



February 06, 2023

Regular City Council Meeting - Monday, February 6, 2023, 5:30 pm, Contois Auditorium OR 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

2. Communications re Trudo et al. Litigation and BPD personnel/contractual matters/labor relations agreements (verbal) **expected executive sessions**

2.01 Communication: Assistant City Attorney Jared Pellerin and Attorney Tom Simon, re Trudo et al. Litigation *5:30 pm - 6:15 pm*

Type: Action, Communication, Discussion, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of pending litigation, Trudo et al. v. City of Burlington et al., to which the City is a party or has a stated interest would clearly place the City at a substantial disadvantage; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA §313(a)(1)(F), in a pending civil litigation matter, 1 VSA §313(a)(1)(E).

2.02 Communication: Assistant City Attorney Jared Pellerin and Attorney John Maitland, re BPD personnel/contractual matters/labor relations agreement (verbal) *6:30 pm - 7:15 pm*

Type: Action, Communication, Discussion, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of information concerning BPD personnel/contractual matters/labor relations agreements would clearly place the City at a substantial disadvantage because the discussion will involve sensitive personal and/or confidential information and the Council must receive confidential attorney-client communications regarding the matter; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential communications regarding BPD personnel/contractual matters/labor relations agreements in the form of an attorney-client communication under the provisions of 1 VSA §313(a)(1)(B) and (F).

3. Public Forum: Time Certain: 7:30 pm **See item for signup instructions**

3.01 Verbal Comments

Type: Action, Information, Procedural

To participate in Public Forum in person sign up at the meeting. To participate in Public Forum via ZOOM sign up here: <https://www.burlingtonvt.gov/citycouncil/publicforum> Do not sign up in person and via Zoom - select one only

4. Climate Emergency Reports (5 - 10 mins.)

4.01 Climate Emergency Reports

Type: Information



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5. Consent Agenda

5.01 Motion to adopt the consent agenda 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: CT Office, re: Accountability List

Type: Action (Consent), Communication, Information

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

Accountability List for 020623 CC LO.xlsx

5.03 Communication: CT Office, re: December 5, 2022 Full Board of Abatement of Taxes Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Full Board of Abatement of Taxes Meeting - Monday, December 5, 2022, Contois Auditorium

5.04 Communication: CT Office, re: December 5, 2022 Board of Civil Authority Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, December 5, 2022, Contois Auditorium

5.05 Communication: CT Office, re: December 5, 2022 Regular City Council Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, December 5, 2022, 5:30 pm, Contois Auditorium



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5.06 Communication: CT Office, re: December 12, 2022 Local Cannabis Control Commission Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Local Cannabis Control Commission Meeting - Monday, December 12, 2022, Contois Auditorium

5.07 Communication: CT Office, re: December 12, 2022 City Council With Mayor Presiding Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, December 12, 2022, Contois Auditorium

5.08 Communication: CT Office, re: December 12, 2022 Board of Civil Authority Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, December 12, 2022, Contois Auditorium

5.09 Communication: CT Office, re: December 12, 2022 Regular City Council Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, December 12, 2022, 6:00 pm, Contois Auditorium

5.10 Communication: CT Office, re: January 9, 2023 Local Control Commission Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, January 9, 2023, Contois Auditorium



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5.11 Communication: CT Office, re: January 9, 2023 Regular City Council Meeting Minutes, Draft

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

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the January 23, 2023 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Monday, January 9, 2023, 5:30 pm, Contois Auditorium

5.12 Reclassification of Payroll Administrator I to Payroll Administrator II - HR/CT

Type: Action (Consent)

Recommended Action: to approve the reclassification and retitling of the Payroll Administrator I, a Regular, Full-Time, NonExempt, AFSCME, Grade 15, role in the Payroll office to a Payroll Administrator II, a Regular, FullTime, Non-Exempt, AFSCME, Grade 17

 ReclassificationPayrollII (2).pdf

 BOF CC Checklist - 130final.docx

5.13 Reorganization: Move of Payroll Services from CT Office to HR - CT/HR

Type: Action (Consent)

Recommended Action: Move to approve and authorize the reorganization of the City of Burlington Payroll Services from being an entity of the Clerk/Treasurer's Office with a direct report to the City's Director of Financial Operations, to being an entity of the City's Human Resources Department with a direct report to the Human Resources Director, by amending the job descriptions of the following positions as necessary to reflect such change and at the discretion of the Human Resources Director: ☐ Payroll and Compliance Manager, Non-Union, Grade 21 ☐ Senior Payroll & Retirement Administrator, AFSCME, Grade 18 ☐ Payroll Administrator II, AFSCME, Grade 17 ☐ Payroll Administrator I, AFSCME, Grade 15

 Payroll Transition Memo and Motion Final.pdf

5.14 CEDO, Community Justice Center - Reclassification of Limited Service Position, Youth and Family Restorative Liaison - CEDO - CJC

Type: Action (Consent)

Recommended Action: move to approve the reclassification of the Youth and Family Restorative Liaison, a Limited Service, full-time, Non-Exempt, Non-Union, Grade 15 position to a Limited Service, full-time, Non-Exempt, Non-Union, Grade 16 position, retroactive to Oct. 1, 2022

 Memo to reclassify Youth and Family Liaison_January 2023.docx

 Checklist for VL reclass_Jan 2023.docx

 Youth and Family Restorative Liaison reclass.doc

 Youth and Family Restorative Liaison.doc



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5.15 Reclassifications and Retitling Requests - Police/HR

Type: Action (Consent)

Recommended Action: To accept the Board of Finance recommendation and approve the following :□ The elimination of one vacant Community Service Officer, a Regular, Full-time, NonExempt, AFSCME, Grade 15 position and create a Community Service Manager, a Regular, Full-time, Exempt, Non-Union, Grade 18, position.□ The reclassification of the Criminal Identification Technician, a Regular, Full-time, NonExempt, AFSCME, Grade 15 position to Criminal Identification Technician, a Regular, Full-time, Non- Exempt, AFSCME, Grade 18 position.□ The reclassification and retitling of the Executive Assistant to the Officer in Charge, a Regular, Full-time, Exempt, Non-union, Grade 15 position to Uniform Bureau Support & Administrative Coordinator, a Regular, Full-time, Exempt, Non-Union, Grade 16, position.

 BoF packet - reclassifications 01.26.23.pdf

5.16 Red Stone Cottage Restoration Contract Amendment - BPRW

Type: Action (Consent)

Recommended Action: to approve and authorize Cindi Wight, Director of Parks & Recreation, to amend the contract with Farrington Construction for restoration services to Redstone Cottage to increase the maximum limiting amount by an additional \$55,109, for a price not to exceed \$694,520 and an additional project contingency of \$5,511, for a total authorized expenditure not to exceed \$729,948, and to execute any related documents needed to carry out the project, subject to the review of the City Attorney's Office

 BOF CC Checklist_Red Stone Cottage.docx

 20230130 Red Stone Cottage_BOF
Memo_Final.pdf

5.17 Communication re Ward 2/3 NPA Resolution to Name the New Shelburne Street Roundabout After Tony Redington and Ward 2/3 NPA Resolution in Support of Big Heavy World Teen Center Proposal for Memorial Auditorium

Type: Action (Consent), Communication

Recommended Action: waive the reading and refer the communication to the TEUC and CDNR Committees, respectively, for further review and engagement

 Wards 2-3 NPA Resolutions.docx

5.18 Assessor's office final grand list reports - City Assessor

Type: Action (Consent), Communication

Recommended Action: waive the reading and place the communication on file

 Final FY2023 GL 411 427 ErrorOmissions,all
Tif Reports.pdf



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5.19 FY 2022 City of Burlington TIF District Reports to the Vermont Economic Progress Council (VEPC) - Richard Haesler and John Vickery

Type: Action (Consent), Information

Recommended Action: waive the reading and place it on file

 Certification Memo - Annual VEPC Reports - Haesler & Vickery 020123.pdf

 BurlingtonDowntown.FY2022AnnualReport_Final_2.1.2023.xlsx

 BurlingtonWaterfront.FY2022AnnualReport.02.01.xlsx

 Certification Form - Downtown TIF - FY 22.pdf

 Certification Form - Waterfront TIF - FY 22.pdf

 DWTN_FY22_RC_Consultants_1-31-2023.pdf

 FY22_WTF-RC_ProfCons_Breakdown_1-31-2023.pdf

5.20 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Documents.pdf

5.21 Resolution: Authorization For The Sale Of 118 N Champlain Street By The Burlington Board Of School Commissioners (Councilor Paul)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Resolution re Authorization for Sale of 118 N. Champlain 2-2-23.pdf

 Signed CC Resolution Authorization For The Sale Of 118 North Champlain Street By The Burlington Board Of School Commissioners.pdf

6. Deliberative Agenda

6.01 Tobacco License Application (2023-2024): Pearl Street Pipe and Beverage, 240 Pearl Street

Type: Action

Recommended Action: approve the 2023-2024 Tobacco License Application for Pearl Street Pipe and Beverage, 240 Pearl Street

 Tobacco License Application Pearl Street Pipe and Beverage.pdf



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6.02 Tobacco Substitute Endorsement Application (2023-2024): Kampus Kitchen, 273 Colchester Avenue

Type: Action

Recommended Action: approve the 2023-2024 Tobacco Substitute Endorsement Application for Kampus Kitchen, 273 Colchester Avenue

 Tobacco Substitute Endorsement Kampus Kitchen 273 Colchester Avenue.pdf

6.03 Tobacco License Application and Tobacco Substitute Endorsement Application (2023-2024): Grass Queen, 71 South Union Street

Type: Action

Recommended Action: approve the 2023-2024 Tobacco License Application and Tobacco Substitute Endorsement Application for Grass Queen, 71 South Union Street

 Tobacco License Application and Tobacco Substitute Endorsement Grass Queen, 71 South Union Street.pdf

6.04 Tobacco License Application and Tobacco Substitute Endorsement Application (2023-2024): Artisan Vapor Company, 16-18 Pearl Street

Type: Action

Recommended Action: approve the 2023-2024 Tobacco License Application and Tobacco Substitute Endorsement Application for Artisan Vapor Company, 16-18 Pearl Street

 Tobacco License Application and Tobacco Substitute Endorsement Artisan Vapor Company, 16 - 18 Pearl Street.pdf

6.05 Ordinance: Comprehensive Development Ordinance ZA-23-01 South End Innovation District Overlay (Office of Planning, Planning Commission)(1st reading) (20 mins.)

Type: Action, Ordinance - First Reading

Recommended Action: consider this first reading and refer it to the Ordinance Committee

note presentation slides for this agenda item per Charles Dillard, posted on Tuesday, February 7, 2023, at 11:52 am, LO

 ZA-23-01 SEID Appendix A Amendments For CC 2-2-23.pdf

 20230120_ZA-23-01_Memo_CC.pdf

 SEID_CCPresentation_20230206.pdf

 ZA-23-01 SEID Amendment CC 1st read 2-2-23.pdf

 PC Letter to CC ZA-23-01.pdf



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6.06 Resolution: Supporting More Public Input On Police Oversight And Accountability Upon Defeat Of The Ballot Initiative On A Community Control Board (Councilors Traverse, Barlow, Brandt, Carpenter, Paul, Shannon) (30 mins.)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note written communication from Mayor Miro Weinberger (per COS Redell) posted on Monday, February 6, 2023, at 4:03 pm, LO

Resolution - Traverse SUPPORTING MORE PUBLIC INPUT ON POLICE OVERSIGHT AND ACCOUNTABILITY UPON DEFEAT OF BALLOT INITIATIVE ON COMMUNITY CONTROL BOARD - FINAL.pdf

2-2-23 Police Control Board Proposed Charter Change.pdf

Signed CC Resolution Supporting More Public Input On Police Oversight And Accountability Upon Defeat Of The Ballot Initiative On A Community Control Board.pdf

7. Committee Reports (up to 15 mins.)

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs (up to 15 mins.)

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates (up to 5 mins.)

9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs (up to 10 mins.)

10.01 Verbal Reports

Type: Information, Procedural



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11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements

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.

Type: Information