



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

 [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: note written materials for consent agenda item 3.17 Resolution: Reclassification Of Chief Of Staff, Mayoral Communications And Projects Coordinator, And Administrative Coordinator Positions In The Mayor's Office (Board of Finance); add to the consent agenda item 3.18 Communication: Michael Trombley, re: 75 Maple Street proposed re-zoning with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 3.19 Resolution: Finalization And Availability Of Annual City Audit For FY 18 (Board of Finance) with the action to "waive the reading and adopt the resolution" (per CAO Anderson); remove from the agenda item 4.01 Presentation: Gillian Newton, CEDO and Kevin Hively, principal at Ningrent Partners, re: The Neighborhood Project Final Report November 2018 (10 mins.); note sponsor, title change and written materials for agenda item 4.06 Resolution: March 5, 2019 Annual City Meeting - Amendments To Charter Changes To Strengthen And Restructure Downtown Improvement District (Councilor Roof); note written communications regarding agenda item 4.08 Resolution: March 5, 2019 Annual City Meeting -- Advisory Ballot Question re: City Hall Park (per Cindi Wight and COS Redell); amend agenda item 4.09 to remove ZA-18-08 Form District 5 Boundaries from the public hearing regarding proposed amendments to Burlington Comprehensive Development Ordinance (per Comprehensive Planner Tuttle); remove from the agenda item 4.11 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Form District 5 Boundaries ZA #18-08 (per Comprehensive Planner); amend motion for agenda item 4.13 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Density Calculations ZA #19-05 (Planning Department, Planning Commission; Ordinance Committee "to suspend the rules, waive all requirements for first and second readings and referral to the Ordinance Committee, and adopt ZA 19-05 (per Assistant City Attorney Sturtevant); add to the agenda item 4.14 Resolution: March 5, 2019 Annual City Meeting-- Increase In Maximum Tax Rate For General City Purposes Authorized (Board of Finance); note revised version of this agenda item and written materials (per CAO Anderson)

2. Public Forum: time certain: 7:30 pm

2.01 Verbal Comments

Type: Information, Procedural

3. Consent Agenda

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

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the actions as indicated: add to agenda item 3.18 Communication: Michael Trombley, re: 75 Maple Street proposed re-zoning with the action to "waive the reading, accept the communication and place it on file"; add to the agenda item 3.19 Resolution: Finalization And Availability Of Annual City Audit For FY18 (Board of Finance) with the action to "waive the reading and adopt the resolution" (per CAO Anderson)



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

3.02 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 012819 cc
mtg LO.xlsx

3.03 Communication: Rob Green, Assistant Director DPW, re: ReUse Zone update

Type: Action (Consent), Communication

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

FreeZone update to CC.doc

3.04 Communication: Greg Johnson, Water Resources Infrastructure Asset Manager and Martin Lee, Water Resources Engineer, DPW, re: Request for Approval to Execute Contract Documents for Cured in Place Lining portions of Stormwater Collection System

Type: Action (Consent)

Recommended Action: to authorize the Director of Public Works to execute a contract with Green Mountain Pipeline Services, LLC for cured in place pipe relining of stormwater pipes for \$122,530, with an additional authorization to amend the contract and expend contingency funds for an additional \$20,000 if contingency funds are needed to complete the project, provided that all these authorizations are contingent on the contract and any amendment thereto having the prior approval of the City Attorney and Chief Administrative Officer

1 - BOF CC Memo - Stormwater Bids
01-21-19.docx

2 - bid Tabulation.pdf

BoF_CC_Checklist Stormwater Lining.pdf

3.05 Communication: David E. White, FAICP, Interim Director, CEDO, re: Memorial Auditorium Update

Type: Action (Consent), Communication, Information

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

MemorialCouncilMemo201910121.pdf

3.06 Communication: Stephanie Reid, Acting Human Resources Director and Beth Anderson, Chief Administrative Officer, re: Recommendation - Step placement Traci Paquette, Accounts Receivable and Receipts Specialist, Clerk/Treasurer's Office

Type: Action (Consent), Communication

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

step placement Traci Paquette January 2019 -
CC.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

3.07 Communication: C/T Office, re: Preliminary FY18 General Fund Audit Results

Type: Action (Consent), Communication, Information

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

Revised GF Performance FYE 2018.xlsx

3.08 Communication: Richard Bragg, re: City Hall Park design question

Type: Action (Consent), Communication

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

Communication Richard Bragg re City Hall
Park design question.pdf

3.09 Communication: Ron Ruloff, re: PF 1/22/19 Cathedral Square

Type: Action (Consent), Communication, Information

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

Communication Ron Ruloff re PF 12219
Cathedral Square.pdf

3.10 Communication: Gene Bergman, 102 St. Louis Street, re: January 22, 2019 Public Hearing Objections to the DID Charter Change

Type: Action (Consent), Communication, Information

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

Communication Gene Bergman PH 12219
Objections to the DID Charter Change .pdf

3.11 Communication: Adam Roof, re: 1/22/19 Proposed Changes to Proposed DID Charter Amendments PH

Type: Action (Consent), Communication, Information

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

Communication Adam Roof 12219 Proposed
Changes to Proposed DID Charter
Amendments.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

3.12 Communication: Martha Keenan, CIP Manager, Department of Public Works, re: Disposal of Furniture - City Hall

Type: Action (Consent)

Recommended Action: to approve and authorize the Department of Public Works to dispose of furniture , valued at less than \$1,000, from the CT and CEDO offices at City Hall and donate such furniture to Resource or Chittenden Solid Waste on behalf of the City of Burlington

 BoF_CC_Checklist Disposal of Assets
1-28-19.pdf

 MEMORANDUM furniture disposal
1-28-19.pdf

3.13 Communication: Megan Moir, Assistant DPW Director Water Resources, re: Authorization to Execute Contracts for Emergency Water and Sewer Main repairs

Type: Action (Consent)

Recommended Action: to authorize the Director of Public Works to execute emergency contracts with qualified water resources excavation contractors on an as needed basis for amounts that, in total, do not to exceed \$200,000, subject to review and approval by the Chief Administrative Officer and City Attorney

 BOF_Approval_Emergency_WR_Excavation_Con
tracts_FINAL.pdf

 BoF_CC_Checklist_EmergencyWRExcavationCo
ntracts.pdf

3.14 FIO Documents

Type: Action (Consent), Information

Recommended Action: for information only

 FIO Document.pdf

 FIO Document 2.pdf

 FIO Document 3.pdf

3.15 Resolution: Adoption Of Amended Bylaws For Citizens' Advisory Committee Of Community Justice Center (CEDO) To Include A Renaming Of The Body To Community Advisory Board (Councilor Knodell)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 CAC By-Laws_Proposed
Amendments_Jan2019_wotc.pdf

 CC Memo re CJC By Laws
Amendment_Jan2019.pdf

 CEDO - Adoption of Amended Bylaws for
Community Justice Center's Citizens' Advisory
Board & Renaming of Board.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

3.16 Resolution: City Personnel Policy: Approval Of Updates To Section 4.4 b Limited Service Employee, Benefits and Section 6.3 Holiday Leave (Institutions/Human Resources Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Full packet - Updating Policies 4.4 Limited Service Employee and 6.3 Holiday Leave - CC.pdf

HR - Personnel Policy - Updates to Compensation Plan, Sections 4.4 b. and 6.3.pdf

3.17 Resolution: Reclassification Of Chief Of Staff, Mayoral Communications And Projects Coordinator, And Administrative Coordinator Positions In The Mayor's Office (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

note written materials for this agenda item, posted on Friday, January 25, 2019, at 10:45 am, LO

HR - Mayor's Office - Reclassification of Chief of Staff, Communications & Projects Coordinator and Administrative Coordinator Positions.pdf

1-24-19 Mayor's Office re-org packet.pdf

Mayor's office re-org checklist.pdf

3.18 Communication: Michael Trombley, re: 75 Maple Street proposed re-zoning

Type: Action (Consent), Communication

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

Communication Michael Trombley re 75 Maple Street proposed re-zoning.pdf

3.19 Resolution: Finalization And Availability Of Annual City Audit For FY18 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Treasurer - Finalization and Availability of Annual City Audit for FY18.pdf

4. Deliberative Agenda

4.01 Presentation: Gillian Nanton, CEDO and Kevin Hively, principal at Ningrent Partners, re: The Neighborhood Project Final Report November 2018 (10 mins.) **AGENDA ITEM REMOVED**

Type: Action, Information, Presentation

Neighborhood Project Final Report Ninigret Partners 01.04.2019.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

4.02 Public Hearings Regarding Charter Changes March 5, 2019 Annual City Meeting

Type: Action, Public Hearing

Recommended Action: open public hearings close public hearings

WARNING 2019 - Notice of 1st and 2nd Public Hearings on Proposed Charter Amendments (3-05-19).pdf

4.03 Charter Changes To Eliminate Business Personal Property Tax

Type: Public Hearing

March 5, 2019 ACM - Charter Changes to Eliminate Business Personal Property Tax Signed CC Resolution.pdf

4.04 Charter Changes To Create Department Of Permitting & Inspections And Make Zoning Administrator And Planning Director Mayoral Appointments

Type: Public Hearing

March 5, 2019 ACM - Charter Changes to Create Dept of Permitting & Inspections & Make Zoning Administrator & Planning Director Mayoral Appts Signed CC Resolution.pdf

4.05 Charter Changes To Strengthen And Restructure Downtown Improvement District (Revised)

Type: Public Hearing

DPW DID Memo to Council 1-23-19 Final.pdf

Communication Adam Roof 12219 Proposed Changes to Proposed DID Charter Amendments.pdf

March 5, 2019 ACM - Charter Changes to Strengthen and Restructure Downtown Improvement District (Revised) Signed CC Resolution.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

4.06 Resolution: Charter Change re: Downtown Improvement District With Incorporated Changes

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note title change and written materials for this agenda item per City Attorney's Office****

Resolution: March 5, 2019 Annual City Meeting - Amendments To Charter Changes To Strengthen And Restructure Downtown Improvement District (Councilor Roof)

Charter Changes - Amendments to Charter Changes to Strengthen and Restructure Downtown Improvement District (3-5-19 Annual City Meeting).pdf

WARNING 2019 – Official Copy of Charter Change No. 3 (As Amended at Public Hearing on 1-22-19 (3-05-19).pdf

Letter of Support re DID to the Burlington City Council - 1 28 2019.pdf

Proposed amendments to charter change to strengthen and restructure DID. 1 22 19.pdf

4.07 Resolution: Determination Of Need For Concise Summary Of Charter Change Amendments On Ballots And In The Warning (Charter Change Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Clerk - Charter Change Amendments - Determination of Need for Concise Summary (Attachment).pdf

Clerk - Charter Change Amendments – Determination of Need for Concise Summary on Ballots & in the Warning (3-05-19 Annual City Meeting).pdf

4.08 Resolution: March 5, 2019 Annual City Meeting -- Advisory Ballot Question re: City Hall Park (Councilors Dieng, Knodell, Pine, Tracy, Bushor)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note written communication regarding this agenda item per Cindi Wight, posted on Friday, January 25, 2019, at 10:44 am, LO****

****note written communications regarding this agenda item per COS Redell, posted on Friday, January 25, 2019, at 11:33 am, LO****

Advisory Ballot Question re City Hall Park (3-05-19 Annual City Meeting).pdf

1-23-19 City Attorney Communication regarding petition questions for ballot items.pdf

Parks Commission City Hall Park Letter to Councilors January 2019.pdf

City Hall Park_Department Heads.pdf

CC-Staff Briefing CHP Advisory Ballot Item 1_24_19.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

4.09 Public Hearings Regarding Proposed Amendments to Burlington Comprehensive Development Ordinance: ZA-18-07 Conditional Use Exemptions; ZA-18-08 Form District 5 Boundaries; ZA-19-02 Residential Density and ZA-19-05 Density Calculations

Type: Action, Public Hearing

Recommended Action: open public hearingsclose public hearings

****Remove ZA-18-08 Form District 5 Boundaries from the public hearings per Meagan Tuttle****

 ZA 18-07, 8 and 19-02, 5 CC PH Notice for 1-28-19.docx

4.10 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Conditional Use Exemptions ZA #18-07 (Planning Department, Planning Commission; Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

 CH117 report_Conditional Use.pdf

 Explanatory memo to city council ZA.18.07 for 1.28.19 PH.pdf

 Zoning Amendment – ZA #18-07 Conditional Use Exemption, Sec. 3.5.3.docx.pdf

4.11 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Form District 5 Boundaries ZA #18-08 (Planning Department, Planning Commission; Ordinance Committee)(2nd reading)

****AGENDA ITEM REMOVED****

Type: Action, Ordinance - Second Reading

Recommended Action: hold second read and public hearing, will postpone action on adoption until a future meeting

****this agenda item has been removed per Meagan Tuttle****

 CH117 report_FD5 Boundaries.pdf

 ZA-18-08 Council Explanatory Memo for PH.pdf

 Updated Map Package for CC PH 01092019.pdf

 Zoning Amendment - ZA #18-08 Form District 5 Boundaries (Map Attachment).pdf

 Zoning Amendment – ZA #18-08 Form District 5 Boundaries, Maps 4.3.1-1, 4.4.1-1, 4.4.5-1, 8.1.3-1, Sec. 14.2, Maps 1, 2 and 3.docx.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

4.12 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Residential Density: Additional Unit to Multifamily ZA #19-02 (Planning Department, Planning Commission; Ordinance Committee) (2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

**Note amended action for this agenda item per Councilor Mason:

hold second read and public hearing, will postpone action on adoption until a future meeting

 CH117 report_AdditionalResidential Unit in RL.pdf

 Zoning Amendment – ZA #19-02 Residential Density - Additional Unit to Multifamily, Sec. 4.4.5(d)5.A..docx.pdf

 Explanatory memo to city council ZA.19.02 for 1.28.19 PH.pdf

4.13 Resolution: March 5, 2019 Annual City Meeting - Increase In Maximum Tax Rate For General City Purposes Authorized (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution
materials added by CAO 1/25/2019

**note revised version of this agenda item per CAO Anderson **

 Treasurer—Increase in Maximum Tax Rate for General City Purposes Authorized (3-05-19 Annual City Meeting) REVISED.pdf

 Projected Budget Needs 01 28 2019.pdf

 Treasurer—Increase in Maximum Tax Rate for General City Purposes Authorized (3-05-19 Annual City Meeting).pdf

 Memo_FY20 Budget and Tax Rate_01 28 2019 F.pdf

 Use of UAFB to Reduce FY20 Tax Increase UPDATED.pdf

 Use of UAFB to Reduce FY20 Tax Increase OLD.pdf



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

4.14 Ordinance: COMPREHENSIVE DEVELOPMENT ORDINANCE - Density Calculations ZA #19-05 (Planning Department, Planning Commission; Ordinance Committee)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

**amend action for this agenda item per Assistant City Attorney Sturtevant:

"to suspend the rules, waive all requirements for first and second readings and referral to the Ordinance Committee, and adopt ZA 19-05"

CH117 report_Density Calculations_Oct2018.pdf

Zoning Amendment – ZA #19-05 Density Calculations, Sec. 5.2.7 (originally proposed as #18-04).docx.pdf

Explanatory memo to city council ZA.19.05 for 1.28.19 PH.pdf

5. Committee Reports

5.01 Verbal Reports

Type: Information, Procedural

6. City Council - General Affairs

6.01 Verbal Reports

Type: Information, Procedural

7. City Council President - Council Updates

7.01 Verbal Reports

Type: Information, Procedural

8. Mayor - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. Adjournment



January 28, 2019

Regular City Council Meeting - Monday, January 28, 2019, 7:00 pm, Contois Auditorium, City Hall

9.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

10. Informational and Non-Discrimination Statements

10.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 711 (Deaf/Hard of Hearing) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(Deaf/Hard of Hearing 711)

Type: Information

10.02 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.

Type: Information