendation except for the designation of Monday - Friday. Will the signage indicate enforcement months as well to accommodate for times of vacation? This would need to be identified on the vehicle loading areas as well

I would like to see the BHS traffic plan prior to the next DPW Commission if at all possible. I attempted to review the BHS building plans on-line but had difficulty identifying certain aspects of the design. What is BHS planning for bicycle storage, have they created a bike storage area within the building?

Thank you for your attention to my comments.

Best Regards,
Patrick B. Mulligan

**DEPARTMENT OF PUBLIC WORKS
645 PINE STREET
BURLINGTON, VERMONT 05401
DRAFT MINUTES
COMMISSION MEETING FEBRUARY 17, 2021**

Commissioners Present: Commissioner Archambeau, Commissioner Barr, Commissioner Bose (late), Commissioner Gillman, Commissioner Hogan (Chair), Commissioner O'Neill-Vivanco (Vice-Chair), Commissioner Overby.

ITEM 1 – CALL TO ORDER

Commissioner Hogan called meeting to order at 6:33 p.m.

ITEM 2 – AGENDA

Commissioner Archambeau made a motion to accept the agenda with pulling Item D off.
Commissioner Barr seconded
Commissioner Overby asked to pull Item 4C off for discussion
Commissioner Archambeau was acceptable of removing 4C and 4D
Commissioner Barr was also acceptable
Approval was by Archambeau, Barr, Gillman, Hogan, O'Neill-Vivanco, and Overby.
Commissioner Bose abstained as he was late arriving to the meeting.

ITEM 3 – PUBLIC FORUM –

Yiota Ladas called in to express her concerns about the Burton Hub and the safety of the people in the neighborhoods, pedestrians, drivers and bicyclist. She cited lack of sidewalks and bike lanes.

ITEM 4 – CONSENT AGENDA

A – Proposed stop sign at Westernmost Hillside Terrace – Riverside Ave intersection
B – 192 Park Street accessibility parking change

Commissioner Barr made a motion to accept
Commissioner O'Neill-Vivanco seconded
Unanimous approval

ITEM 4.1 COVID Vaccine Parking Plan

Philip Peterson stated that this is proposed for Wednesdays only at the IAA on Archibald Street for COVID 19 vaccinations distributed to the senior population. We are utilizing the loading zones, bus stops and 15-minute parking space adjacent to Dot's Market.

The Market's one concern was the parking in the private lot on Wednesday for the vaccine clinic only. These concerns were not originally expressed during outreach.

Commissioner Overby stated she went in and talked with the owner of the store who expressed concern about taking away the 15 minutes parking spot as their customers use this space to run in and pick up needed items or lunch. The delivery truck drivers also use this spot. The parking in the private lot on Wednesdays was not a concern as long as it was for clinic parking only.

DPW Engineer Philip Peterson stated that if they had known the business was averse to using these spots we would have taken off the request for space.

Commissioner Barr stated we should remove allowing people to park there and continue to assess this situation.

City Engineer Norm Baldwin stated we are accommodating the vaccination process.

Philip stated we are working with the Health Department and they may move to another school but for the near future, this is it. Norm stated we would monitor this situation.

Commissioner Overby stated that if there is a person present at the site directing the traffic and feels it would not be a problem for that one 15 minute parking spot to be coned off for the patrons of the store to use.

Philip stated that Vermont Department of Health stated that it is a 30-minute vaccine. You go in, register, get the shot, go out, and sit in your car for 15 minutes and if there are no reactions you go on your way.

Commissioner Barr made a motion to approve staff's recommendation minus the 15-minute spot.

Unanimous approval

Item 4.2 AMENDMENTS TO BURL. CITY ORDINANCES – CHAPTER 20, 6 AND APPENDEIX C

DPW Senior Planner Nicole Losch stated that she is recommending some changes to Chapter 20-1 definitions; Article 4 Section 20-121 traffic control signal legend; Article 4 Section 20-125 bicycle specific traffic control signals; Article 4 Section 20-126 Bicycle use of pedestrian control signals. Chapter 6 Section 6-1 Definitions and 6-3 riding on sidewalks, bicycle pedestrian pathway and in parks. Appendix C Section 2 traffic Control light locations. The purpose of this is to ensure traffic regulations relate to the current state of transportation system. This is to address a lack of clarity in the traffic regulations as modes of transportation continue to evolve.

Commissioner Bose asked about the process for communicating changes and was informed that it is published for a reviewing period, taken to the Walk/Bike Council and updates are shared at meetings. Commissioner Bose recommended some education on personal responsibility.

Commissioner O'Neill-Vivanco asked questions about motor assisted micro ability. Nicole stated this is a new term and represents the devices we are talking about.

Commissioner Hogan questions about signage, blanket regulation across the city, anything for motorists outreach in the key locations of people coming into the city..

Commissioner Barr made a motion to accept Item 4.2 as present by staff. Commissioner Archambeau seconded.

Unanimous approval

ITEM 5 – DOWNTOWN BURLINGTON HIGH SCHOOL PARKING PLAN

City Engineer Norm Baldwin stated that Marty Spaulding from the school department is here to help with this presentation. BHS is moving to the Macy's building on Cherry Street.

DPW Associate Engineer Philip Peterson stated this was a very quick process given the unfolding situation, that there will be on street parking restrictions, establishing school zone. The purpose is to provide safe and efficient transportation and bus drop off. The school travel plan will include changes to the parking along Cherry Street, Bank Street and Pine Street. There are about 420 students to be in attendance at BHS on a daily basis. To ensure a safe and efficient transportation system DPW staff recommend on street operational changes; these changes will allow for pedestrian and bicyclist safety, vehicle drop off and pick up and bus drop off and pick up. The Burlington Police Department will enact the changes in the parking as described. DPW staff will monitor the situation once Downtown BHS begins operation. We will make observations and collect data on site during morning and afternoon commute.

Senior Engineer Laura Wheelock stated there would be short-term bike parking not inside the parking garage or the right of way.

Marty Spaulding from BSD stated that the primary entrance to BHS would be off Cherry Street. Doors to the school will be locked during the day and visitors will have to go to Cherry Street.

Commissioner O'Neill asked about the bike parking. Senior Engineer Laura Wheelock stated that the bike parking will be in the path that goes from Bank Street to Pine Street

coming out by the People's United Bank. Commissioner O'Neill Vivanco expressed concerns about if there will be appropriate lighting. Senior Engineer Laura Wheelock stated that there is light from the College Street garage and there has been some lighting added there.

Commissioner Hogan inquired if anything looked different if 900 students came back to the school system. Laura Wheelock stated that an impact study was done, anticipating a.m. drop off to be quick Spaces are provided and close to what they have. Marty Spaulding stated that the bus terminal is there and we are not making changes on the buses. He also stated that after school activities would happen at Institute Road.

Patrick Mulligan from the public called in and stated that the plan as a whole was a good one. He appreciates the bike parking spaces security and safety of area, camera. He stated Cherry Street north side drop off zone are still parking spaces and concerned about choke points there bag meters. Philip stated that there will be traffic calming and temporary curb extension. We will adjust things as we go forward.

Commissioner Barr made a motion to accept staff's recommendation as presented
Commissioner Bose seconded.
Unanimous approval.

ITEM 6 – BSD RATES – SPECIAL TEMPRARY RATE FOR BHS STAFF & STUDENTS AT LAKEVIEW GARAGE AND COLLEGE STREET GARAGE

Assistant Director Jeff Padgett stated this is to approve a special contract with the Burlington School District for parking in the Lakeview and College Street parking garages. This agreement goes through FY23, which will allow staff and student to park Monday through Friday at the garages. The rate proposed is \$10.00 a month from March 1, 2021 through June 30, 2022 and then \$40 a month from July 1, 2022 through June 30, 2023 and will stipulate that if the City expect to incur additional costs to provide safe parking environment the School District will be notified and the parties will negotiate an amendment to this agreement if necessary.

Jeff also stated that there will be two ambassadors on duty the first week and extra outside. They will not be giving tickets. Cameras in the garage go to the police department and are recording. There will be no bike parking in the garages and it is not a drop off and pick up site for students. No smoking signs are also being put up in the garages.

We are looking for approval to enter into this contract with the school district and for the special rate. Marty Spaulding stated that they are being charged as the District, the teachers are not going to be charged to park in the garage but he students will be paying for their parking.

Commissioner O'Neill-Vivanco expressed concerns about the single occupancy vehicles, and asked if there was consideration for public transit. She asked about a streaming monitor that goes to BPD. She also asked about communication to parents, training ambassadors to de-escalate events that should come up and what the role of the school district can have.

Marty Spaulding stated that there is a limited number of passes given to the kids, which in the last three years has been 100, and this is what the limit will be for the three years. Commissioner O'Neill-Vivanco asked if the taxpayers will be subsidizing for the teachers not paying and Mr. Spaulding stated that that by making change in the district did not want to ask the teachers to have to pay for parking. Commissioner O'Neill-Vivanco stated there should be some negotiations with teachers for parking. Jeff Padgett stated that the School Resource Officer would be out walking in the garage as well as school staff-patrolling garage. The increased cost in safety the costs will be passed onto the school district per the contract.

Commissioner Barr, Bose and Hogan expressed concerns about the free parking for teachers and do not want to pass the charges onto taxpayers but overall they are in favor of the plan.

Commissioner Archambeau made a motion to pass.
Commissioner Bose seconded
Unanimous approval

ITEM 7 – APPROVAL OF DRAFT MINUTES OF 1-20-21

Commissioner Barr made a motion to accept the minutes
Commissioner Archambeau seconded
Unanimous approval

ITEM 8 – DIRECTOR'S REPORT

City engineer Baldwin stated offered to provide any updates based on Director Spencer's submission

ITEM 9 - COMMISSIONER COMMUNICATIONS

Commissioner Overby stated that an Elmwood Avenue resident had questions about the two-hour parking section just before North Street. The resident wondered how parking enforcement knows if somebody has been there for 2 hours. There was also a concern about the price of the ticket, concern for discrimination. Commissioner Overby stated she contacted John King and he stated they could tell by the location of the valve stem.

She has more information if somebody wants to reach out for this. She stated that lower income should not have to pay so much for the ticket. An appeal process has to be gone through if a ticket is received through the City Attorney's Office.

Commissioner Barr stated once again about what a great job the crews were doing on snow removal. He also stated that the school is where students come to learn and they should be learning the different alternative forms of transportation.

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ITEM 10 – ADJOURNMENT AND NEXT MEETING DATE – MARCH 17, 2021

Commissioner Archambeau made a motion to adjourn.
Commissioner Barr seconded
Unanimous approval

Meeting adjourned at 9:40 p.m.

**DEPARTMENT OF PUBLIC WORKS
645 PINE STREET
BURLINGTON, VERMONT 05401
FINAL MINUTES
COMMISSION MEETING FEBRUARY 17, 2021**

Commissioners Present: Commissioner Archambeau, Commissioner Barr, Commissioner Bose (late), Commissioner Gillman, Commissioner Hogan (Chair), Commissioner O'Neill-Vivanco (Vice-Chair), Commissioner Overby.

ITEM 1 – CALL TO ORDER

Commissioner Hogan called meeting to order at 6:33 p.m.

ITEM 2 – AGENDA

Commissioner Archambeau made a motion to accept the agenda with pulling Item D off.
Commissioner Barr seconded
Commissioner Overby asked to pull Item 4C off for discussion
Commissioner Archambeau was acceptable of removing 4C and 4D
Commissioner Barr was also acceptable
Approval was by Archambeau, Barr, Gillman, Hogan, O'Neill-Vivanco, and Overby.
Commissioner Bose abstained as he was late arriving to the meeting.

ITEM 3 – PUBLIC FORUM –

Yiota Ladas called in to express her concerns about the Burton Hub and the safety of the people in the neighborhoods, pedestrians, drivers and bicyclist. She cited lack of sidewalks and bike lanes.

ITEM 4 – CONSENT AGENDA

A – Proposed stop sign at Westernmost Hillside Terrace – Riverside Ave intersection
B – 192 Park Street accessibility parking change

Commissioner Barr made a motion to accept
Commissioner O'Neill-Vivanco seconded
Unanimous approval

ITEM 4.1 COVID Vaccine Parking Plan

Philip Peterson stated that this is proposed for Wednesdays only at the IAA on Archibald Street for COVID 19 vaccinations distributed to the senior population. We are utilizing the loading zones, bus stops and 15-minute parking space adjacent to Dot's Market.

The Market's one concern was the parking in the private lot on Wednesday for the vaccine clinic only. These concerns were not originally expressed during outreach.

Commissioner Overby stated she went in and talked with the owner of the store who expressed concern about taking away the 15 minutes parking spot as their customers use this space to run in and pick up needed items or lunch. The delivery truck drivers also use this spot. The parking in the private lot on Wednesdays was not a concern as long as it was for clinic parking only.

DPW Engineer Philip Peterson stated that if they had known the business was averse to using these spots we would have taken off the request for space.

Commissioner Barr stated we should remove allowing people to park there and continue to assess this situation.

City Engineer Norm Baldwin stated we are accommodating the vaccination process.

Philip stated we are working with the Health Department and they may move to another school but for the near future, this is it. Norm stated we would monitor this situation.

Philip stated that Vermont Department of Health stated that it is a 30-minute vaccine. You go in, register, get the shot, go out, and sit in your car for 15 minutes and if there are no reactions you go on your way.

Commissioner Barr made a motion to approve staff's recommendation minus the 15-minute spot.

Unanimous approval

Item 4.2 AMENDMENTS TO BURL. CITY ORDINANCES – CHAPTER 20, 6 AND APPENDEIX C

DPW Senior Planner Nicole Losch stated that she is recommending some changes to Chapter 20-1 definitions; Article 4 Section 20-121 traffic control signal legend; Article 4 Section 20-125 bicycle specific traffic control signals; Article 4 Section 20-126 Bicycle use of pedestrian control signals. Chapter 6 Section 6-1 Definitions and 6-3 riding on sidewalks, bicycle pedestrian pathway and in parks. Appendix C Section 2 traffic Control light locations. The purpose of this is to ensure traffic regulations relate to the current state of transportation system. This is to address a lack of clarity in the traffic regulations as modes of transportation continue to evolve.

Commissioner Bose asked about the process for communicating changes and was informed that it is published for a reviewing period, taken to the Walk/Bike Council and

updates are shared at meetings. Commissioner Bose recommended some education on personal responsibility.

Commissioner O'Neill-Vivanco asked questions about motor assisted micro ability. Nicole stated this is a new term and represents the devices we are talking about.

Commissioner Hogan questions about signage, blanket regulation across the city, anything for motorists outreach in the key locations of people coming into the city..

Commissioner Barr made a motion to accept Item 4.2 as present by staff. Commissioner Archambeau seconded.

Unanimous approval

ITEM 5 – DOWNTOWN BURLINGTON HIGH SCHOOL PARKING PLAN

City Engineer Norm Baldwin stated that Marty Spaulding from the school department is here to help with this presentation. BHS is moving to the Macy's building on Cherry Street.

DPW Associate Engineer Philip Peterson stated this was a very quick process given the unfolding situation, that there will be on street parking restrictions, establishing school zone. The purpose is to provide safe and efficient transportation and bus drop off. The school travel plan will include changes to the parking along Cherry Street, Bank Street and Pine Street. There are about 420 students to be in attendance at BHS on a daily basis. To ensure a safe and efficient transportation system DPW staff recommend on street operational changes; these changes will allow for pedestrian and bicyclist safety, vehicle drop off and pick up and bus drop off and pick up. The Burlington Police Department will enact the changes in the parking as described. DPW staff will monitor the situation once Downtown BHS begins operation. We will make observations and collect data on site during morning and afternoon commute.

Senior Engineer Laura Wheelock stated there would be short-term bike parking not inside the parking garage or the right of way.

Marty Spaulding from BSD stated that the primary entrance to BHS would be off Cherry Street. Doors to the school will be locked during the day and visitors will have to go to Cherry Street.

Commissioner O'Neill asked about the bike parking. Senior Engineer Laura Wheelock stated that the bike parking will be in the path that goes from Bank Street to Pine Street coming out by the People's United Bank. Commissioner O'Neill Vivanco expressed concerns about if there will be appropriate lighting. Senior Engineer Laura Wheelock

stated that there is light from the College Street garage and there has been some lighting added there.

Commissioner Hogan inquired if anything looked different if 900 students came back to the school system. Laura Wheelock stated that an impact study was done, anticipating a.m. drop off to be quick Spaces are provided and close to what they have. Marty Spaulding stated that the bus terminal is there and we are not making changes on the buses. He also stated that after school activities would happen at Institute Road.

Patrick Mulligan from the public called in and stated that the plan as a whole was a good one. He appreciates the bike parking spaces security and safety of area, camera. He stated Cherry Street north side drop off zone are still parking spaces and concerned about choke points there bag meters. Philip stated that there will be traffic calming and temporary curb extension. We will adjust things as we go forward.

Commissioner Barr made a motion to accept staff's recommendation as presented
Commissioner Bose seconded.
Unanimous approval.

ITEM 6 – BSD RATES – SPECIAL TEMPORARY RATE FOR BHS STAFF & STUDENTS AT LAKEVIEW GARAGE AND COLLEGE STREET GARAGE

Assistant Director Jeff Padgett stated this is to approve a special contract with the Burlington School District for parking in the Lakeview and College Street parking garages. This agreement goes through FY23, which will allow staff and student to park Monday through Friday at the garages. The rate proposed is \$10.00 a month from March 1, 2021 through June 30, 2022 and then \$40 a month from July 1, 2022 through June 30, 2023 and will stipulate that if the City expect to incur additional costs to provide safe parking environment the School District will be notified and the parties will negotiate an amendment to this agreement if necessary.

Jeff also stated that there will be two ambassadors on duty the first week and extra outside. They will not be giving tickets. Cameras in the garage go to the police department and are recording. There will be no bike parking in the garages and it is not a drop off and pick up site for students. No smoking signs are also being put up in the garages.

We are looking for approval to enter into this contract with the school district and for the special rate. Marty Spaulding stated that they are being charged as the District, the teachers are not going to be charged to park in the garage but he students will be paying for their parking.

Commissioner O'Neill-Vivanco expressed concerns about the single occupancy vehicles, and asked if there was consideration for public transit. She asked about a streaming

monitor that goes to BPD. She also asked about communication to parents, training ambassadors to de-escalate events that should come up and what the role of the school district can have.

Marty Spaulding stated that there is a limited number of passes given to the kids, which in the last three years has been 100, and this is what the limit will be for the three years. Commissioner O'Neill-Vivanco asked if the taxpayers will be subsidizing for the teachers not paying and Mr. Spaulding stated that that by making change in the district did not want to ask the teachers to have to pay for parking. Commissioner O'Neill-Vivanco stated there should be some negotiations with teachers for parking. Jeff Padgett stated that the School Resource Officer would be out walking in the garage as well as school staff-patrolling garage. The increased cost in safety the costs will be passed onto the school district per the contract.

Commissioner Barr, Bose and Hogan expressed concerns about the free parking for teachers and do not want to pass the charges onto taxpayers but overall they are in favor of the plan.

Commissioner Archambeau made a motion to pass.
Commissioner Bose seconded
Unanimous approval

ITEM 7 – APPROVAL OF DRAFT MINUTES OF 1-20-21

Commissioner Barr made a motion to accept the minutes
Commissioner Archambeau seconded
Unanimous approval

ITEM 8 – DIRECTOR'S REPORT

City engineer Baldwin stated offered to provide any updates based on Director Spencer's submission

ITEM 9 - COMMISSIONER COMMUNICATIONS

Commissioner Overby stated that an Elmwood Avenue resident had questions about the two-hour parking section just before North Street. The resident wondered how parking enforcement knows if somebody has been there for 2 hours. There was also a concern about the price of the ticket, concern for discrimination. Commissioner Overby stated she contacted John King and he stated they could tell by the location of the valve stem. She has more information if somebody wants to reach out for this. . An appeal process has to be gone through if a ticket is received through the City Attorney's Office.

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