



## Regular City Council Meeting - Tuesday, February 17, 2015 - Contois Auditorium, City Hall - 7:00 p.m. - 2/17/2015

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

*Generated by Amy Bovee on Wednesday, February 18, 2015*

### **Members present**

Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul (phone), Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

**Also Present:** Mayor Miro Weinberger, CAO Bob Rusten, City Attorney Eileen Blackwood, Assistant City Attorney Kim Sturtevant, Amy Bovee, Lori Olberg, Clerk/Treasurer's Office, Peter Owens, CEO

### **Meeting called to order at 7:06pm**

#### 1. Agenda

Action, Procedural: 1.01 Motion to adopt/amend agenda

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 1.02 (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.

Motion by Chip Mason, second by Sharon Bushor.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Max Tracy, Joan Shannon, Rachel Siegel, Vince Brennan, Kurt Wright

Not Present At Vote: Karen Paul, Dave Hartnett

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

Councilor Bushor stated she believed that a project of this magnitude should be discussed openly on the deliberative



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agenda. She found the information about the neighbors joining the mediations and she appreciated that the changes were noted. She inquired if the parties have agreed since the time this was written. If there is not agreement, she inquired why. A project of this magnitude should take into account the concerns of the neighbors. Assistant City Attorney Sturtevant stated there was a supplemental communication that was drafted today. It discusses that there is potential agreement with minor additional language. They are hopeful that they will be able to move forward with that additional language. Peter Owens, CEDO, stated the neighbors and Champlain College were fine with that. There are a lot of parties involved and he believes they will be able to resolve this.

City Council President Shannon suspended discussion on this item to address public forum. City Council President Shannon resumed the discussion on this item after public forum.

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

Motion by Sharon Bushor, second by Jane Knodell.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

### **2. Public Forum**

Information, Procedural: 2.01 Public Forum: Time Certain 7:30 p.m.

City Council President Shannon opened the public forum at 7:26pm.

Ron Ruloff, Ward 3 Resident, spoke about the sale and development of the Burlington College land.

City Council President Shannon closed the public forum at 7:30pm.

### **3. Consent Agenda**

Action (Consent), Procedural: 3.01 Motion to adopt/amend consent agenda taking the actions as indicated

Adopt the Consent Agenda and Take the Actions Indicated



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Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Resolution: 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)

waive the reading and adopt the resolution

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright,

Action (Consent), Resolution: 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)

waive the reading and adopt the resolution

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication: 3.04 Communication: C/T Office, re: Accountability List

waive the reading, accept the communication and place it on file

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)



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Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Communication: 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

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

waive the reading, accept the communication, place it on file and provide comments if any that will be submitted to TDI New England

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

waive the reading, accept the communication and place it on file

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication: 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

waive the reading, accept the communication and place it on file

Motion by Sharon Bushor, second by Tom Ayres.





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Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon



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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.15 Communication: Amy Bovee, Executive Secretary re: Minutes, Regular City Council Meeting, September 8, 2014





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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.16 Communication: Amy Bovee, Executive Secretary re: Minutes, Special City Council Worksession, September 8, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.17 Communication: Amy Bovee, Executive Secretary re: Minutes, Local Control Commission, September 8, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.18 Communication: Amy Bovee, Executive Secretary re: Minutes, Full Board of Abatement of Taxes, September 8, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.



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Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.19 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor Presiding, September 8, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.20 Communication: Amy Bovee, Executive Secretary re: Minutes, Special City Council Worksession, September 15, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.21 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor Presiding, September 22, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon



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Action (Consent), Minutes: 3.22 Communication: Amy Bovee, Executive Secretary re: Minutes, Local Control Commission, September 22, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.23 Communication: Amy Bovee, Executive Secretary re: Minutes, Regular City Council Meeting, September 22, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.24 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council Meeting, October 6, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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



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Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.26 Communication: Amy Bovee, Executive Secretary re: Board of Civil Authority Meeting, October 20, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)



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Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Minutes: 3.32 Communication: Amy Bovee, Executive Secretary re: Minutes, City Council with Mayor



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Presiding, November 10, 2014

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

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

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



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Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action (Consent), Communication: 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

waive the reading, accept the communication and place it on file

Motion by Sharon Bushor, second by Tom Ayres.

Final Resolution: Motion Passes (roll call vote)

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Action, Communication: 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

#### **4. Committee Reports**

Information, Procedural: 4.01 Verbal Reports

Councilor Brennan reported on the Tax Abatement Committee.

Councilor Tracy reported on the Transportation, Energy, and Utilities Committee

Councilor Wright reported on the Parks, Arts and Culture Committee

#### **5. City Council - General Affairs**

Information, Procedural: 5.01 Verbal Reports

City Council President Shannon spoke about a problem with attendance on the Police Commission.

Councilor Bushor spoke on agenda item 3.03 and concerns that the TIF District will not be able to cover the debt and that the City will be held liable. She suggested they have more discussion with constituents.

Councilor Wright stated he will work to get in touch with the Police Commissioner. He spoke about the upcoming election.

Councilor Siegel spoke about an upcoming educational event for the non-citizen voting initiative. She also spoke about the hiring of a new Superintendent who is a non-US Citizen.

Councilor Colburn spoke about the 100,000 homes campaign.

#### **6. Mayor - General Affairs**



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Information, Procedural: 6.01 Verbal Reports

Mayor Weinberger spoke on the Burlington Early Learning Initiative Pilot Program, the 150th Burlington Celebration, and the upcoming Election.

6.02 Removed

Action, Communication, Discussion, Information, Procedural: 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)

Councilor Tracy stated neighbors abutting this property have had concerns about this. The issue is that there is a proposal to put cell phone towers on the building which was not originally planned with this building. This is considered through the Public Service Board rather than through the Planning Commission. He inquired what the public comment on this item was since it was not initially presented in the proposal for this building. City Attorney Blackwood stated there are representatives from Verizon. They filed with the Public Service board and the City had concerns. Verizon redesigned this and will re-file to start the process with the Public Service Board. The Planning Commission and the City Council have opportunity to comment. The Planning Commission did provide comments. The Council may add to this if they so choose. They have a notice of appearance in the existing proceedings. Brian Sullivan, Verizon, stated Verizon is seeking to expand its data capacity in Burlington. This application was filed with the Public Service Board last April. There was a 45 day notice period during which comments could be directed to the applicant. They did receive comments from two adjoining land owners and they replied to them. They met with the Planning Department and CEDO which resulted in the re-design. The re-design was presented with five options to the Planning Commission. The Planning Commission approved each option with a preference for one. They will then amend their application with the Public Service Board which will trigger a new comment period. The Planning Commission and City Council are statutory parties in the proceeding and may submit comments within 21 days of the filing of the application.

Councilor Colburn inquired if an individual can make comments during that time. City Attorney Blackwood stated the City Council has a specific role. There is nothing in the comment period that would prevent a Councilor working with Constituents from submitting a comment on their own. They would be addressed to the Public Service Board. Mr. Sullivan stated there will be instructions on how to communicate with the Public Service Board.

Waive the Reading, Accept the Communication and Place it on File

Motion by Max Tracy, second by Vince Brennan.

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianca Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

City Council President Shannon recessed the meeting to address the Board of Civil Authority meeting at 7:44pm. The



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meeting was reconvened at 7:52pm.

### **7. Expected Executive Session**

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

Finding that premature disclosure related to collective bargaining would put the City at a disadvantage

Motion By Chip Mason, Second by Sharon Bushor

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

Enter Executive Session

Motion by Sharon Bushor, Second by Kurt Wright

Final Resolution: Motion Passes

Aye: Tom Ayres, Norm Blais, Vince Brennan, Sharon Bushor, Selene Colburn, Dave Hartnett, Jane Knodell, Bianka Legrand, Chip Mason, Karen Paul, Rachel Siegel, Max Tracy, Kurt Wright, Joan Shannon

The Council exited executive session.

### **8. Adjournment**

Action, Procedural: 8.01 Motion to adjourn

Without objection, City Council President Shannon adjourned the meeting.