



January 23, 2023

Regular City Council Meeting - Monday, January 23, 2023, 5:30 pm, Contois Auditorium OR REMOTELY via ZOOM

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: add to the consent agenda item 6.19 Communication: Nicholas Persampieri, re: FW: City Council Meeting 1/9/23 - Agenda Item 8.09 - Resolution: Implementation of a Carbon Pollution Impact Fee

2. Second Public Hearing Regarding Charter Changes for March 7, 2023 **5:30 pm - 6:00 pm**

2.01 Second Public Hearing Regarding Charter Changes for March 7, 2023 (30 mins.)

Type: Action, Public Hearing

Recommended Action: open the Public Hearing--members of the public are welcomed to speak for up to 2 minutes; in the interest of allowing everyone to be heard and if you spoke at the January 17, 2023 Public Hearing please limit your comments to Charter Changes that you did not speak to at the first hearing close the Public Hearing

 Notice of 1st and 2nd hearings.pdf

 Petition Acceptance Confirmation.pdf

 Police Community Oversight Charter Change Proposal.pdf

 Proposition 0 Charter Change Proposal.pdf

 Signed CC Resolution March 7, 2023
ACM--Charter Change Re All Legal Resident
Voting In Local Elections.pdf

 Signed CC Resolution March 7, 2023 Annual
City Meeting--Proposed Charter Change re Ward
Boundaries.pdf

 Signed CC Resolution March 7, 2023
ACM--Charter Change Re Qualifications Of Voters
And Siting Of Polling Places.pdf

 Unsigned CC Resolution March 7, 2023
ACM--Charter Change re Ranked Choice Voting
for Mayoral, School Commissioner and Ward
Election Officer Elections.pdf

3. Update on the Crisis Response Team (verbal)

3.01 Update on the Crisis Response Team (verbal)(30 mins.)

Type: Discussion, Information

4. Public Forum: Time Certain: 7:30 pm **See item for signup instructions**



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4.01 Verbal Comments

Type: Action, Information, Procedural

To participate in Public Forum in person sign up at the meeting. To participate in Public Forum via ZOOM sign up here: <https://www.burlingtonvt.gov/citycouncil/publicforum> Do not sign up in person and via Zoom - select one only

5. Climate Emergency Reports (5 - 10 mins.)

5.01 Climate Emergency Reports

Type: Information

6. Consent Agenda

6.01 Motion to adopt the consent agenda (as amended) and take the actions indicated

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda and take the actions indicated

6.02 Communication: CT Office, re: Accountability List

Type: Action (Consent), Communication, Information

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

 Accountability List for 012323 CC LO.xlsx

6.03 Communication: CT Office, re: December 5, 2022 Full Board of Abatement of Taxes Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

 View Minutes from Full Board of Abatement of Taxes Meeting - Monday, December 5, 2022, Contois Auditorium

6.04 Communication: CT Office, re: December 5, 2022 Board of Civil Authority Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

 View Minutes from Board of Civil Authority Meeting - Monday, December 5, 2022, Contois Auditorium



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6.05 Communication: CT Office, re: December 5, 2022 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, December 5, 2022, 5:30 pm, Contois Auditorium

6.06 Communication: CT Office, re: December 12, 2022 Local Cannabis Control Commission Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from Local Cannabis Control Commission Meeting - Monday, December 12, 2022, Contois Auditorium

6.07 Communication: CT Office, re: December 12, 2022 City Council With Mayor Presiding Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, December 12, 2022, Contois Auditorium

6.08 Communication: CT Office, re: December 12, 2022 Board of Civil Authority Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, December 12, 2022, Contois Auditorium

6.09 Communication: CT Office, re: December 12, 2022 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, December 12, 2022, 6:00 pm, Contois Auditorium



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6.10 Communication: CT Office, re: January 9, 2023 Local Control Commission Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, January 9, 2023, Contois Auditorium

6.11 Communication: CT Office, re: January 9, 2023 Regular City Council Meeting Minutes, Draft

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 6, 2023 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, January 9, 2023, 5:30 pm, Contois Auditorium

6.12 Communication: David Cawley, re: UVM Rezoning Application - We need a UVM MOU

Type: Action (Consent)

Recommended Action: waive the reading and place it on file

Communication David Cawley, re UVM Rezoning application - We need a UVM MOU.pdf

6.13 Communication: Mark Barlow, Chair, Tax Abatement Committee, re: Mission Statement for Tax Abatement Committee

Type: Action (Consent)

Recommended Action: the council moves to adopt the mission statement for the Tax Abatement Committee and place it on the city website

Communication Mark Barlow, Chair, Tax Abatement Committee, re Mission Statement for Tax Abatement Committee.pdf

6.14 Communication: Shanti Energy, LLC, re: Memorial Auditorium Proposal PF 1/9/23

Type: Action (Consent)

Recommended Action: waive the reading and place it on file

Communication Shanti Energy, LLC, re Memorial Auditorium Proposal PF 010923.pdf



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6.15 Authorization to Amend Contract with On-Call Water Resources Excavation Contractors - DPW/Water Resources Division

Type: Action (Consent)

Recommended Action: to authorize the Director of Public Works to execute an on-call contract amendment with five qualified water resources excavation contractors (Courtland Construction Company, Dirt Tech Company, Engineers Construction, Parker Excavation, and SD Ireland Companies) for emergency repair services with a maximum limiting amount of \$400,000.00 for each on-call contract, and amend the cumulative maximum limiting amount to \$750,000.00 for all five contracts in total, resulting in a total authorized expenditure not to exceed \$750,000.00, subject to review and approval by the Chief Administrative Officer and City Attorney

1 - BOF CC Memo - Amend Construction Contractor On Call Services1-17-23.docx

BOF CC Checklist_Amend Construction Contractor On CallServices.docx

6.16 Understanding Gun Violence Amongst New American Youth Project Progress Report - January 2023 - Vermont New American Advisory Council (VNAAC)

Type: Action (Consent)

Recommended Action: waive the reading and place it on file

Report Understanding Gun Violence Amongst New American Youth Project Progress Report - January 2023.pdf

6.17 Communication: Daniel Munteanu, re: PH 1/17/23

Type: Action (Consent)

Recommended Action: waive the reading and place it on file

Communication Daniel Munteanu, re PH 011723.pdf

6.18 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf

FIO Documents 2.pdf

6.19 Communication: Nicholas Persampieri, re: FW: City Council Meeting 010923 - Agenda Item 8.09 - Resolution: Implementation of a Carbon Pollution Impact Fee

Type: Action (Consent), Communication

Recommended Action: waive the reading and place it on file, noting these items relate to testimony given by Mr. Persampieri at the January 9 Council meeting

Communication Nicholas Persampieri, re FW City Council Meeting 010923 - Agenda Item 8.09 - Resolution Implementation of a Carbon Pollution Impact Fee.pdf



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7. Deliberative Agenda

7.01 Update On Redistricting Maps As Per City Council Action On January 17, 2023 (30 mins.)

Type: Action

****note** written materials for this agenda item per Meagan Tuttle , posted on Friday, January 20, 2023, at 7:30 pm, LO**

****note** three proposed resolutions for Council consideration per Acting City Attorney Sturtevant , posted on Monday, January 23, 2023, at 5:12 pm, LO**

Memo for Council RE Maps 012023.pdf

Signed CC Resolution March 7, 2023 Annual City Meeting--Proposed Charter Change re Ward Boundaries (2).pdf

8 Wards V27 8.5x11.pdf

City Edits V1 8.5x11.pdf

City Edits V2 8.5x11.pdf

Map Totals- v27 and City Edits v1 and v2.pdf

Charter Change Language - City Edits v 2, 1-23-23.docx

Charter Change Language - City Edits v1, 1-23-23.docx

December2 V1.3 Final.pdf

Charter Change Language - Pub Hearing V27, 1-23-23 no sponsor.pdf

7.02 Tobacco License Application (2022-2023): Kampus Kitchen, 273 Colchester Avenue

Type: Action

Recommended Action: approve the 2022-2023 Tobacco License Application for Kampus Kitchen , 273 Colchester Avenue

Tobacco License Application Kampus Kitchen 273 Colchester Avenue.pdf

7.03 City Council Rules (20 mins.)

Type: Action

Recommended Action: move to adopt the rules changes and refer to the Charter Change Committee additional further consideration of member ethical standards and consequences OR move to accept the communication and postpone the vote to our next meeting on February 6, 2023

Council rules 6-13-2022 v5 1-11-2023 Revised Draft 1-19-23.docx

Memo - Council Rules 1-19-2023.pdf



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7.04 Resolution: Determination of Need For Concise Summary Of Charter Change Amendments On Ballots And In The Warning (Councilor Paul)(10 mins.)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note Councilor Bergman's email posted on Monday, January 23, 2023, at 7:55 am, LO****

Based on Councilor Bergman's proposed amendments, please note the revised version of this agenda item per Assistant City Attorney Pellerin, posted on Monday, January 23, 2023, at 2:18 pm, LO

*****note proposed amendment per Councilor Traverse for this agenda item , posted on Monday, January 23, 2023, at 6:55 p.m. LO*****

note another proposed amendment per Councilor Traverse for this agenda item , posted on Monday, January 23, 2023, at 9:18 pm, LO

--additional short form language re question 4 per Councilor Shannon, posted on Monday, January 23, 2023, at 9:51 pm, LO--

Short Form Question Charter Change
Proposals Town Meeting Day '23 v3 1.22.23 GB
proposed amendment.docx

Per Councilor Bergman re Agenda Item
7.04.docx

Resolution - Charter Change Amendments
Determination of Need for Concise Summary on
Ballots in the Warning (3-07-23 Annual City
Meeting) re Short Form Text v2 1.19.23.pdf

Short Form Question Charter Change
Proposals Town Meeting Day '23 v2 1.19.23.pdf

Qs 1 to 3 - Short Form Question Charter
Change Proposals Town Meeting Day 23 (BJT
proposed amendment w GB Amdt).docx

Qs 4 to 5 - Short Form Question Charter
Change Proposals Town Meeting Day 23 (BJT
proposed amendment).docx

Additional Short Form Language for Q4.docx

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

7.05 Public Hearing Regarding Burlington Waterfront Tax Increment Financing District: Substantial Change Request (10 mins.)

Type: Action, Procedural, Public Hearing

Recommended Action: open the Public Hearing close the Public Hearing

Final Public Hearing Notice 2023 Waterfront
TIF District Substantial Change Request.docx



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7.06 Waterfront TIF District - Application to VEPC for financing of public improvements associated with CityPlace Burlington (10 mins.)

Type: Action

Recommended Action: to approve the City's proposed substantial change request to VEPC for its Waterfront TIF District and authorize City Council President Karen Paul and Chief Administrative Officer Katherine Schadt to submit the attached formal request letter

City Council memo re WTF TIF SCR Final.pdf

Waterfront TIF District Substantial Change - Narrative 01-19-23.pdf

Burlington - City Place (Waterfront) TIF - VEPC spreadsheet - draft 01-18-23 cash flow.pdf

BoF_City Council_Checklist.fillable pdf 011923.pdf

CityPlace Phase 2 plans - 220505_PR Set (002).pdf

APPROVED_CityPlace_Zoning_Drawings.pdf

8. Committee Reports (up to 15 mins.)

8.01 Verbal Reports

Type: Information, Procedural

9. City Council - General Affairs (up to 15 mins.)

9.01 Verbal Reports

Type: Information, Procedural

10. City Council President - Council Updates (up to 5 mins.)

10.01 Verbal Reports

Type: Information, Procedural

11. Mayor - General Affairs (up to 10 mins.)

11.01 Verbal Reports

Type: Information, Procedural

12. Adjournment



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12.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

13. Informational and Non-Discrimination Statements

13.01 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