



January 25, 2021

Regular City Council Meeting - Monday, January 25, 2021, 7:00 pm **VIRTUAL MEETING**

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1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: add Councilor Carpenter as a co-sponsor for consent agenda item 5.07 Resolution: Authorization To Permit The Mailing Of 2021 Annual City Meeting Day Absentee Ballots To All Active Registered Burlington Voters (Councilor Tracy)(per Councilor Carpenter); add to the consent agenda item 5.08 Communication: 20 Former Elected Representatives of Burlington, re: Maintaining 24-Hour Public Safety Services with the motion to "waive the reading, accept the communication and place it on file" (per Adam Roof); add to the consent agenda item 5.09 Communication: Rebecca Schwartz & Adam Grundt, re: Spot at Hula Outdoor Entertainment Permit Application with the action to "waive the reading, accept the communication and place it on file"; note written materials for agenda item 6.05 (per Norm Baldwin); note updated Attachment "H" for agenda item 6.05 (per Norm Baldwin) and "drafts" of the License Agreement, Attachment "I" and Easement Agreement, Attachment "J", for agenda item 6.05 (per Assistant City Attorney St. James); remove from the agenda item 6.08 Resolution: Granting An Easement To Vermont Railways, Systems Inc. (d/b/a Vermont Rail Systems) Over The 1-3 College Street Parcel To Install And Maintain Electrical Services Connections (Board of Finance)(per Assistant City Attorney Devlin per DPW Director Spencer); note proposed amendment for agenda item 6.04 (per Councilor Hightower); note proposed amendments for agenda item 6.09 (per Councilor Hightower); note proposed amendments for agenda item 6.10 (per Councilors Hightower and Hanson)

2. Presentation Regarding School Budget

2.01 Presentation Regarding School Budget

Type: Discussion, Information, Presentation

 20210125 City Council School Budget Presentation.pdf

3. Public Forum: time certain: 7:30 pm - 9:30 pm

3.01 Verbal Comments

Type: Action, Information, Procedural

4. Climate Emergency Reports

4.01 Climate Emergency Reports

Type: Information

5. Consent Agenda



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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 (as amended) 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 012521cc
mtg LO.xlsx

5.03 Communication: Shayne Lynn, Executive Director, Champlain Valley Dispensary, re: Retail Cannabis Market in Burlington

Type: Action (Consent), Communication

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

 20210119 City Council Letter.pdf

5.04 Communication: Marie J. Friedman, CPA and Gene Richards, Director of Aviation, re: Request for Authorization of a Budget Neutral Amendment to the FY2021 Burlington International Airport AIP-118 Project Budget in the Amount of \$5,600,000

Type: Action (Consent), Communication

Recommended Action: to authorize a budget neutral amendment to the FY21 Burlington International Airport budget to increase Federal Grant Revenue by \$5,040,000 and Interfund Transfer Proceeds by \$560,000, and to increase Capital Expenditures by \$5,600,000, for a total increase of overall expenditures by \$5,600,000

 1 - 01252021- BOF.CC - Memo Airport Budget
Amendment AIP-118.docx

 1 - Checklist - Airport - BOF CC -Airport
Budget Amendment AIP-118.docx

5.05 FIO Document

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Document.pdf

5.06 Resolution: Renaming And Combining Red Maple Lane With Franklin Square (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 DPW, IT - Renaming Red Maple Lane as
Franklin Square_v1.pdf

 Signed CC Resolution Renaming And
Combining Red Maple Lane With Franklin
Square.pdf



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5.07 Resolution: Authorization To Permit The Mailing Of 2021 Annual City Meeting Day Absentee Ballots To All Active Registered Burlington Voters (Councilor Tracy)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****add Councilor Carpenter as a co-sponsor for this agenda item per Councilor Carpenter, on Thursday, January 21, 2021, at 6:19 pm, LO****

 Clerk - Authorization to Permit the Mailing of 2021 Annual City Meeting Day Absentee Ballots (Annual City Meeting 3-2-21).pdf

 Signed CC Resolution Authorization To Permit The Mailing Of 2021 Annual City Meeting Day Absentee Ballots To All Active Registered Burlington Voters.pdf

5.08 Communication: 20 Former Elected Representatives of Burlington, re: Maintaining 24-Hour Public Safety Services

Type: Action (Consent), Communication

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

 Letter from 20 Former Elected Representatives of Burlington re Maintaining 24 Hour Public Safety Services final 1 25 21 final.pdf

5.09 Communication: Rebecca Schwarz & Adam Grundt, re: Spot at Hula Outdoor Entertainment Permit Application

Type: Action (Consent), Communication

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

 Thanks for taking our comments on entertainment permits for Lakeside Ave.docx

6. Deliberative Agenda

6.01 Indoor Entertainment Permit Application (2020-2021): Spot at Hula, 50 Lakeside Avenue

Type: Action

Recommended Action: approve the 2020-2021 Indoor Entertainment Permit Application for Spot at Hula, 50 Lakeside Avenue with the following conditions: all City permits need to be closed out and with all standard conditions

 Indoor EP Application Spot at Hula.pdf

6.02 Outdoor Entertainment Permit Application (2020-2021): Spot at Hula, 50 Lakeside Avenue

Type: Action

Recommended Action: approve the 2020-2021 Outdoor Entertainment Permit Application for Spot at Hula, 50 Lakeside Avenue with the following conditions: all City permits need to be closed out and with all standard conditions

 Outdoor EP Application Spot at Hula.pdf



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6.03 Second Public Hearing Regarding Charter Changes for March 2, 2021 Annual City Election

Type: Action, Public Hearing

Recommended Action: open the Public Hearingclose the Public Hearing

WARNING 2021 - Notice of 1st & 2nd Public Hearings on Proposed Charter Changes (3-02-21).EMB REVISED.pdf

6.04 Resolution: Determination of Need For Concise Summary Of Charter Change Amendments On Ballots And In The Warning (Councilor Shannon)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****proposed amendment to this agenda item per Councilor Hightower, posted on Monday, January 25, 2021, at 6:45 pm, LO****

Clerk - Charter Change Amendments - Determination of Need for Concise Summary on Ballots in the Warning (3-02-21 Annual City Meeting) +jsj.pdf

Last one Proposed Amendment to 6.04.docx

WARNING 2021 - Charter Change Questions - Short Form Text (3-02-21).EMB+JS.pdf

Signed CC Resolution Determination of Need For Concise Summary Of Proposed Charter Change Amendments On Ballots And In The Warning.pdf



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6.05 Communication: Norman Baldwin, P.E., City Engineer/Assistant Director of Public Works and Sophie Sauve, PLA, Parks Comprehensive Planner, re: Seeking authorization to execute a number of Agreements with the Vermont Agency of Transportation, Vermont Rail System, Lake Champlain Transportation Company, and ECHO Leahy Center for Lake Champlain in support of the Bike Path Relocation and Passenger Rail Project

Type: Action

Recommended Action: 1. To authorize the Mayor to execute an agreement in substantial conformity with the attached Lease Agreement Amendment between the City of Burlington, Vermont Rail System, and the Vermont Agency of Transportation for the City to relocate and redevelop the bike path to the west side of the rail right of way between College and King Street to bring passenger rail service to Burlington, subject to final review and approval by the City Attorney's Office. 2. To authorize the Director of Public Works to execute an agreement in substantial conformity with the attached finance and maintenance agreement with the Vermont Agency of Transportation for the Bike Path Relocation/Passenger Rail Project within the rail right of way corridor between College Street and the north side of King Street, subject to final review and approval by the City Attorney's Office. 3. To authorize the Director of Public Works to execute an agreement in substantial conformity with the attached finance and maintenance agreement with the Vermont Agency of Transportation for the Bike Path Relocation/Passenger Rail Project improvement within the rail right of way corridor between the north side of King Street south to Maple Street, subject to final review and approval by the City Attorney's Office. 4. To adopt the attached resolution relating to granting an easement to the Vermont Agency of Transportation over the Waterfront Park Parcel near the intersection of College Street and Rail Road Right of Way to install and maintain a railroad signal control cabinet. 5. To adopt the attached resolution relating to granting an easement to the Vermont Agency of Transportation over the Pease Grain Parking Lot Parcel near the base of College Street to install and maintain an underdrain. 6. To authorize the Mayor to execute an amendment in substantial conformity with the attached Lease Agreement Amendment with Leahy Center for Lake Champlain d/b/a/ ECHO to provide for the installation of a transformer and electrical services connections on leased premises at 1-3 College Street Parcel and an expansion of the ECHO plaza into College Street intersection. 7. To approve and recommend that the City Council authorize the Mayor to execute an agreement in substantial conformity with the attached Licensing Agreement with Lake Champlain Transportation Company. 8. To accept an easement in substantial conformity with the attached easement from Lake Champlain Transportation Company.

note written materials for this agenda item per Norm Baldwin, posted on Friday, January 22, 2021, at 4:44 pm, LO

note updated Attachment "H" for this agenda item per Norm Baldwin and note draft License Agreement, Attachment "I" and draft Easement Agreement, Attachment "J", for this agenda item per Assistant City Attorney St. James, posted on Monday, January 25, 2021, at 5:03 pm, LO

BOF CC Cover Memo Bikepath Passenger Rail Agreement Authorizations-1.22.2021 11.14 AM.pdf

Draft Grant of Easement and Maintenance Agreement LCTC. COB. 01252021.pdf

Attachment A- VTR - City of Burlington- Amendment _4 to Bike Path final- 1.21.21 3.23pm.pdf

Attachment C-FM0406 - Burl STP 2035(27) (28) VTRY(50) - For City Signature 1_19_21 11_29_am.pdf

Attachment E-202100108_Easement Parcel #1_FINAL - 1.20.2020.pdf

Attachment G-202100108_Easement Parcel #2_FINAL - 1.20.2020.pdf

Attachment H-Fifth Amendment to ECHO-City of Burlington Lease Agreement_v3 - 1.22.pdf

Draft License Agreement LCTC. COB. 01252021.pdf

Attachment B-FM0405 - Burlington STP 2035(15) C2 PLAT(3) - For City Signature 1_19_21 11_29_am.pdf

Attachment D-Resolution-DPW - Easement to Vt#1_FINAL.pdf

Attachment F-Resolution-DPW - Easement to Vt#2_FINAL.pdf



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Attachment H-Fifth Amendment to ECHO-City
of Burlington Lease Agreement_v4_Update -
1.25.21.pdf

6.06 Resolution: Granting An Easement To State Of Vermont Agency Of Transportation Over The Pease Grain Lot, Parcel #1, To Install And Maintain An Underdrain (Board of Finance)

Type: Action

Recommended Action: waive the reading and adopt the resolution

****note resolution posted on Friday, January 22, 2021, at 2:49 pm, LO****

DPW - Easement to Vt. Agency of
Transportation - Pease Grain Lot Parcel #1, 10
College St., to Install & Maintain an Underdrain
1.22.2020.docx.pdf

Signed CC Resolution Granting An Easement
To State Of Vermont Agency Of Transportation
Over THE Pease Grain Lot, Parcel #1, To Install
And Maintain An Underdrain.pdf

6.07 Resolution: Granting An Easement To State Of Vermont Agency Of Transportation Over The Waterfront Park, Parcel #2, To Install And Maintain A Railroad Signal Control Cabinet (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note resolution posted on Friday, January 22, 2021, at 2:51 pm, LO****

DPW - Easement to Vt. Agency of
Transportation - Waterfront Park Parcel #2, 2-4
College St. for Railroad Signal Control Cabinet
v3 1.21.2020 5.08PM.docx.pdf

Signed CC Resolution Granting An Easement
To State Of Vermont Agency Of Transportation
Over The Waterfront Park, Parcel #2, To Install
And Maintain A Railroad Signal Control
Cabinet.pdf

6.08 Resolution: Granting An Easement To Vermont Railways, Systems Inc. (d/b/a Vermont Rail Systems) Over The 1-3 College Street Parcel To Install And Maintain Electrical Services Connections (Board of Finance) **AGENDA ITEM REMOVED******

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution



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6.09 Resolution: Approval Of Public Safety Continuity Plan (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note Communication: Jon Murad, Acting Chief of Police, re: The Public Safety Continuity Plan, posted on January 22, 2021, at 12:17 pm, LO

Note communication from Mayor posted at 4:40 pm on 1/24/21 by COS Redell

proposed amendments for this agenda item per Councilor Hightower, posted on Monday, January 25, 2021, at 6:46 pm, LO

****note revised version of this agenda item per City Attorney Blackwood, posted on Monday, January 25, 2021, at 7:08 pm, LO****

Police - Approval of Public Safety Continuity Plan.rvi (1 25 21).pdf

Police Staffing Impact on Fire Department Service Delivery.pdf

1-24-21 Police Staffing.pdf

Police - Approval of Public Safety Continuity Plan.rvi(2).pdf

20210122 Public Safety Continuity Plan memo for City Council.pdf

Proposed Amendments for 6.09.docx

6.10 Resolution: March 2, 2021 Annual City Meeting - Ballot Question Advising Decrease In Authorized Number Of Police Officers Only To 84 (Revised)(Councilor Dieng)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note proposed amendments for this agenda item per Councilors Hightower and Hanson, posted on Monday, January 25, 2021, at 6:47 pm, LO

City Council - Ballot Question re Advising Decrease in Authorized Number of Police Officers Only to 84 (REVISED) (3-2-21 Annual City Meeting).pdf

Proposed Amendments for Agenda for 6.10.docx

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural



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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

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