



Regular City Council Meeting - Monday, January 24, 2022, 7:00 pm, Contois Auditorium OR REMOTELY via ZOOMMembers of the public are strongly encouraged to join remotely**
1/24/2022**

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, 2ND FLOOR, CITY HALL

AND REMOTE WITH CALL-IN

BURLINGTON, VERMONT

MINUTES OF MEETING

January 24, 2022

MEMBERS PRESENT: Chip Mason

Karen Paul

Max Tracy

Joan Shannon

Ali Dieng

Perri Freeman

Jack Hanson

Zoraya Hightower

Jane Stromberg

Sarah E Carpenter

Mark Barlow

Joe Magee

OTHERS PRESENT: Miro Weinberger

Katherine Schad

Dan Richardson

Jordan Redell

Lori Olberg

Sarah Montgomery



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Gregory Shepler

Lea Terhune

Scott Barker

George Love

Meagan Tuttle

Brian Pine

Chapin Spencer

Cindi Wight

1. CALL TO ORDER and AGENDA

1.01 Motion to amend/adopt agenda

The meeting was called to order by City Council President Tracy at 7:05 PM.

MOTION by Councilor Stromberg, SECOND by Councilor Magee, to amend/adopt the agenda as follows:

- **add to the consent agenda item 5.11 Communication: Caryn Long, re: TIF Debt with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 5.12 Communication: Jody Woos, On Behalf of the Vermont People's Green New Deal Committee/Coalition to Stop Airport Expansion, re: 1/24 City Council Public Comments with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 5.13 Communication: Solveig Overby, re: 1/24/2022 Redistricting: Support to Reestablish a Downtown Ward as Ward 8 with the action to "waive the reading, accept the communication and place it on file";**
- **add to the consent agenda item 5.14 Communication: Michael Long, re: City Debt: TIF Plus with the action to "waive the reading, accept the communication and place it on file";**
- **remove from the consent agenda item 5.03 Communication: Acting Chief of Police Jon Murad, re: Creation of one (1) new position, Digital Media Redaction Specialist within Police Department and place it on the Deliberative Agenda as item 6.08 (per Councilor Hanson)**

VOTING: unanimous; motion carries.

2. REPORT REGARDING COUNCIL'S AD HOC COMMITTEE ON REDISTRICTING

2.01 Report Regarding Council's Ad Hoc Committee on Redistricting





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City Attorney Richardson began the discussion by noting that the Council passed a resolution in June to create this ad hoc redistricting committee, charging it to think about the current and past redistricting plans, think about options for the number of Councilors per ward/district, and to consider the current ward/district configuration. He said that the Committee is comprised of members selected from each Neighborhood Public Association (NPA) from each ward, as well as any designated alternates. He spoke about the meetings the Committee held beginning in September as well as the three public meetings it held in the fall/winter. He noted that the Redistricting Committee developed three themes that are stated in the report, as follows: 1.) Ward 8 is not working in its current configuration--there is concern that the goals that led to creating Ward 8 were not being satisfied in practice; 2.) Residents not in favor of the district system of Councilors--the general consensus that having a City Councilor representing two wards/district was not working; 3.) Ward configuration must preserve neighborhoods--there was a theme that neighborhood identity is strong in Burlington. He said that in the report there is also interest in maintaining equal representation for the individual wards. He noted other findings, most of which were not unanimous. He noted concern that redistricting is a political process.

Ms. Terhune spoke to the contents of the memo produced by the Committee, noting that there was not strong consensus. She suggested to the Council to look to the surveys produced through the work of the Committee to get more of a sense of the majority's preferences. She said that general themes on which there was consensus were integrating on-campus housing into the residential wards, having 2 representatives from each ward, eliminating districts, not having at-large Council-members, and a preference for cohesiveness instead of compactness.

Mr. Shepler said that the Committee gathered public comment on the issues discussed by Ms. Terhune. He noted that public comment was relatively limited. He said that they held three meetings and fielded surveys, but that the total input was only around 100 people. He said that the lack of public comment was likely influenced by the pandemic, tight timeline, and complexity of the issues. He agreed that Ward 8 is an issue. He said that the Redistricting Committee did not endorse any proposed maps, as that was beyond the scope of the Committee. He said that some had suggested eliminating wards because it leads to a lack of accountability. He said that most members of the Committee support the general findings laid out in the memo.

Councilor Hanson asked if there was preference around the number of City Councilors. Ms. Terhune replied that 2 Councilors per ward and 8 wards total was the most popular. She said that staggering their terms was not discussed.

Councilor Hightower asked for clarification around Ward 8 and ensuring that a minority population has a say (in this case, students). Ms. Terhune said that the Committee wanted to integrate them through four wards (6, 1, 2, Downtown Ward). Mr. Shepler added that there are two ways to address minority populations' participation—packing, so that they have power (but only within that ward), and cracking, dividing up the group, which sometimes limits their ability to work cohesively. City Attorney Richardson noted that Ward 8 had consistently lower voting rates than other wards.

Councilor Dieng asked about the issue of at-large City Councilors. Ms. Terhune replied that there was very little consensus and deliberation around this issue. Councilor Dieng asked why the Committee decided to create alternate positions. Ms. Terhune replied that the NPA Steering Committees decided to appoint representatives and alternates from each NPA, though some NPAs did not decide to appoint alternates.



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City Attorney Richardson said that the City Council must now decide how to proceed, but at the end of the day it must come up with a redistricting plan that satisfies constitutional requirements and is something that the majority of voters in the City will approve. He said that staff recommends mapping proposals to identify the districts and incorporate feedback from the Redistricting Committee. Director Tuttle suggested that the Council consider the feedback from the Redistricting Committee and work with staff on immediate next steps.

3. PUBLIC FORUM

3.01 Verbal Comments

Forum opened at 7:31 PM.

COMMENTS:

Burlington residents – in person:

- Jeff Comstock spoke about redistricting, noting that said that the hamstrung over whether open meeting law applied to the ad hoc committee. He said that committees should be encouraged to speak freely without being intimidated by Open Meeting Law. He said that he did not interpret the Committee to be covered as a governing body under Open Meeting Law. He said that members were not able to share comments with each other in order to inform the report. He said Council should focus on criteria, not mapping, yet.
- Richard Hilyard said that the City's current redistricting process needs to be transparent, as the last one was not.
- Christopher Aaron Felker spoke in opposition to the prostitution charter change, against the tax rate increase, against the municipal mask mandate and vaccine passport. He noted that cloth masks have been noted as ineffective by the CDC against the spread of Covid-19. He advocated for a return to an 8-ward, two-Councilors-per-ward model for redistricting. He spoke against at-large districts. He spoke in support of creation of a downtown ward.

Burlington residents – via Zoom:

- Chris Haessly spoke about redistricting, and a downtown ward specifically. He said that a downtown ward was in existence for about 100 years. He said that the downtown area is unique among areas in the City and has unique needs that aren't always reflected in larger discussions.
- Robert Bristow-Johnson said that an 8-ward map would necessitate Ward 1 losing some people. He suggested that the ad hoc committee continue meeting and focus on mapping.
- Jody Woos spoke against the resolution related to referring General Aviation Consideration to the TEUC. She expressed concern about the Airport Master Plan's proposed expansion activities, especially in the context of the climate emergency.
- Tony Redington spoke in support of the creation of a downtown ward and an 8-ward map with two Councilors per ward.
- Gene Bergman spoke against the General Aviation resolution, saying that it does not address or meet climate goals, neighborhood goals, or the goals of the airport tenants.
- Sharon Bushor spoke about the proposed tax increase and the infrastructure bond. She said that reappraisal and inflation have wreaked financial havoc on residents, and said that the Council and administration should explore



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other ways to address budget gaps, instead of a tax increase. She also implored the City to look at whether it needs an infrastructure bond, saying that it should prioritize the needs of Burlington's children—a building for the high school.

- Michelle Borbas expressed frustration that downtown residents have not been listened to when they have expressed concerns. She spoke in support of a downtown ward.
- Dan Castrigano said that the burning of fossil fuels is causing the climate system to collapse and spoke against expanding the airport.
- Paul Fleckenstein spoke against the airport resolution. He pointed out that harms continue to be inflicted on working-class residents by Burlington airport policies and development. He said that the airport's plans for reducing greenhouse gases need to be revised.
- Solveig Overby spoke in support of 8 wards with two City Councilors per ward, as well as the creation of a downtown ward. She spoke against the ballot items that would ask for \$50 million in new debt. She said that financing projections for the TIF District are optimistic, at best.
- Carolyn Bates spoke in support of having 16 City Councilors, a new downtown ward, and have part of Ward 5 cracked and incorporated into that new downtown ward.
- Abby Jermyn spoke against airport expansion.

Non-Burlington residents – in person:

- Erin Regan spoke on behalf of the World Without Exploitation coalition and spoke against the charter change on sex work. She said that the average age for entry into the sex trade is between 14 and 16, and said that those most likely to be exploited are young women and girls of color living in poverty. She expressed concern that there would be no rights for sex workers if there are no laws around them.
- Stephanie Clark spoke against the resolution that would decriminalize prostitution, saying that it would lead to increased violence and increased exploitation of those who are the most vulnerable. She said that if the goal is safety, then this resolution does not help.

Non-Burlington residents – via Zoom:

- James Leas spoke against the airport resolution. He said that the best way to support aviation and to support the Chamberlain neighborhood is for the City Council to ask the Interim Airport Director to withdraw the airport's request to rezone Chamberlain.
- Isaac Bissell spoke in opposition to the resolution regarding the airport. He said that Council members should take more time to engage further with stakeholders that will allow for a more complete, transparent engagement with the issues at hand.
- Christine Rigo spoke on behalf of another community-member in support of decriminalizing prostitution, saying that it is a good first step to decrease stigma around sex work.
- Matthew Kodsí spoke in opposition to the decriminalization of sex work, expressing concern that college students would be exposed to sex work in their town.
- Audrey Morrissey said that if Vermont decriminalized prostitution across the board, BIPOC people and children will be sold into sex work. She expressed concern about Burlington's proposed decriminalization of sex work.
- Carl Martin spoke against the general aviation resolution, saying that any expansion would lead to an increase in carbon emissions.



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Forum closed at 8:00 PM.

4. CLIMATE EMERGENCY REPORTS

4.01 Climate Emergency Reports

None at this time.

5. CONSENT AGENDA

5.01 Motion to adopt the consent agenda (as amended) 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: Acting Chief of Police Jon Murad, re: Creation of one (1) new position, Digital Media Redaction Specialist, within Police Department **NOW AGENDA ITEM 6.08** - no action taken.

5.04 Communication: Katherine Schad, CAO, Kerin Durfee, Director of Human Resources, Tony Berry, Human Resources Manager, re: Reclassification of One (1) position in Innovation & Technology - approve the reclassification of the Project Manager, a Regular, Full-Time, Exempt, Non-Union, 25% Market Factored Grade role to Project Manager, a Regular, Full-Time, Exempt, Non-Union, 100% Market Factored Grade role in Innovation & Technology.

5.05 Communication: Katherine Schad, CAO, Kerin Durfee, Director of Human Resources, Tony Berry, Human Resources Manager, re: Creation of three (3) Clerk/Treasurer positions - approve the: □ Creation of the Commission & Licensing Assistant, a Regular, Full-Time, Non-Exempt, AFSCME, Grade 13, role in the Clerk/Treasurer Office; □ Creation of the Grants Associate, a Limited Service, Full-Time, Non-Exempt, Non-Union, Grade 15, role in the Clerk/Treasurer Office; and □ Creation of the Senior Grants Manager, a Limited Service, Full-Time, Exempt, Non-Union, Grade 20, role in the Clerk/Treasurer Office.

5.06 Communication: Brian Pine, CEDO Director, re: Retroactive award of community credits to the Lake Champlain Community Sailing Center for the lease payment due for 2020-21 - approve and authorize, the awarding of \$40,000 in Community Credits for the year 2020, to be applied to the annual base rent of \$50,000 due to the City of Burlington from the Lake Champlain Community Sailing Center and authorizing the Community Sailing Center to pay a rent of \$10,000 for 2021.

5.07 Communication: Katherine Schad, Chief Administrative Officer and Interim Chief Innovation Officer, re: Amendment to Contract with OpenGov - approve and authorize the Interim Chief Innovations Officer to sign the amendment to the OpenGov contract in the amount of \$73,350 subject to the final review and approval by the City Attorney.

5.08 Communication: Cindi Wight, Director of Parks, Recreation & Waterfront and Erin Moreau, Waterfront Superintendent and Harbormaster, re: Approval of Marina Slip and Mooring Fees - approve the 2022 Marina fees as set forth in the above table.

5.09 Communication: Chapin Spencer, Director, Lee Perry, Division Director - DPW Maintenance, re: Additional three-month extension, to the previous October 25, 2021 approved extension of the Second 195-201 Flynn Avenue Memorandum of Understanding - approve an additional three-month extension, for a six-month total extension, of the Option to enter into



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a lease-purchase agreement with the Chittenden Solid Waste District contemplated by the Second Memorandum of Understanding between the Chittenden Solid Waste District and the City dated November 1, 2019, and to authorize the Mayor to sign an addendum to said MOU effecting such, subject to final review and approval by the City Attorney's Office.

5.10 Resolution: Authorization Re Reimbursement of Waterfront TIF District and Downtown TIF District Related Costs FY2021 (Board of Finance) - waive the reading and adopt the resolution.

5.11 Communication: Caryn Long, re: TIF Debt - waive the reading, accept the communication and place it on file.

5.12 Communication: Jody Woos, On Behalf of the Vermont People's Green New Deal Committee/Coalition to Stop Airport Expansion, re: 1/24 City Council Public Comments - waive the reading, accept the communication and place it on file.

5.13 Communication: Solveig Overby, re: 1/24/2022 Redistricting: Support to Reestablish a Downtown Ward as Ward 8 - waive the reading, accept the communication and place it on file.

5.14 Communication: Michael Long, re: City Debt: TIF Plus - waive the reading, accept the communication and place it on file.

MOTION by Councilor Stromberg, SECOND by Councilor Magee, to amend/adopt the consent agenda and take the actions as indicated for items 5.01-5.02 and 5.04-5.14.

VOTING: unanimous; motion carries.

6. DELIBERATIVE AGENDA

6.01 Communication: Mayor Miro Weinberger, re: Appointment of Chief Innovation Officer

Mayor Weinberger spoke about his appointment of Scott Barker as Chief Innovation Officer. He noted that Mr. Barker has extensive experience with a number of Chittenden County organizations in IT capacities. He also spoke about Mr. Barker's community involvement. He said that this is a relatively new position (created in 2014), which would create a comprehensive IT vision for the City, as well as collect data to drive decision-making and coordinate continuous improvement initiatives.

Mr. Barker thanked the Mayor for the opportunity to serve the City in this capacity.

MOTION by Councilor Barlow to confirm the appointment of Scott Barker as Chief Innovation Officer.

VOTING: unanimous; motion carries.





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6.02 Second Public Hearing re Charter Change for March 1, 2022 Annual City Election

City Attorney Richardson spoke briefly about the charter change. He noted that proposed change would repeal the City's authority to regulate the term 'prostitution', 'houses of ill fame', and 'disorderly houses'. He said that the charter change seeks to strike this provision, which would eliminate the City Council and administration's ability to regulate these types of activities, though it does not supersede state authority around that regulation.

City Council President Tracy opened the public hearing.

Sherry LaMarsh said that the proposal may attract abusive predators. She expressed concern for young adults, saying that if this is decriminalized, they may be incentivized to engage in sex work. She also expressed concern about the risk of sexual assault and associated trauma.

Michelle Moran spoke against decriminalizing prostitution. She expressed grave concern about removing the ability of police to regulate and prosecute pimps and sex buyers.

Caitlin Messias spoke on behalf of World Without Exploitation. She spoke in opposition to the charter change that would decriminalize the sex trade. She said that it minimizes the lived experience of survivors, and that it encourages the sex trade to expand.

Maggie Kerin spoke on behalf of New Englanders Without Sex Exploitation, against the charter change that would decriminalize sex work.

Janet Metz spoke against the charter change that would decriminalize sex work. She spoke about the Rhode Island experiment to do so, which ended in 2009 after an explosion of sex work throughout the state. She said that it would be risky to embark on a long-term social experiment that could have extremely negative impacts on the community.

Rachel Foster spoke on behalf of World Without Exploitation. She spoke against the removal of the prohibition against commercial sex in Burlington's City charter. She said that the language could be replaced with more appropriate language, without removing the legal authority to regulate prostitution. She said that fully decriminalizing sex work will lead to an increase in sex work and sex trafficking.

Patty Myers said that decriminalizing prostitution only encourages exploitation of women, children, and men. She noted that the sex trafficking trade is more profitable than the drug trafficking trade. She spoke against the resolution that would decriminalize sex work in Burlington.



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Jim Sexton said that decriminalizing sex work would increase prostitution, drug trafficking, and violent crime. He said that crime in Burlington itself has risen exponentially, and that making prostitution legal would only increase that.

Henry June spoke on behalf of Ishtar Collective and as a current sex worker. She said that sex workers should be considered allies in anti sex-trafficking work. She spoke in support of the charter change to decriminalize sex work and striking oppressive language that punishes people such as herself.

Jack Garza said that current charter language demonizes sex workers, noting that criminalization also makes it difficult for victims to escape exploitative situations. They said that sex work and sex trafficking should not be conflated and that it is harmful. They said that carceral punishment does not help those who have been exploited.

Lauren Hersh spoke on behalf of World Without Exploitation, saying that prostitution and sex trafficking are not the same, though they are inextricably intertwined. She also noted that in places where people are being sold for sex, there is almost always collateral crime. She additionally noted that there are a small number of people who voluntarily enter the sex trade, but most enter into it due to lack of options, vulnerabilities, or coercion. She said that while current charter language is antiquated, striking it without replacing it will cause on-the-ground harm in Burlington and surrounding municipalities.

Tricia Grant spoke as a survivor of commercial sexual exploitation, saying that the long-term impact still impacts her even after several decades.

Abbey Jermyn spoke in support of the charter change to decriminalize prostitution in Burlington. They reiterated the differences between sex work and sex trafficking. They said the City charter needs to change because criminalizing sex work is a violation of human rights, and decriminalizing will destigmatize sex workers.

Savannah Sly spoke in support of the sex worker charter change. She spoke as a sex worker, saying that decriminalizing it would make it safer for sex workers and their clients. She said that it would allow them to access emergency services and legal recourse, should they need it. She said that it would enable those in the sex trade to reach out for help when they need it.

Michael Shively spoke as a representative of the National Center on Sexual Exploitation. He spoke about the research that has been spoken about tonight, particularly public health research about the impact on different legal frameworks for prostitution or legal sex. He said that other areas that have decriminalized sex work have seen negative impacts and that the outcomes of making these changes is never what the people who make these changes intend.

Lori Cohen spoke against the charter change that would decriminalize prostitution, saying that it would increase the



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exploitation and trafficking of children. She urged the Council to consider alternative proposals, such as partial decriminalization, which would allow those in the sex trade to come forth as needed to hold the trafficker or buyer accountable.

Elisabeth Miller said that the vast majority of speakers tonight are against the sex trade, and that the evidence should support that. She spoke about her experiences in cities that have legalized the sex trade, saying that they are dangerous and full of crime. She expressed concern that similar issues would befall Burlington if sex work is decriminalized.

David Mickenberg spoke in support of the City Council placing the sex work charter change on the ballot. He clarified that even if the charter change is approved by the voters, sex work would still be illegal under state law. He also said that prohibition forces people into the shadows, which puts sex workers in danger, and hinders their ability to work safely.

Selene Colburn spoke in support of the decriminalization of sex work, as well as allowing the voters to weigh in on the outdated language within the City charter. She pointed out that Burlington is one of few municipalities in Vermont to have its own laws against prostitution, in addition to state laws.

City Council President Tracy closed the public hearing.

City Attorney Richardson outlined the process moving forward. He said that the City Council could choose to amend the action but could also vote to send this charter change to the ballot as written.

MOTION by Councilor Freeman, SECOND by Councilor Hightower, to direct the City Clerk to place the charter change amendment as previously passed by City Council on the ballot.

DISCUSSION:

- **Councilor Shannon said that the current charter language is arcane and unnecessary to protect people from sex trafficking. She expressed concern that experts are stating that this would also be the first step in decriminalizing sex work, which she is not in support of. She also expressed concern that removing current charter language would attract sex trafficking to Burlington.**
- **Councilor Hightower said that this action is primarily to remove arcane language from the City charter. She also noted that legislation is occurring to revise language at the state level. She said that when legislation seeks to regulate sex, it ends up negatively impacting the most marginalized and vulnerable in the community.**
- **Councilor Barlow said that he supports striking the language both in ordinance and charter, but wondered if placeholder, enabling language could be put into the charter while improved language is drafted. City Attorney Richardson replied that the Council could halt the charter change process and draft language to replace current provisions, or it could continue the current direction to pass this charter change and later draft alternate language in its place. He said that it could also recommend that the police continue to enforce the prostitution statute.**
- **Councilor Mason noted that the police have been using state statute as the mechanism to pursue sex**



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trafficking. He said he would support continuing to do so, as well as continuing to pursue this charter change.

- Councilor Carpenter asked whether other municipalities have similar charter language. City Attorney Richardson replied that 16 municipalities have either prostitution, prostitute, or houses of ill fame language in their charters. Councilor Carpenter said that energy may be better spent combatting human trafficking at the state level, but that removing language at the municipality level seems to be in line with that.
- Councilor Dieng asked about the process for sending the charter change back to the charter change committee. City Attorney Richardson replied that if the Council decides, it could be moved back to the charter change committee for further consideration if it is not approved to be placed on the ballot.
- Councilor Freeman responded to comments expressing concern about how this change would impact the City, noting that this charter language is not currently being used to prosecute sex work, rather that sex work is being prosecuted at the State level. They said that removing this antiquated language from the charter shows support for sex workers in the community.

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

MOTION TO AMEND by Councilor Paul, SECOND by Councilor Mason, to discuss items 6.02, 6.04-6.06 and postpone the remainder of the deliberative items until January 31, 2022.

VOTING ON AMENDMENT: unanimous; motion carries.

VOTING ON MOTION AS AMENDED: unanimous; motion carries.

DISCUSSION (CONT'D):

- Councilor Shannon said that Burlington's charter language is not a mechanism that can be used to prosecute sex trafficking, since there is law at the state level that does this already. She said that she supports striking the existing language from the charter.

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

6.03 Resolution: Referral Of General Aviation Considerations To Transportation, Utilities And Energy Committee (Councilor Dieng)



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No discussion at this time.

6.04 Resolution: March 1, 2022 Annual City Meeting - Pledging The Credit Of The City To Secure Indebtedness For Public Improvements Within The Downtown TIF District (Board of Finance)

MOTION by Councilor Mason, SECOND by Councilor Hightower, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Mason said that this resolution empowers the voters to accept or reject the opportunity to make investments in infrastructure without raising taxes. He said that it would obtain \$29,920,000 in addition to previous to \$10,000,000. He said that it would be paid from incremental property tax revenues from the Downtown TIF District without raising taxes.
- Councilor Freeman said that they are not generally supportive of TIF as a mechanism for financing.
- Councilor Barlow asked whether the administration could speak to paying for the debt service on the bond if the increment failed to materialize, and how much actual risk there is. Director Pine replied that growth in values over the life of the TIF district have been about 66%. He said that the City has conservatively assumed a 1% growth with no increased tax rate, and still predict growth, even with these very conservative assumptions. He added that VEPC must review the City's financing plan prior to issuing bonds.
- Councilor Magee said that TIF as a model for funding projects is flawed, though they will support these crucial infrastructure improvements.
- Councilor Dieng thanked staff for clearly and precisely explaining the TIF District issue and spoke in support of it.

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

6.05 Resolution: March 1, 2022 Town Meeting Day Proposed Increase to General Fund Tax Rate (Board of Finance)

MOTION by Councilor Paul, SECOND by Councilor Carpenter, to waive the reading and adopt the resolution as amended.

DISCUSSION:

- Councilor Paul rejected the notion that the administration and Council are out of touch with the needs of residents. She said that this tax increase is right for Burlington at this time because even with the tax increase, it is still below the rate of inflation, and has been for the past ten years. She said that it would not be prudent to use the unassigned fund balance to cover budget gaps, nor would using ARPA funding to address global issues in Burlington's budget. She assured the public that the administration and Council will



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be looking for any opportunities for cost-savings during the budget build.

- Councilor Barlow said that the inflationary pressures the City is feeling are being felt by residents as well, in addition to having to cope with the results of property reappraisal. He suggested using ARPA funding or revisiting reappraisal for commercial properties when business picks up after the pandemic.
- Councilor Carpenter said that it would be prudent to have this tax increase now, since the City (and residents) are not prepared to cut the level of services that the City currently provides.
- Councilor Dieng said that affordability is one of the biggest issues for voters in the City, and that a tax increase right now is not appropriate.
- Councilor Shannon asked how ARPA funds could be used to meet budget needs. Mayor Weinberger said that the City assumes the use of ARPA dollars in the budget. He said that it is budgeting revenues to fully recover up to pre-pandemic levels. He said that if the recovery is slower or more uneven than the City would like, it could use funds that it has proposed to put into a Revenue Replacement Reserve Fund (funded by ARPA dollars) to bridge that gap. He also noted that the City is beginning to phase out the use of federal dollars to fund equity investments, in order to start building those investments into the structural budget. He noted that ARPA dollars are not unrestricted funds, though they can be used relatively flexibly for pandemic-related expenditures. He said that they are not aware of additional ARPA fund uses that could be budget-relieving. He said that of the \$27 million in ARPA funding allocated to the City, \$15 million remain uncommitted, though he noted that the administration will ask the Council for approval to encumber \$5 million of that to assist with future budgets.
- Councilor Shannon said that a priority should be providing a stipend for the members who serve on the school board prior to members of the City's boards and commissions. She said that for her, voting against this budget would hurt City workers, though she has deep reservations about the budget.
- Councilor Dieng said that voting against this tax increase would be voting in support of the taxpayers and residents of Burlington. He asked why the REIB department hasn't yet been incorporated into the City's structural budget. Mayor Weinberger replied that the REIB director position was created in the fall of 2019, though that was the only pre-pandemic position. He said that the department has been dramatically expanded since then, and that any cuts needed to the budget would be spread across all departments. Councilor Dieng expressed frustration that the City is requesting a tax increase under the assumption that collective bargaining will entail cost of living increases for City workers, though that bargaining has not yet occurred.

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

6.06 Resolution: March 1, 2022 Town Meeting Day Authorization to Issue General Obligations Bonds for Capital Projects (Board of Finance)

MOTION by Councilor Paul, SECOND by Councilor Mason, to waive the reading and adopt the resolution.

DISCUSSION:

- Councilor Paul said that 57% of voters supported this bond in December, but noted that it failed to reach the



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66% threshold for approval. She said that general feedback was that the bond was vague and expensive, and that administration has since returned with a second bond proposal which is a smaller amount but includes investments for crucial emergency equipment and capital investments. She noted that additional language was added to the resolution stating that if other funds can be used for this instead of bond proceeds, then bond proceeds cannot be spent elsewhere and the administration must prioritize taxpayer savings rather than reallocating bond funds.

- Councilor Dieng said that the amount of the bond is still too large. He said that the state will also be releasing additional infrastructure funding information in the spring, and that the City should wait for that.

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

6.07 Resolution: COVID-19 Public Face Covering Mandate To Encourage Safe Practices And Vaccination (Mayor)

No discussion at this time.

6.08 Communication: Acting Chief of Police Jon Murad, re: Creation of one (1) new position, Digital Media Redaction Specialist within Police Department **WAS CONSENT AGENDA ITEM 5.03**

No discussion at this time.

7. COMMITTEE REPORTS

7.01 Verbal Reports

No discussion 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

No discussion at this time.



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10. MAYOR – GENERAL AFFAIRS

10.01 Verbal Reports

No discussion at this time.

11. ADJOURNMENT

11.01 Motion to Adjourn

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

VOTING: unanimous; motion carries.

The City Council meeting adjourned at 11:49 PM.

RScty: AACoonrad