



**Regular City Council Meeting - Monday, January 25, 2021, 7:00
pm **VIRTUAL MEETING**
1/25/2021**

BURLINGTON CITY COUNCIL

REMOTE MEETING WITH CALL-IN NUMBER

BURLINGTON, VERMONT

MINUTES OF MEETING

January 25, 2021

MEMBERS PRESENT: Karen Paul

Max Tracy

Chip Mason

Joan Shannon

Ali Dieng

Brian Pine

Jack Hanson

Franklin Paulino

Perri Freeman

Jane Stromberg

Sarah E Carpenter

Zoraya Hightower

OTHERS PRESENT: Miro Weinberger

Katherine Schad

Eileen Blackwood

Tom Flanagan

Claire Wool

Nathan Lavery

Amy Bovee



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Norm Baldwin

Chapin Spencer

Sophie Sauve

Cindi Wight

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Tracy at 7:01 PM.

MOTION by Councilor Pine, SECOND by Councilor Stromberg, 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);**
- **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 amendments for agenda item 6.09 (per Councilor Hightower);**
- **note proposed amendments for agenda item 6.10 (per Councilors Hightower and Hanson)**

VOTING: unanimous; motion carries.

2. PRESENTATION REGARDING SCHOOL BUDGET

2.01 Presentation Regarding School Budget

Chair Wool began the presentation on the school budget for Fiscal Year (FY) 2022. She said the budget is mindful of the strain on taxpayers while ensuring high-quality services for students in equity, engagement, and deep learning. Superintendent Flanagan noted that the school district faced both COVID-19 and PCBs as challenges. He said that the budget provides a home for in-person learning for both BHS and the technical center.

Executive Director Lavery provided more detail on the budget. He noted the budget assumptions, which include upward spending pressure of \$5.7 million related to budget growth and debt service, rent and fit-up costs for a physical downtown



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location for the high school, and BTC relocations. He summarized proposed operating reductions that do not have anticipated programmatic impact. He noted modest budget additions that are consistent with district priorities around equity and engagement. He additionally noted cabinet reduction ideas that are based on eliminating vacant positions, reductions in department and operating budgets, and a modest decrease in the elementary lunch supervision budget. He said that the updated budget estimate for FY2022, factoring in growth and reductions, is \$95,105,000—a 3.5% increase. He spoke about the FY2020 surplus of \$6 million, which will go toward reducing the FY2022 tax impact and contingency for PCB-related issues. He noted that the projected tax rate increase is being driven by a decrease in the homestead dollar yield (through the State's education fund) and a decrease in the common level of appraisal. He briefly summarized examples of estimated tax implications for taxpayers with a projected 6.88% tax increase.

Councilor Mason asked about the state funding for Burlington High School. Executive Director Lavery said that it would go toward 100% of the fit-up costs for the downtown location for BHS.

Councilor Pine asked about the multi-lingual liaison, and asked what portion of the increase is being driven by that change. He also asked if that is an allowable way to use some of the pilot funds that used to go towards supporting the school budget. Superintendent Flanagan replied that the focus on multilingual liaisons is to prioritize access for multi-lingual liaisons for 12 months a year. Executive Director Lavery said that this area would require some deeper discussion, saying that some of the work of the liaisons could be eligible for pilot dollars. He said that the increase for them is a miniscule amount of the tax rate.

Councilor Stromberg asked about the contingency reduction and what it is. Executive Director Lavery said that this is for unanticipated items that come up during the year, and that this reduction will require the district to be more disciplined.

Councilor Shannon asked about the per pupil weightings, noting a resolution passed last year by the City Council to ask the legislature to consider a study that was published that demonstrates that the current per pupil weighting system is grossly unfair. She asked what the district's communications have been with the legislative representatives about this. Chair Wool replied that the Burlington School District and Winooski School District created a coalition of 15-20 districts to continue the work on testifying to the House and Senate. Superintendent Flanagan said that the coalition is lobbying actively at the State House.

Councilor Dieng asked about additional aid. Executive Director Lavery noted federal aid is anticipated for COVID-19 relief, to address the pandemic and hopefully further the district's equity goals. Councilor Dieng asked about enrollment levels. Superintendent Flanagan replied that enrollment levels at elementary schools have declined slightly over the last five years, and that he thinks it's related to some of the federal policies around immigration and is hopeful that those trends could change. He noted that though enrollment levels are down slightly, the school district has been careful not to cut services or programs.

Mayor Weinberger noted the discussion by some Councilors on returning pilot funds to the school district. He said that the pilot funds that the City held totaled \$1.4 million, but that the City had found a way to give \$400,000 to the school district.



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He noted that the leftover \$1 million held by the City that could not be given to the school district has been reinvested in the community, in areas such as early learning initiatives.

3. PUBLIC FORUM

3.01 Verbal Comments

Forum opened at 7:48 PM.

COMMENTS:

- Betsy Allen-Pennebaker spoke about the just-cause eviction charter change. She spoke about being sexually harassed as a landlord by one of her tenants. She said that under the proposed charter change, she would not be able to terminate that tenant's rental agreement.
- Jane Knodell spoke as a representative of 20 former councilors, regarding a public letter they have drafted and issued to the Council. They implore the City Council to adopt the proposed public safety continuity plan and ensure that public safety services are available 24 hours a day. She said that public safety is the most important part of local government. She said that public safety is more than just policing. She said that abandoning reliable 24-hour service does not meet basic public safety standards nor responsibly address reform.
- Kurt Wright spoke about former Councilor Knodell's letter. He urged the City Council to pass the public safety continuity plan. He said that if corrective action is not taken, then every citizen in Burlington is in danger. He said that it takes a long time to train a police officer and that that long training time could lead to a drastically understaffed police force.
- Tiki Archambeau spoke in support of the public safety continuity plan. He said that no one will win if this resolution fails. He said that the entire community supports reform, and asked that the police be viewed from a rehabilitative standpoint instead of a punitive one.
- Zoey Koeninger spoke in opposition to the resolution that would increase the cap on sworn police officers to 84. She said that it is impossible to create an equitable system if the functions of reform still reside within the police department.
- Daniel Felde spoke about the resolution around changes to police staffing. He said that police violence is a systemic issue, and that the increase in the cap would give this issue more power. He said that the point of the June resolution was to decrease the amount of policing and patrolling.
- Lilla Fortunoff spoke in opposition to the ballot question that would increase the cap on sworn police officers to 84.
- Jessica Laporte spoke against the resolution that would raise the cap on sworn police officers, saying that it would represent a step backward from the June resolution on racial justice. She also urged City Council not to pass the public safety continuity plan.
- Cora Smith noted that violent crime in Burlington has decreased between 2012 and 2019, and asked why the Police Department is suddenly concerned about having enough coverage for these decreasing crimes.
- Dana Keyes-Gibbons spoke in opposition to raising the cap on BPD sworn officers.
- Steven Margolin spoke against the resolution to increase the cap on sworn officers in the Burlington Police Department.
- Amanda Skeehan urged City Council to increase the cap on policing in Burlington, saying that violence needs to be prevented before it happens.
- Jorge Andres Rios Garcia said that Burlington needs better quality policing, with better training, and more multi-lingual officers to address the needs of the significant non-English-speaking population in the community.
- Grace Pfeil spoke against raising the cap on sworn police officers to 84.
- Nell Carpenter urged City Council not to approve the public safety continuity plan.



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- Kelly Devine spoke on behalf of the Burlington Business Association, asking the Council to consider adopting the resolution that adjusts the cap on the number of sworn officers. She said that members are concerned about additional vandalism to property during the hours when no patrols will occur, should the current cap be maintained.
- Paul Decelles urged the Council to support the public safety continuity plan and to support the proposed increase in the police staffing cap.
- Grace Horelick said that the reason the original racial justice resolution proposed reducing the number of police officers in Burlington by 30% was to bring Burlington more in line with other cities of its size in the U.S. She urged the Council not to vote to increase the cap on sworn officers to 84.
- Annie Lawson urged Councilors not to support increasing the cap on the number of sworn police officers. She said that allowing the proposed question on the ballot would apply a double-standard on the policing issue, noting the Mayor's veto of a previous proposed ballot question on community-controlled policing.
- Phoebe Paron asked the Council to not to approve increasing the cap on sworn police officers. She said that this time should be used as an opportunity instead to reimagine and reform public safety.
- Julia Pupko voiced opposition to the resolution that would raise the cap on the number of sworn officers. She said that the BPD uses excessive force against Burlington's BIPOC community disproportionately and that systemic racism needs to be addressed, but not by increasing the number of officers.
- Mariah Ogden spoke in support of increasing the cap on the number of police officers, citing their role in preventing and assisting community members during domestic violence incidents. She acknowledged the importance of community resource officers, but said that incidents involving domestic or other violence might not necessarily be safe for them and would be more appropriate for sworn police officers.
- Julia Macuga spoke against increasing the cap on the number of sworn police officers in Burlington.
- Danielle Shaw spoke against increasing the number of sworn officers in the BPD.
- Betsy urged City Council not to support an increase in the cap on sworn police officers in Burlington.
- Charlie Clark spoke against the increase on the cap for the number of officers in BPD.
- Oskar Flemer asked the City Council not to counteract a key component of the June 2020 resolution on racial justice, which allows for police staffing reductions through attrition.
- Janice Ellis expressed concern about the proposed relocation of Higher Ground to Queen City Park Road, specifically around traffic noise, infrastructure, and safety. She additionally expressed concern about how police will respond to issues at that venue, given the potential staffing shortages at BPD.
- Ava Fusco spoke against the proposed public safety continuity plan, saying that police only respond to crime, not prevent it before it happens.
- Seanna McGraw said that more police don't make the community safer and that an increased police force is not the solution for public safety reform.
- Will Keeton spoke against increasing the number of police officers in one of tonight's resolutions.
- Leif spoke about a pamphlet sent by the BPOA to Burlingtonians, saying that the information within the pamphlet is misleading and alarmist. They suggested increasing the number of beds in mental health facilities for residents who are in mental health crises who have had to resort to calling the police during them.
- Ashley Laporte urged City Council not to support the resolution that would increase the cap on the number of sworn police officers and additionally urged City Council not to approve the public safety continuity plan.
- Alex Sturges urged the City Council not to support the resolution that would increase the cap on the number of sworn police officers.
- Emily Tardie spoke against raising the cap on the number of sworn police officers.

Forum closed at 9:19 PM.

4. CLIMATE EMERGENCY REPORTS



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4.01 Climate Emergency Reports

No discussion at this time.

5. CONSENT AGENDA

5.01 Motion to adopt the consent agenda and take the actions indicated

5.02 Communication: C/T Office, re: Accountability List - waive the reading, accept the communication and place it on file.

5.03 Communication: Shayne Lynn, Executive Director, Champlain Valley Dispensary, re: Retail Cannabis Market in Burlington - waive the reading, accept the communication and place it on file.

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 - 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.

5.05 FIO Document – for information only.

5.06 Resolution: Renaming And Combining Red Maple Lane With Franklin Square (License Committee) - waive the reading and adopt the resolution.

5.07 Resolution: Authorization To Permit The Mailing Of 2021 Annual City Meeting Day Absentee Ballots To All Active Registered Burlington Voters (Councilor Tracy) - waive the reading and adopt the resolution.

5.08 Communication: 20 Former Elected Representatives of Burlington, re: Maintaining 24-Hour Public Safety Services – waive the reading, accept the communication, and place it on file.

5.09 Communication: Rebecca Schwarz & Adam Grundt, re: Spot at Hula Outdoor Entertainment Permit Application – waive the reading, accept the communication, and place it on file.

MOTION by Councilor Stromberg, SECOND by Councilor Freeman, to adopt the consent agenda as amended, taking the actions as indicated for items 5.01-5.09.

VOTING: unanimous; motion carries.

The City Council meeting was recessed at 9:21 PM to hold the Local Control Commission meeting. The City Council meeting resumed at 9:25 PM.

6. DELIBERATIVE AGENDA





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

MOTION by Councilor Hanson, SECOND by Councilor Stromberg, to 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.

VOTING: unanimous; motion carries.

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

MOTION by Councilor Hanson, SECOND by Councilor Stromberg, to 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.

DISCUSSION:

- **Councilor Shannon clarified that this does not allow amplified music and that it expires in April of 2021, at which time it can be revisited. Councilor Hanson confirmed this. Councilor Shannon noted that the entertainment license goes until 10:00PM and that the liquor license only goes until 8:00PM. Shannon Lipkin noted that this was a clerical error on her part.**

MOTION TO AMEND by Councilor Shannon, SECOND by Councilor Mason, to amend the entertainment hours to 8:00 AM to 8:00 PM seven days per week for the outdoor entertainment permit.

VOTING ON AMENDMENT: unanimous; motion carries.

VOTING ON PERMIT WITH CONDITIONS AS AMENDED: unanimous; motion carries.

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

City Attorney Blackwood provided a summary of the ballot questions for proposed charter changes. They pertain to ranked-choice voting for the election of City Councilors beginning in March 2022, an increase in the size of the Airport Commission from 5 to 7 members, just-cause eviction, and the regulation of thermal energy systems in residential and commercial buildings.





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City Council President Tracy opened the public hearing at 9:38 PM.

Robert Bristow-Johnson spoke about his support of ranked choice voting and election reform as well as election transparency. He said that the ranked choice voting as proposed for the ballot would be less transparent, since it would eliminate the ability to calculate voting subtotals for each ward. He additionally said that this method of voting would lean away from the center parties and skew toward more progressive parties.

Kate Lapp spoke as a representative of VPIRG in support of ranked-choice voting methods as proposed on the ballot.

Brian Cina spoke in support of the just-cause charter change and ballot question, saying that it should be approved in order to protect the most vulnerable in the housing market. He said that in current ordinances, tenants are at the mercy of landlords. He said that these proposed changes would extend benefits and protections to tenants.

City Attorney Blackwood read into the record a comment received by Sharon Bushor: When reviewing the proposed charter language for the addition of a Winooski member (which I have supported from the get-go) to the Airport Commission, I read the existing language for the South Burlington member. That language was originally true but based on the evolving growth of the airport and the noise issues we are all aware of, membership should no longer be linked to whether or not the airport resides in South Burlington. I am requesting that (B) reads " In addition, the board of airport commissioners shall likewise consist of one legal voter of the City of South Burlington to be appointed by the governing body thereof to serve for three years and until a successor is appointed and qualified.

City Council President Tracy closed the public hearing at 9:48 PM.

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

MOTION by Councilor Shannon, SECOND by Councilor Stromberg, to waive the reading and adopt the resolution.

DISCUSSION:

- **Councilor Shannon noted that it is typical when there are longer ballot questions to consolidate them and make them more concise to put them on the ballot. She said that in the short form question, the language around "because the rental agreement has expired" is different than the actual words in the charter change. She proposed an amendment that cuts and pastes from the long-form change to more accurately describe that piece in the consolidated language.**





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MOTION TO AMEND by Councilor Shannon, **SECOND** by Councilor Hightower, to change the ballot question on just-cause eviction to replace "disallows eviction solely because the rental agreement has expired" with "excludes from 'just cause' the expiration of a rental agreement as sole grounds for termination of tenancy except for certain properties, subject to mitigation provisions such as adequate notice"

VOTING ON AMENDMENT: unanimous; motion carries.

MOTION TO AMEND by Councilor Hightower, **SECOND** by Councilor Pine, to rearrange the bulleted items so that the ballot question now reads "Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended to give the City Council the power to provide by ordinance protections for residential tenants from evictions without 'just cause' by adopting and adding a new section 48(66) that

-identifies certain definitions of just cause;

- excludes from 'just cause' the expiration of a rental agreement as sole grounds for termination of tenancy except for certain properties, subject to mitigation provisions such as adequate notice;

- limits unreasonable rent increases to prevent de facto evictions or non-renewals?"

VOTING ON AMENDMENT: unanimous; motion carries.

DISCUSSION OF MOTION AS AMENDED:

- Councilor Paul noted that the majority of voters will vote absentee and asked if there was consideration for mailing the long-form language with each ballot. Administrator Olberg replied that there will be some type of mailer with each ballot. Chief Administrative Officer Schad added that arrangements can be made for whatever the City Council decides is appropriate.

MOTION TO AMEND by Councilor Paul, **SECOND** by Councilor Paulino, on line 9 after "required by law" to include "and included in every ballot by mail".

VOTING ON AMENDMENT: unanimous; motion carries.

VOTING ON MOTION AS AMENDED: unanimous; motion carries.

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



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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

Director Spencer noted that the Department of Public Works and the Department of Parks, Recreation, & Waterfront are seeking approval to execute a number of agreements to relocate the bicycle path to accommodate passenger rail adjacent to the waterfront. These projects have been goals and priorities for a number of years in Burlington. Director Wight added further detail, saying that the departments are seeking agreements, licenses, and easements, for millions of dollars of transportation improvements on the waterfront. She acknowledged the hard work done by the City staff, committee, and administration to get to this point.

City Engineer Baldwin said that the project begins at College Street and ends at Maple Street. He said the goal is to relocate the bike path from the east side to the west side of the railroad tracks, as well as allow passenger rail in Burlington. He said that staff have been working with many stakeholders to make this happen, a result of which is that a number of agreements need to be in place. He noted that VTrans is advancing the project in a coordinated way with their scope and City scope, to limit the impact on waterfront stakeholders. He provided a brief summary of each agreement needing approval, which included amendments to lease agreements, finance & maintenance agreements, easements, and license agreements.

MOTION by Councilor Paulino, SECOND by Councilor Stromberg, 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.

DISCUSSION:

- Councilor Pine congratulated staff and stakeholders for their work on relocating the bike path and overseeing the return of passenger rail to Burlington, noting that these changes have been three decades in



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the making.

- Councilor Shannon thanked the teams for their work on these projects and for their contributions to the City of Burlington.
- Mayor Weinberger recognized the myriad stakeholders and their collaborative efforts to make these projects a reality.

VOTING: unanimous; motion carries.

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)

MOTION by Councilor Paulino, SECOND by Councilor Hanson, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Hanson thanked staff for their work on these projects, which greatly improve sustainable transportation.
- Councilor Paul thanked Director Wight and Director Spencer for their outreach to the Transportation, Energy, and Utilities Committee and the Parks, Arts, and Culture Committee pertaining to these projects. She also thanked City Engineer Baldwin and Parks Planner Sauve for their enormous efforts around these projects.

VOTING: unanimous; motion carries.

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)

MOTION by Councilor Paulino, SECOND by Councilor Carpenter, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Paulino noted how quickly progress has been made on these projects with their moving parts and diverse body of stakeholders, and thanked staff for their efforts to achieve this.

VOTING: unanimous; motion carries.

MOTION by Councilor Pine, SECOND by Councilor Shannon, to suspend the rules and complete the deliberative agenda.



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VOTING (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – aye, Acting City Council President Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – nay, Councilor Stromberg – aye, Councilor Tracy – aye (11 ayes, 1 nay).

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**

This item was removed from the agenda.

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

City Council President Tracy passed the gavel to Councilor Hanson for discussion of this item. For purposes of this debate, Councilor Hanson is now Acting City Council President Hanson.

The City Council recessed at 10:30 PM.

The City Council resumed discussion at 10:35 PM.

MOTION by Councilor Shannon, SECOND by Councilor Paulino, to postpone item 6.09 until the City Council's February 8, 2021 meeting.

DISCUSSION:

- Councilor Hightower noted that she had proposed amendments and was hoping for consensus on two of them.
- Councilor Tracy said that both of the remaining deliberative items should be debated tonight, given a full agenda for February 8th.
- Councilor Paul said that the Council can use the time between this meeting and the next meeting to find compromise and consensus, and that postponement on this item would be prudent in order to do that.
- Councilor Hightower noted that her proposed amendments would move forward with approval of CSLs and CSOs and postpone the conversation around sworn officers until there is more data and more opportunity for discussion.
- Councilor Pine expressed support for postponement.
- Councilor Dieng asked for the Mayor's thoughts on postponing this item. Mayor Weinberger replied that his preference would be to move forward and hold a vote on it tonight.





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The City Council recessed at 10:57 PM.

The City Council resumed discussion at 11:02 PM.

VOTING (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – aye, Acting City Council President Hanson – aye, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – aye, Councilor Tracy – nay (10 ayes, 2 nays); motion carries.

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)

Acting City Council President Hanson returned the gavel to Councilor Tracy for discussion of this item, who resumed the role of City Council President.

MOTION by Councilor Dieng, SECOND by Councilor Freeman, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Dieng noted that this ballot item would be advisory and not binding. He said that the resolution would simply assess where the voters stand on levels of police officer staffing in Burlington.
- Councilor Shannon said that the Council does not show leadership in making policy decisions by relying on ballot questions, and pointed out that the previous resolution's reduction of the police force by 30% was not posed to the voters prior to its passage.

MOTION TO AMEND by Councilor Hanson, SECOND by Councilor Hightower, to strike lines 14 - 17 and replace with: "Shall the voters of the City of Burlington advise and encourage the City Council to increase investment in alternative public safety resources as well as empowerment initiatives for Black, Brown, and White residents alike by maintaining the ongoing reduction in the Burlington sworn officer count to align with the national median of officers per resident."

DISCUSSION:

- Councilor Hanson said that this language is a more holistic framing of the language toward alternative public safety models, rather than solely asking them about the number of officers that Burlington should have.
- Councilor Mason said that seeking affirmation for what has been done will most likely not change the opinion or direction of the Council. He said that the Council committed to action around this already in June and that it should follow through on that previously laid-out process.
- Councilor Carpenter said that the racial justice resolution in June contained many different components and that some of them may be slow moving. She advised waiting for the assessment called for in the resolution to be conducted, and suggested not posing this question to the voters.
- Councilor Freeman said it may confuse the public to have this as a ballot question, even if it is advisory,



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though she added that she is curious about what the viewpoint of the voters is.

- Councilor Hanson said that the ballot in March will be a very good opportunity to get the opinion of as many residents as possible, since it coincides with a Mayoral election, and supports posing an advisory question on the ballot.
- Councilor Pine expressed concern that the consultant hired to conduct the assessment may contradict the response from voters on the advisory ballot question.
- Councilor Paul said that the Council is elected to make policy decisions and that they should not rely on the voters to do that for them. She added that the advisory question would only go to the voters, not to businesses or other stakeholders in the community that would be affected.

MOTION TO CALL THE QUESTION by Councilor Paulino, SECOND by Councilor Stromberg.

VOTING ON CALLING THE QUESTION (by roll call): Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Freeman – aye, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – nay, Councilor Shannon – aye, Councilor Stromberg – aye, City Council President Tracy – aye (9 ayes, 3 nays); motion carries.

VOTING ON AMENDMENT (by roll call): Councilor Carpenter – nay, Councilor Dieng – aye, Councilor Freeman – aye, Councilor Hanson – aye, Councilor Hightower – aye, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – aye, City Council President Tracy – aye (6 ayes, 6 nays); motion fails.

MOTION TO CALL THE QUESTION by Councilor Mason, SECOND by Councilor Paul.

VOTING ON CALLING THE QUESTION (by roll call): Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Freeman – aye, Councilor Hanson – nay, Councilor Hightower – aye, Councilor Mason – aye, Councilor Paul – aye, Councilor Paulino – aye, Councilor Pine – aye, Councilor Shannon – aye, Councilor Stromberg – aye, City Council President Tracy – aye (11 ayes, 1 nay); motion carries.

VOTING ON ORIGINAL RESOLUTION (by roll call): Councilor Carpenter – nay, Councilor Dieng – aye Councilor Freeman – nay, Councilor Hanson – nay, Councilor Hightower – nay, Councilor Mason – nay, Councilor Paul – nay, Councilor Paulino – nay, Councilor Pine – nay, Councilor Shannon – nay, Councilor Stromberg – nay, City Council President Tracy – nay (1 aye, 11 nays); motion fails.

7. COMMITTEE REPORTS

7.01 Verbal Reports



Regular City Council Meeting - Monday, January 25, 2021, 7:00 pm ****VIRTUAL MEETING**** **1/25/2021**

None at this time.

8. CITY COUNCIL – GENERAL AFFAIRS

8.01 Verbal Reports

None at this time.

9. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

9.01 Verbal Reports

None at this time.

10. MAYOR – GENERAL AFFAIRS

10.01 Verbal Reports

None at this time.

11. ADJOURNMENT

11.01 Motion to adjourn

MOTION by Councilor Dieng, SECOND by Councilor Stromberg, to adjourn the meeting.

VOTING: unanimous; motion carries.

The City Council meeting adjourned at 11:52 PM.

RScty: AACoonrad