



February 17, 2015

Regular City Council Meeting - Tuesday, February 17, 2015 - Contois Auditorium, City Hall - 7:00 p.m. -

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to adopt/amend agenda

Type: Action, Procedural

Recommended Action: motion to amend the agenda as follows: remove from the consent agenda item 3.25 (duplicate of 3.24) (per Councilor Bushor); amend the consent action to agenda item 3.06 to "waive the reading, accept the communication, place it on file and send copies to the BED Commission and the Board of Finance Members (per Councilor Bushor); remove from the consent agenda item 3.37 and place it on the Deliberative Agenda as item 6.02 (per Councilor Bushor); note supplemental communication for this item (per Assistant City Attorney Sturtevant); remove from the consent agenda item 3.05 and place it on the Deliberative Agenda as item 6.03 (per Councilor Tracy); note two communications for this agenda item.

1.02 Communication: Kimberlee J. Sturtevant, Assistant City Attorney, re: Champlain College/Eagles Place LLC Construction Application Appeal (was consent agenda item 3.37)

Type: Action, Discussion, Information, Procedural

 [champlain eagle appeal communication.pdf](#)

 [City Council Memo re revisions 2-17-15.pdf](#)

 [August 2014 A-6 Elevations Mediated Settlement.pdf](#)

 [January 2015 revised A-6 Elevations Mediated Settlement.pdf](#)

2. Public Forum

2.01 Public Forum: Time Certain 7:30 p.m.

Type: Information, Procedural

3. Consent Agenda



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

Type: Action (Consent), Procedural

Proposed amendments to the consent agenda:

- amend the action for consent agenda item 3.06 to "waive the reading, accept the communication, place it on file, provide comments if any that will be submitted to TDI New England and send copies to the BED Commission and the Board of Finance Members
- remove from the consent agenda item 3.25 (duplicate of 3.24)
- remove from the consent agenda item 3.37 and place it on the Deliberative Agenda as item 6.02
- remove from the consent agenda item 3.05 and place it on the Deliberative Agenda as item 6.03; note two communications

3.02 Resolution: Appointment of Acting Ward Clerks in Wards Three, Four, Five and Six; Acting Inspectors of Election for Wards Two, Three, Four, Six, and Seven (Councilor Shannon)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Clerk – Appointment of Various Acting Ward Clerks and Acting Inspectors of Election.docx

3.03 Resolution: Public Notice Information for March 3, 2015 Annual City Meeting - Re Pledging The Credit of The City to Secure Indebtedness for Public Improvements within the Downtown TIF District (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

1-9-14 Cover Memo to CC.pdf

Treasurer - Public Notice Information re Pledging Credit to Secure Indebtedness for Public Improvements in the Downtown TIF District (3-03-15 Annual City Meeting).docx

1-9-14 Downtown TIF Capacity spreadsheet for City Council.pdf

Public Notice TIF.pdf

3.04 Communication: C/T Office, re: Accountability List

Type: Action (Consent), Communication

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

Communication Accountability List 021715 cc mtg.xlsx



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3.05 Moved to Deliberative Agenda as item 6.03 Communication: Kimberlee J. Sturtevant, Assistant City Attorney, re: Application of NYNEX Mobile Limited Partnership 1 and Cellco Partnership, each d/b/a Verizon Wireless, for a Certificate of Public Good, pursuant to 30 V.S.A. 248a for Installation of a Wireless Telecommunications Facility at 260 North Winooski Avenue

Type: Communication

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

City Council ltr. 2-11-15.pdf

Communication Howard Dolan Verizon
Wireless.pdf

Communication Paul Schnabel Cell Antenna
placement at 260 N Winooski Ave.pdf

3.06 Communication: TDI New England, re: TDI New England Files State Permit Application for The New England Clean Power Link

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and provide comments if any that will be submitted to TDI New England
and send copies to the BED Commission and the Board of Finance Members

Communication TDI New England.pdf

3.07 Communication: Jim Becker, Editor, re: [City Council] A blog on Burlington for senior visitors

Type: Action (Consent), Communication

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

Communication Jim Becker.pdf

3.08 Communication: James E. Knapp, Interim Director, Property Valuation and Review, State of Vermont, Department of Taxes, re: Notice of Tentative Redetermination of Equalized Education Property Value and Coefficient of Dispersion

Type: Action (Consent), Communication

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

Communication James E. Knapp State of
Vermont Department of Taxes.pdf

3.09 Communication: Amy Bovee, Executive Secretary re: Minutes, Board of Civil Authority Special Meeting, August 4, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Board of Civil Authority - Special Meeting



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3.10 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor Presiding, August 11, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, August 11, 2014, Contois Auditorium

3.11 Communication: Amy Bovee, Executive Secretary re: Minutes, Board of Civil Authority, August 11, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, August 11, 2014, Contois Auditorium

3.12 Communication: Amy Bovee, Executive Secretary re: Minutes, Regular City Council Meeting, August 11, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Regular City Council Meeting - Monday, August 11, 2014 - Contois Auditorium

3.13 Communication: Amy Bovee, Executive Secretary re: Minutes, Full Board of Abatement of Taxes, August 11, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Full Board of Abatement of Taxes Meeting - Monday, August 11, 2014 - Contois Auditorium

3.14 Communication: Amy Bovee, Executive Secretary re: Minutes, Local Control Commission, August 11, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Local Control Commission - Monday, August 11, 2014, Contois Auditorium, 7:00 p.m.



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**3.15 Communication: Amy Bovee, Executive Secretary re: Minutes, Regular City Council Meeting,
September 8, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 8, 2014

**3.16 Communication: Amy Bovee, Executive Secretary re: Minutes, Special City Council
Worksession, September 8, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Special City Council Worksession - Monday, September 8, 2014, 6:00 p.m.

**3.17 Communication: Amy Bovee, Executive Secretary re: Minutes, Local Control Commission,
September 8, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, September 8, 2014, 7:00 p.m.

**3.18 Communication: Amy Bovee, Executive Secretary re: Minutes, Full Board of Abatement of
Taxes, September 8, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Full Board of Abatement of Taxes - Monday, September 8, 2014

**3.19 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor
Presiding, September 8, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, September 8, 2014



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**3.20 Communication: Amy Bovee, Executive Secretary re: Minutes, Special City Council
Worksession, September 15, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Special City Council Worksession - Monday, September 15, 2014, 6:00 p.m. - 8:00 p.m.

**3.21 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor
Presiding, September 22, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, September 22, 2014

**3.22 Communication: Amy Bovee, Executive Secretary re: Minutes, Local Control Commission,
September 22, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, September 22, 2014

**3.23 Communication: Amy Bovee, Executive Secretary re: Minutes, Regular City Council Meeting,
September 22, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 22, 2014

**3.24 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council Meeting, October
6, 2014**

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council Meeting - Monday, October 6, 2014 - 7:00 p.m.



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3.25 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council Meeting, October 6, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting
item removed, duplicate of 3.24

View Minutes from City Council Meeting - Monday, October 6, 2014 - 7:00 p.m.

3.26 Communication: Amy Bovee, Executive Secretary re: Board of Civil Authority Meeting, October 20, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, October 20, 2014

3.27 Communication: Amy Bovee, Executive Secretary re: Minutes, Special City Council Worksession, October 20, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Special City Council Worksession - Monday, October 20, 2014, 6:00 p.m.

3.28 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council Meeting, October 20, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council Meeting - Monday, October 20, 2014 - 7:00 p.m.

3.29 Communication: Amy Bovee, Executive Secretary re: Minutes, Special Public Hearing re: Reforming Burlington's Permit System, October 27, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Special Public Hearing Re: Reforming Burlington's Permit System - Monday, October 27, 2014, 7:00 p.m., Contois Auditorium, City Hall



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3.30 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council Meeting, November 10, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council Meeting - Monday, November 10, 2014, 7:00 p.m., Contois Auditorium, City Hall

3.31 Communication: Amy Bovee, Executive Secretary re: Minutes, Local Control Commisison, November 10, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, November 10, 2014

3.32 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor Presiding, November 10, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, November 10, 2014, Contois Auditorium, City Hall

3.33 Communication: Amy Bovee, Executive Secretary re: Minutes, Board of Civil Authority, November 10, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, November 10, 2014

3.34 Communication: Amy Bovee, Executive Secretary re: Minutes, Special City Council Worksession, November 10, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, November 10, 2014



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3.35 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council Meeting, November 17, 2014

Type: Action (Consent), Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the March 9th City Council Meeting

 View Minutes from City Council Meeting - Monday, November 17, 2014 - 7:00 p.m. - Contois Auditorium, City Hall

3.36 Communication: Laurie Lemieux, Burlington Board of Electric Commissioners Clerk, re: Notice of Burlington Electric Commission Action re: Amendment to South Forty Solar PPA

Type: Action (Consent), Communication

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

 Amendment to South Forty Solar PPA.pdf

 Purchase Power Agreement Amendment.pdf

3.37 Moved to Deliberative Agenda as item 6.02 Communication: Kimberlee J. Sturtevant, Assistant City Attorney, re: Champlain College/Eagles Place LLC Construction Application Appeal

Type: Action, Communication

Recommended Action: approve the revised Settlement Agreement and project plans and authorize the City Attorney's Office and the City Departments to move forward on either the original Settlement Agreement and plans previously approved on September 8, 2014 or the revised Settlement Agreement and plans, whichever is best in the City Attorney's Office judgment, execute the necessary documents for either of those options and support the resolution during the court proceedings

 champlain eagle appeal communication.pdf

 City Council Memo re revisions 2-17-15.pdf

 August 2014 A-6 Elevations Mediated Settlement.pdf

 January 2015 revised A-6 Elevations Mediated Settlement.pdf

4. Committee Reports

4.01 Verbal Reports

Type: Information, Procedural

5. City Council - General Affairs

5.01 Verbal Reports

Type: Information, Procedural

6. Mayor - General Affairs



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6.01 Verbal Reports

Type: Information, Procedural

6.02 Removed

6.03 Communication: Kimberlee J. Sturtevant, Assistant City Attorney, re: Application of NYNEX Mobile Limited Partnership 1 and Cellco Partnership, each d/b/a Verizon Wireless, for a Certificate of Public Good, pursuant to 30 V.S.A. 248a for Installation of a Wireless Telecommunications Facility at 260 North Winooski Avenue (was consent agenda item 3.05)

Type: Action, Communication, Discussion, Information, Procedural

City Council ltr. 2-11-15.pdf

Communication Howard Dolan Verizon Wireless.pdf

Communication Paul Schnabel Cell Antenna placement at 260 N Winooski Ave.pdf

7. Expected Executive Session

7.01 Communication: Eileen Blackwood, City Attorney and Bob Rusten, CAO, re: Collective Bargaining (oral)

Type: Communication, Discussion, Information, Procedural

8. Adjournment

8.01 Motion to adjourn

Type: Action, Procedural