



Regular City Council Meeting - Monday, January 26, 2015 - Contois Auditorium, City Hall - 1/26/2015

Regular City Council Meeting - Monday, January 26, 2015 - Contois Auditorium, City Hall - (Monday, January 26, 2015)

Generated by Lori Olberg on Friday, January 30, 2015

Members present

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, Dave Hartnett (arrived late)

Also Present

Mayor Miro Weinberger, City Attorney Eileen Blackwood, CAO Bob Rusten, Senior Assistant City Attorney Eugene Bergman, ACAO Rich Goodwin

Meeting called to order at 7:17 PM

1. Agenda

Action, Procedural: 1.01 Motion to adopt/amend agenda

motion to adopt/amend agenda.

Note attachment for agenda item 5.06 (per City Attorney's Office); remove from the consent agenda item 3.23 and place it on the deliberative agenda as item 7.02 (per Councilor Knodell) and remove from the consent agenda item 3.22 and place it on the deliberative agenda as item 7.03 (per Councilor Bushor)

Motion by Chip Mason, second by Sharon Bushor

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

2. CCTA Update: General Manager Karen Walton, Nate Bergeron, Chief Steward and CCTA Representative Chapin Spencer (oral)(10-15 mins.)

Information, Procedural: 2.01 Verbal Reports

Chapin Spencer, CCTA Commissioner, stated they did an after action report and a relationships by objective training after



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the strike. As a result of this, the Board has set up an Operations Committee to make sure they are being more attentive to operational issues. They have reviewed the recommendations that came out of that report and training. Much of that work will be done by the staff and union steering committee.

Karen Walton, CCTA General Manager, stated they have been meeting with the Union Stewards on a regular basis. They have a very good relationship.

Nate Bergeron, Chief Union Steward, stated they were hesitant to work with a new general manager. They appreciated their working relationship with the Interim General Manager. They worked very well with the current Director of Operations because he had worked to bridge the gap between labor and management. The new General Manager has done a great job and has helped to bridge that gap further. They work closely with her, which has not traditionally happened.

Councilor Colburn stated she is encouraged and excited by this positive report. She inquired what the key findings from the After Action Report were and what the next steps will be. She inquired when the next round of contract negotiations will start. Mr. Bergeron stated the key elements were to set in place Steering Committees including labor relations and safety committees. They spoke about safety the loudest while they were striking and management has made that a priority. The labor relations committee has been focused on the bid. One of their drivers is working closely with a planning member on the bid. The next round of negotiations will begin 90 days before the expiration of the current contract. That will be April 1, 2016. Their intent is to go back to the table.

Councilor Bushor stated that during the last snow storm, service was suspended mid-route. She believed that when weather was inclement, public transportation would be a way for people to get around and help reduce the number of cars on the road. She understands the safety component, but she believes the policy needs to be disseminated to riders. She hopes that will not be repeated. Ms. Walton stated on her first day she had asked what their winter weather policy was and found that they did not have one. They have created one. The busses are not very good in deep snow. The biggest problem during the snowstorm was the communication aspect. That did not happen well last time, but will be better in the future. They have posted on their website and social media, and have asked the drivers to tell riders that they should check their pages for updates. They need to keep everyone advised of what they are doing. People need to know what to expect. Councilor Bushor inquired if they will post notices on the bus. There are many people who do not have access to the kinds of communication that were referenced. This will allow riders to plan ahead to know that they may not have a ride home. Ms. Walton stated she plans to have drivers make regular announcements and to have supervisors at major transfer stations.

3. Consent Agenda

Action (Consent), Resolution: 3.01 Resolution: Re-categorization - Burlington Police Department Crime Prevention and Analysis Specialist Position (Board of Finance)

waive the reading and adopt the resolution.



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Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.02 Resolution: Reclassification of One Full-Time Regular Lead Project Specialist Grade 16 Position to Grade 18 in The Community and Economic Development Office (Board of Finance)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.03 Resolution: Reclassification and Retitling of Buyer Position; Retitling of General Services Laborer Position Burlington Electric Department (Board of Finance)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.04 Resolution: Reorganization - Parks and Recreation Department - Reclassification and Title Changes to Arena Manager, Waterfront Coordinator, and Parks Planner, A Re-categorization of One Limited Service Full Time Waterfront Operations Specialist Position, Creation of Three Limited Service Full Time Positions and Two Regular Part Time 20 Hour Positions (Board of Finance)

waive the reading and adopt the resolution.



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Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.05 Resolution: PIAP Waterfront Park Improvements Budget (Board of Finance)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.06 Resolution: Authorization to Award Electrical Work to Omega Electric for Finished Water Pump Operation (Board of Finance)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.07 Resolution: Lease Purchase of Phase 2 Capital Equipment for Department of Public Works (Board of Finance)

waive the reading and adopt the resolution.



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Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.08 Resolution: Approval of Burlington Electric Department Budget Adjustment and Contract with Alba Power for Gas Turbine Overhaul (Board of Finance)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Resolution: 3.09 Resolution: Reorganization of Burlington International Airport Maintenance and Engineering Division (Board of Finance)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.10 Communication: C/T Office, re: Accountability List

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

Motion by Rachel Siegel, second by Bianka Legrand.



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Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication, Minutes: 3.11 Communication: Amy Bovee, CT Office, re: Board of Finance December 8, 2014 Minutes

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

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication, Minutes: 3.12 Communication: Amy Bovee, CT Office, re: Board of Finance December 15, 2014 Minutes

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

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.13 Communication: Tim George, Ward Seven Inspector of Election, re: Resignation

waive the reading, accept the communication, place it on file and send a letter of appreciation to Tim George thanking him for his time served as a Ward Seven Inspector of Election.



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Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.14 Communication: Mayor Miro Weinberger, re: Appointment of Dr. Pablo Bose to BHA Board of Commissioners

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

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.16 Communication: John Vickery, City Assessor, re: Final 411 Form to State Tax Department

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

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.17 Communication: Nathan Wildfire, Assistant Director of Economic Development, CEDO, re: Update of Findings Report from New Moran, Inc.

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



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Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.18 Communication: Linda Chagnon, Public Forum Handout 1/16/15, Naturalization Oath of Allegiance to the United States of America

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

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.19 Communication: Louise M. Slaughter, Congress of The United States, re: Passage of Antibiotic Resistance Resolution

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

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.20 Communication: Johnathan Croft, AOT GIS Administrator, VTrans Mapping Section, re: Certificates of Highway Mileage

waive the reading, accept the communication, place it on file and send to DPW Director Spencer for completion



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Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.21 Communication: C/T Office, re: Openings Burlington City Commissions/Boards
waive the reading, accept the communication and place it on file

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action (Consent), Communication: 3.22 Communication: Kimberly Caron, BPD, re: Police Commission Attendance Records (now 7.03)

Moved to deliberative agenda as item 7.03 (per Councilor Bushor)

Action (Consent), Communication: 3.23 Communication: Mayor Miro Weinberger, re: Update on Reforms of the City Permitting Process (now 7.02)

Moved to deliberative agenda as item 7.02 (per Councilor Knodell)

Action (Consent), Communication: 3.24 Communication: Catherine Antley, re: PF Handouts re: Marijuana (1/12/15)
waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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



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Not Present at Vote: Dave Hartnett

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

Action, Information, Procedural: 4.01 Verbal Comments

Joanne Hunt, Ward 4 Resident, Saving Open Space - BTV

Fred Solomon, Cab Driver, Uber Issues

Ron Ruloff, Ward 3 Resident, City Finances

Lenore Broughton, Ward 1 Resident, Boards and Commissions

Zack McCain, Ward 5 Resident, Racism with the Burlington Police Department, Selective Enforcement

5. Public Hearings: Proposed Charter Changes - March 3, 2015 Annual City Meeting -

Action, Information, Procedural, Public Hearing: 5.01 March 3, 2015 Annual City Meeting - Charter Changes to Allow Noncitizens to Serve on All City Boards and As All City Department Heads

And

Action, Information, Procedural, Public Hearing: 5.02 March 3, 2015 Annual City Meeting - Charter Changes to Make Board Terms Three Years

And

Action, Information, Procedural, Public Hearing: 5.03 March 3, 2015 Annual City Meeting - Charter Changes to Eliminate Requirement Relating to Political Affiliation for Certain City Boards

And

Action, Information, Procedural, Public Hearing: 5.04 March 3, 2015 Annual City Meeting - Charter Changes Concerning Reserve Funds

City Council President Shannon opened the Public Hearing.

Gene Bergman, Senior Assistant City Attorney, stated they have found two technical issues that need to be corrected. The full text of Charter Change 1 in Section 48 subsection 63 inadvertently deleted existing subsections d and e. He advises that they reinsert that language. He noted that the three year term for the Library Staff Commission was not included. They need a further technical correction to note in section 126 that the Library Staff Position has a one year term and is an exception to the rule.



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City Council President Shannon closed the Public Hearing.

Action, Procedural: 5.05 Action on Public Hearings

No action was taken.

Action, Resolution: 5.06 Resolution: Revision of Charter Changes for March 3, 2015 (Charter Change Committee)

Councilor Mason stated one of his constituents asked if the City would have an obligation to provide an interpreter for a person who did not speak English at Commission meetings and hearings. City Attorney Blackwood stated it would depend on the nature of the issue. They would have that requirement for anyone attending a meeting as well as serving on a Board or Commission. The requirement would depend on the person's situation. It also depends on how many people of a particular language are members of a service group. They would consider those issues if the situation arose.

Councilor Colburn inquired if the same requirements would apply for a citizen who did not speak English. City Attorney Blackwood stated that is correct and their U.S. citizenship would not be the trigger.

waive the reading and adopt the resolution

Motion by Chip Mason, second by Sharon Bushor

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett

Action, Resolution: 5.07 Resolution: Determination of Need for Concise Summary of Charter Change Amendments on Ballots (Charter Change Committee)

waive the reading and adopt the resolution.

Motion by Rachel Siegel, second by Bianka Legrand.

Final Resolution: Motion Passes

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

Not Present at Vote: Dave Hartnett



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6. Public Hearing: Comprehensive Development Ordinance - Urban Agriculture ZA #14-08

Action, Information, Procedural, Public Hearing: 6.01 Comprehensive Development Ordinance - Urban Agriculture ZA #14-08 (Ordinance Committee; Planning Commission; Planning & Zoning Office; Code Enforcement Office)

City Council President Shannon opened the Public Hearing.

Jessica Hyman, VT Community Garden Network, spoke in favor of the Ordinance Change.

Scott Gustin, Planning and Zoning, stated this is one of three prongs dealing with Urban Agriculture. This relates to zoning and stems from the 2012 Urban Agriculture Task Force Report. This pertains to exemption for small sheds and small hoop houses. The second item cleans up some existing language around temporary uses and structures. The third item pertains to definitions and the distinction between Pets and Livestock. They have opened the Residential Areas of the City for the potential for Farmer's Market as a conditional use.

Councilor Bushor stated the definition says Urban Agriculture pertains to all agricultural activities not defined as agriculture. They have also defined Urban Agriculture. She inquired if that will open the door for more than what is defined as agriculture. Mr. Gustin stated the intent is based on the State Statute's definition of agriculture. Agriculture is exempt from zoning. Agricultural activities need to be to a certain level before they become agriculture as defined by the State. The intent is for this to cover activities that fall below that threshold.

City Council President Shannon closed the Public Hearing.

7. Deliberative Agenda

Action, Resolution: 7.01 March 3, 2015 Annual City Meeting - Separate School Department Account for Taft School Lease Proceeds Authorized (Councilor Shannon)

Councilor Paul stated a constituent inquired what the language that references "meeting other infrastructure needs" means. Nathan Lavery, Schools, stated it is broad to allow them to make improvements to any other facility. If they had to invest in repairing a roof to make the facility adequate it could be used for that. It could also be smaller projects. Councilor Paul stated the reason for the Taft School situation is because they are relocating two programs. She inquired if it could be used for projects that are not directly related to the relocation of the two programs. Mr. Lavery stated it will not exclusively go to relocating those programs. He has a letter from the School Board Chair to the Attorney General's Office laying out the intended uses. They have specifically stated they will relocate the programs. They may find a solution that does not require them to spend the full amount on relocation and they will then be allowed to do other things with the money. Councilor Paul inquired if they would be willing to share what that money has been spent on each year. Mr. Lavery stated he has no objection to that. Councilor Paul stated people will want to know where that money is spent and suggested creating a specific line item to show this. Mr. Lavery stated he is happy to transparently report the use of the funds, however he hesitates to create a specific line item because they have not produced a line item budget at this time.



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Councilor Bushor inquired if the language was drafted by the School Board or the City Attorney. Mr. Lavery stated the School District's Attorney drafted it. Councilor Bushor suggested they amend the language to read that the primary purpose would be relocating the programs. The major concern when leasing this building was the two programs that are being displaced. Mr. Lavery stated all use of the money is governed by the adjudicated settlement. There is no legal way they could use it beyond the purposes outlined in that settlement. Councilor Bushor stated there were numerous discussions before the Board of Finance and they were told that the Schools were committed to those programs. She believes the language is open ended.

Councilor Mason inquired why this resolution is necessary if there is a settlement agreement under which there are accepted uses. Mr. Lavery stated the State Education Financing Laws are complex. They are asking for this question to be placed on the ballot to comply with State Law that talks about how revenues of this nature have to be accounted for and used in the absence of a directed purpose. If they do not put this on the ballot, they run the risk of having to treat this as general fund revenue in the FY17 budget, which is very different from the agreement on how they are supposed to use the funds. This is an effort to ensure that they are in compliance with the adjudicated agreement and State Law.

Councilor Blais stated it sounds like this will be used to relocate the programs but they will not use funds to continue those programs after relocation. Mr. Lavery stated those programs are funded through their operating budget and he would not recommend continuing the fund them through a one-time revenue source. This is about using the one time proceeds from a lease agreement and reinvesting them in things that are of a similar nature.

Councilor Colburn stated she appreciated the suggestion of including the word primary in the question and inquired if doing that would be problematic. City Attorney Blackwood stated her sense is that they are limited to these two purposes. By adding the word primary she believes it would broaden the use of what the funds could be used for. It would not accomplish the purpose they are attempting to get at. They are also attempting to make a change of what the School Board has considered and acted upon. It could create issues with the Agency of Education by having the City Council tinker with the language.

Councilor Siegel stated her understanding was that the primary use of the funds would be relocation and the secondary use would be other infrastructure needs. City Attorney Blackwood stated she believes that change would better carry out what they are trying to do. However, she is unsure what effect that would have on the Agency of Education. She is concerned with them making that change without discussing it with them first.

Councilor Bushor stated she believes the School Board is here to access the ballot and they are gatekeepers for what goes on the ballot. She wanted to make this clear based on the conversations that occurred during this discussion. There was a verbal commitment from the School Board to ensure they are relocated. The language is consistent with that verbal communication.



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City Attorney Blackwood stated they are concerned that this language puts limitations on an ongoing fund that will be working in the future. They do not know the affect on the Operating Budget and other items. The Agency of Education has been very clear that these are not decisions for the City Council to make. They could send this back to the School Board with a request to make this change, however they are down to the wire for the March Ballot. There could be unintended consequences by changing the language.

waive the reading and adopt the resolution

Motion by Chip Mason, second by Sharon Bushor

Final Resolution: Motion Passes

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

Nay: Norm Blais

Not Present at Vote: Dave Hartnett

Action: 7.02 Communication: Mayor Miro Weinberger, re: Update on Reforms of the City Permitting Process (was consent agenda item 3.23)

Mayor Weinberger stated there are a number of efforts that are underway or nearly underway to address the concern expressed in the City council resolution regarding reforming Burlington's permit system. There are four categories in the memo, which are to implement form-based code, attempt to create greater predictability, see land uses consistent with planBTV, reform the Building Code, and to explore a change in the fee structure for residential properties. There was language in the memo about reforming the Building Code and it tracks what is in the housing code. He believes it should take into account the process flow and efficiency questions that they hope to address. There is a Grant Application with the Chittenden County RPC to look at these questions.

Councilor Knodell stated she is glad to hear that addition and that process improvements will be explored. Many of these ideas are familiar and will be part of the Housing Plan they will adopt. At the Public Forum in late October, she heard that people want Zoning and Building under the same roof. They heard stories of people trying to do simple things and having very complicated process. She also heard that there are too many zoning permits for people making simple renovations to single family homes. She hopes they can address both of those questions.

Councilor Wright stated he is pleased to see that they are addressing these items. He has been knocking on doors and this comes up regularly. Small contractors also have these difficulties. Everyone agrees they need to streamline the process and make changes.



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Action: 7.03 Communication: Kimberly Caron, BPD, re: Police Commission Attendance Records (was consent agenda item 3.22)

Councilor Bushor stated the action is to accept this and place it on file, however there appears to be an attendance problem. She inquired if they follow up with attendance records when there may be an issue going on. They are important to make sure they have a quorum and to help determine if they want to re-appoint members. She inquired if the Chair of the Commission is reaching out to these people or if it is up to the Council. City Council President Shannon stated there is nothing being done unless the Council chooses to take an action. Councilor Bushor stated she hopes they would reach out to find out if this individual wants to continue to serve. She hopes they are able to attend if they want to continue to serve, and if they don't they should fill the position with another person. She requested that the City Council President reach out to the Chair to speak with this individual.

8. Committee Reports

Information, Procedural: 8.01 Verbal Reports

Councilor Knodell reported on the CDNR Committee.

9. City Council - General Affairs

Information, Procedural: 9.01 Verbal Reports

Councilor Hartnett reported on the Superintendent Search Committee.

Councilor Blais reported on a rally at the State House in support of the Gun Safety Charter Changes.

Councilor Siegel expressed concerns about lease agreements for DPW Equipment not including vehicles with alternative fuel.

Councilor Colburn reported on the Parallel Justice Commission.

Councilor Wright reported on the upcoming election.

10. Mayor - General Affairs

Information, Procedural: 10.01 Verbal Reports

Mayor Weinberger reported on the Parallel Justice Commission, the Housing Action Plan, Farrington's Mobile Home Park, the Mayor's Book Club, the non-citizen voting forum, the Penguin Plunge, and Burlington's 150th Burlington Celebration.

11. Adjournment

Action, Procedural: 11.01 Motion to adjourn

Without objection, City Council President Shannon adjourned the meeting.



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