



February 07, 2022

## Regular City Council Meeting - Monday, February 7, 2022, 6:30 pm, REMOTELY via ZOOM

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

### 1. Agenda

#### 1.01 Motion to amend/adopt agenda

**Type:** Action, Procedural

**Recommended Action:** motion to amend/adopt agenda as follows: add to the consent agenda item 5.11 Communication: Sibylle Kim, re: Objection to Ch. 18 Ordinance Amendment on Short Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.12 Communication: Julie Marks, Director, Vermont Short Term Rental Alliance, re: Submission to the Burlington Public Record for the Public Hearing on Ordinance Changes Relating to Short-Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.13 Communication: VTSRA, re: Notice of Public Hearing on Burlington Code of Ordinances, Ch. 18 Short-Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.14 Communication: Amy Magyar, re: Short Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.15 Communication: Deb Ward Lyons, re: Short-Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.16 Communication: Matt and Leda, re: STR Feedback with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.17 Communication: Shanta Eastman and Ian Bleakney, re: In Support of Continuing Short Term Rentals for Seasonal Camps with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.18 Communication: Eric Zawadski, re: Burlington STR with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.19 Communication: Diana Carlisle, re: Short-Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.20 Communication: Anne Peter, re: Short-Term Rentals with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.21 Communication: Laurie Kotorman, re: Short-Term Rentals (STR's) with the action to "waive the reading, accept the communication and place it on file"; note proposed amendments for agenda item 6.02 Ordinance: Chapter 18. Housing-Short Term Rentals (per Assistant City Attorney per Councilor Magee); remove from the agenda item 6.02 and place it on the February 22, 2022 Deliberative Agenda (per Councilor Mason); note revised version, operational policy and updated motion for agenda item 6.04 Ordinance: PARKS -- Camping in Parks or Other Municipal Lands (Councilor Magee)(per Councilor Magee); add to the Deliberative Agenda item 6.05 Communication: City Redistricting and Consideration of Next Steps and timeline. The City Attorney and City Planner will address the Council on various redistricting issues, including timeline of process, and consideration of an initial, pre-mapmaking steps to gauge the Council's consensus on ward-size, configuration, number, and structure of representation. Expected Action: deliver feedback on redistricting questions and possible motion directing City staff to begin map making process. (per City Attorney Richardson)

### 2. Work Session Regarding City Council Decorum \*\*Start time: 6:30 pm\*\*

#### 2.01 Communication: City Attorney Richardson, re: City Council Decorum

**Type:** Communication, Discussion, Information

Memo posted by Jordan Redell on February 6 at 3:56 pm.

 [City Council Civility Memo.pdf](#)

### 3. Public Forum: time certain: 7:30 pm - 9:30 pm \*\*See item for signup instructions\*\*



February 07, 2022

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### 3.01 Verbal Comments

**Type:** Action, Information, Procedural

To participate in Public Forum via ZOOM sign up here: <https://www.burlingtonvt.gov/citycouncil/publicforum>

## 4. Climate Emergency Reports

### 4.01 Climate Emergency Reports

**Type:** Information

## 5. Consent Agenda

### 5.01 Motion to adopt the consent agenda (as amended) and take the actions indicated

**Type:** Action (Consent), Procedural

**Recommended Action:** motion to adopt the consent agenda and take the actions indicated

### 5.02 Communication: C/T Office, re: Accountability List

**Type:** Action (Consent), Communication, Information

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

Communication Accountability List 020722 cc  
mtg LO.xlsx

### 5.03 Communication: Bill Keogh, Member, Airport Commission, re: Resignation

**Type:** Action (Consent), Communication

**Recommended Action:** waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation to Bill Keogh thanking him for his time served as a member of the Airport Commission

Communication Bill Keogh Airport Commission  
Member re Resignation.pdf

### 5.04 Communication: Lenore Broughton, Member, Board for Registration of Voters, re: Resignation

**Type:** Action (Consent), Communication

**Recommended Action:** waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation to Lenore Broughton thanking her for her time served as a member of the Board for Registration of Voters

Communication Lenore Broughton BRV  
Member, re Resignation.pdf



February 07, 2022

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### 5.05 Communication: Caleb Manna, Excavation Inspector, DPW, re: VTRANS Highway Mileage Certificate Acceptance

**Type:** Action (Consent), Communication

**Recommended Action:** to accept the recorded mileage for the City of Burlington with the Vermont Agency of Transportation in the 2022 Highway Mileage Certificate, and authorize Chapin Spencer, Director of Public Works, to execute the certificate on behalf of City Council

2022 VTRANS Highway Mileage Cert  
Packet.pdf

BOF CC Checklist\_Jan2022.docx

### 5.06 Communication: Richard Haesler, Projects & Policy Specialist, CEDO, re: FY2021 City of Burlington TIF District Reports to the Vermont Economic Progress Council (VEPC)

**Type:** Action (Consent), Communication, Information

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

\*8note additional documents for this agenda item per Richard Haesler, posted on Monday, February 7, 2022, at 10:05 am, LO\*\*

Memo - VEPC Reports FY 2021 020721.docx

BurlingtonDowntown.FY2021AnnualReport-  
Final 020321.xlsx

BurlingtonWaterfront.FY2021AnnualReport  
(Final 020322).xlsx

Certification of Increment Form - Downtown  
TIF District 020722.pdf

Certification of Increment Form - Waterfront  
TIF District 020722.pdf

### 5.07 Communication: John Vickery, City Assessor, re: Form 411 (Final Grand List FY2022 summary, Tax Book Report Form 427, Error & Omissions List, and TIF Reports)

**Type:** Action (Consent), Communication, Information

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

FY2022 Final GL to SOV city council EandO,  
TIF Reports.pdf

### 5.08 Communication: James Sherrard, Stormwater Program Coordinator, DPW-Water Resources Division, re: Amendment Request for the Previously Approved Authorization to execute a construction contract for a Continuous Monitoring Adaptive Control (CMAC) Valve System with OptiRTC, Inc

**Type:** Action (Consent), Communication

**Recommended Action:** to ratify the expenditure of an additional \$7,425 for the installation of a valve at Englesby BrookPond and authorize the Director of Public Works to execute a construction contract amendmentwith OptiRTC , Inc. for the same, resulting in a total project cost of up to \$105,425, adjusted from theoriginal total project cost of \$98,000, subject to the prior review and approval of the City Attorney'sOffice

BOF-CC Memo\_Opti Amendment  
02.07.2022\_w Attachment.pdf

BOF CC Checklist\_Opti  
Amendment\_2.7.22.pdf



February 07, 2022

## Regular City Council Meeting - Monday, February 7, 2022, 6:30 pm, REMOTELY via ZOOM

### 5.09 Communication: Jeffrey A. Padgett, Division Director for Parking and Traffic, re: Authorization to Pay Transaction Fees--ParkMobile Parking Payment System

**Type:** Action (Consent), Communication

**Recommended Action:** to authorize the Director of the Department of Public Works to execute an amendment to the previously approved and executed contract with ParkMobile for digital parking permit and payment services, for up to \$25,000 in per-year transaction fees related to managing parking digital credentials for hotel guests that park in the Lakeview/College Street Garage Complex and up to \$66,000 per year to utilize the ParkMobile Reservation system to manage monthly parkers; for a total not to exceed \$233,000 through January 30, 2025, subject to review and approval by the City Attorney's Office

 BoF CC Checklist - ParkMobile Fee Changes - 2022 0107.pdf

 BOF CC Request Letter - ParkMobile Fee Changes - 2022 0207 final.pdf

### 5.10 Report: CSWD, re: FY21 Annual Report

**Type:** Action (Consent), Information, Report

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

 CSWD Annual Report FY21.pdf

### 5.11 Communication: Sibylle Kim, re: Objection to Ch. 18 Ordinance Amendment on Short Term Rentals

**Type:** Action (Consent), Communication

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

 Communication Sibylle Kim re Objection to Ch. 18 Ordinance Amendment on Short Term Rentals.docx

### 5.12 Communication: Julie Marks, Director, Vermont Short Term Rental Alliance, re: Submission to the Burlington Public Record for the Public Hearing on Ordinance Changes Relating to Short-Term Rentals

**Type:** Action (Consent), Communication

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

 BTV STR Ordinance Amendment Recommendation.pdf

### 5.13 Communication: VTSTRA, re: Notice of Public Hearing on Burlington Code of Ordinances, Ch. 18 Short-Term Rentals

**Type:** Action (Consent), Communication

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

 VTSTRA\_BurlingtonPublicHearing\_Submission\_020422.pdf



February 07, 2022

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### 5.14 Communication: Amy Magyar, re: Short Term Rentals

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**Type:** Action (Consent), Communication

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

Amy Magyar (Burlington Resident) STR  
Hearing February 6, 2022.pdf

### 5.15 Communication: Deb Ward Lyons, re: Short-Term Rentals

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**Type:** Action (Consent), Communication

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

2.7.22 STR Public Forum Deb Ward Lyons.pdf

### 5.16 Communication: Matt and Leda, re: STR Feedback

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**Type:** Action (Consent), Communication

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

Communication Matt and Leda re STR  
Feedback.pdf

### 5.17 Communication: Shanta Eastman and Ian Bleakney, re: In Support of Continuing Short Term Rentals for Seasonal Camps

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**Type:** Action (Consent), Communication

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

Communication Shanta Eastman and Ian  
Bleakney re In Support of Continuing Short Term  
Rentals for Seasonal Camps.pdf

### 5.18 Communication: Eric Zawadski, re: Burlington STR

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**Type:** Action (Consent), Communication

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

Communication Eric Zawadski re Burlington  
STR.pdf

### 5.19 Communication: Diana Carlisle, re: Short Term Rentals

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**Type:** Action (Consent), Communication

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

Communication Diana Carlisle re Short Term  
Rentals.pdf



February 07, 2022

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### 5.20 Communication: Anne Peter, re: Short-Term Rentals

**Type:** Action (Consent), Communication

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

 Communication Anne Peter, re Short - Term Rentals.pdf

### 5.21 Communication: Laurie Kotorman, re: Short-Term Rentals (STR's)

**Type:** Action (Consent), Communication

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

 STR letter.pdf

## 6. Deliberative Agenda

### 6.01 Public Hearing Regarding Ch. 18 Housing - Short Term Rentals

**Type:** Action, Public Hearing

**Recommended Action:** open the Public Hearingclose the Public Hearing

 Ch. 18 STR CC PH Notice for 2-7-2022.pdf

### 6.02 Ordinance: Chapter 18. Housing-Short Term Rentals (Office of City Planning, Department of Permitting and Inspections, Ordinance Committee, Councilor Shannon)(2nd reading) **\*\*AGENDA ITEM REMOVED AND WILL BE ON THE 2/22 CITY COUNCIL DELIBERATIVE AGENDA\*\***

**Type:** Action, Ordinance - Second Reading

**Recommended Action:** waive the second reading and adopt the ordinance

**\*\*note proposed amendments for this agenda item per Assistant City Attorney Sturtevant per Councilor Magee , posted on Monday, February 7, 2022, at 10:07 am, LO**

 Ch. 18 Short Term Rentals Ordinance Host Occupied for CC 2-2-22.pdf

 Ch. 18 Short Term Rentals Ordinance--CC Sec. 8 Voucher alt.-Councilor Magee 2-6-22.pdf

 ZA-20-05 STR Memo for CCPH 1-25-22 mtg.pdf



February 07, 2022

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### 6.03 Resolution: Request For 2.975M In American Rescue Plan Funds To Address And Ameliorate Homelessness In The City Of Burlington And To Create The Position Of Special Assistant To End Homelessness. (Councilors Carpenter, Hightower, Magee)

**Type:** Action, Resolution

**Recommended Action:** waive the reading and adopt the resolution

Resolution - CEDO - ARPA Funds to Address Homelessness and Create Position of Special Assistant to End Homelessness (FINAL).pdf

BoF\_City Council\_Checklist\_ARPA\_Funding\_Request.pdf

2022.02.07 Memo ARPA and CEDO Position Creation Final.docx

Signed CC Resolution Request For 2.975M In American Rescue Plan Funds To Address And Ameliorate Homelessness In The COB And To Create The Position Of Special Assistant To End Homelessness.pdf

### 6.04 Ordinance: PARKS -- Camping in Parks or Other Municipal Lands (Councilor Magee)

**Type:** Action

**Recommended Action:** Motion to direct the Public Safety and Community Development and Neighborhood Revitalization (CNDP) Committees to conduct a joint meeting to review the proposed amendments to BCO 22-7 (camping policy) and to report their findings back to the City Council by first City Council meeting in March 2022.

\*\*note revised version, operational policy and updated motion for this agenda item per Councilor Magee, posted on Monday, February 7, 2022, LO\*\*

## FINAL Motion per Councilor Magee, posted on Monday, February 7, 2022, at 6:50 pm, LO\*\*

Move to request that CDNR by March begin a community review of the proposed ordinance and operational policies related to camping on municipal lands, seeking input from a variety of stakeholders, and at the same time, the City Attorney's office shall lead a review of the proposed ordinance on Camping in Parks or Other Municipal Lands, and submit to the City Council a report on the benefits, precedents, and possible concerns about the changes in comparison to our current policies by April 15.

**Updated Motion:** "move to consider this first reading and refer the revised version and attached documents posted to BoardDocs to the Ordinance Committee."

Ordinance - Councilor Magee - B.C.O. Ch. 22-7 - Camping (FINAL - REVISED).pdf

Ordinance - Councilor Magee - B.C.O. Ch. 22-7 - Camping (FINAL).pdf

Operational policy to address camping in high sensitivity or prohibited areas.doc



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**6.05 Communication: City Redistricting and Consideration of Next Steps and timeline.** The City Attorney and City Planner will address the Council on various redistricting issues, including timeline of process, and consideration of an initial, pre-mapmaking steps to gauge the Council's consensus on ward-size, configuration, number, and structure of representation.

**Type:** Action, Communication

**Recommended Action:** Expected Action: deliver feedback on redistricting questions and possible motion directing City staff to begin map making process.

## 7. Committee Reports

### 7.01 Verbal Reports

**Type:** Information, Procedural

## 8. City Council - General Affairs

### 8.01 Verbal Reports

**Type:** Information, Procedural

## 9. City Council President - Council Updates

### 9.01 Verbal Reports

**Type:** Information, Procedural

## 10. Mayor - General Affairs

### 10.01 Verbal Reports

**Type:** Information, Procedural

## 11. Adjournment

### 11.01 Motion to adjourn

**Type:** Action, Procedural

**Recommended Action:** motion to adjourn

## 12. Informational and Non-Discrimination Statements



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**12.01 This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142). Persons with disabilities, who require assistance or special arrangements to participate are encouraged to contact 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV the Wednesday after the meeting starting at 8:00 pm and repeating at 1:00 am and 7:00 am the following day. 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.**

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**Type:** Information