



January 22, 2018

**Regular City Council Meeting - Monday, January 22, 2018, 6:00 pm - 7:00 pm,
Conference Room 12, City Hall *Special City Council Worksession re: City
Council Rules and Procedures*; 7:00 pm, Contois Auditorium, City Hall,
*Regular City Council begins**

 [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: note revised version and motion for consent agenda item 5.08 Communication re: Burlington Town Center aka City Place Burlington Bank Street and Cherry Street Design Consultant Award (per Kirsten Merriman Shapiro per Mayor's Office); note power point presentation slides for agenda item 3.01 Presentation: Chief Locke and Fire Officers, re: Lessons Learned from Torrey Hall (per Chief Locke); note proposed amendment to agenda item 6.02 Ordinance: Offenses & Miscellaneous Provisions - Quality of Life Ordinances (Full City Council per Resolution of 8/28/17)(1st reading)(per Councilor Tracy); note revised version of agenda item 6.03 Resolution: City Council Actions To Support Burlington's Homeless Community (Revised)(Public Safety Committee)(per City Attorney's Office per Councilor Roof)

2. Special City Council Worksession re: City Council Rules and Procedures *this will be held in Conference Room 12, City Hall, 6:00 pm - 7:00 pm

2.01 Presentation: Eileen Blackwood, City Attorney, re: Council Rule 7 on Member Responsibilities.

Attachment: Appendix B Council Rules

Type: Information, Presentation

 APPENDIX B Rules and Regulations of the
City Council.pdf

2.02 Presentation: Eileen Blackwood, City Attorney, re: Role of councilors in relationship to city employees (employee-employer, union-management relations)

Type: Information, Presentation

2.03 Presentation: Eileen Blackwood, City Attorney, re: Brief update on new public records case law and open meeting issues. Attachment: Toensing

Type: Information, Presentation

 Toensing v. AG of VT.2017.pdf

2.04 Councilor questions and comments on other Council Rules

Type: Discussion

3. Presentation about Lessons Learned from Torrey Hall fire



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3.01 Presentation: Chief Locke and Fire Officers, re: Lessons Learned from Torrey Hall fire (oral)

Type: Information, Presentation

****note power point presentation slides for this agenda item per Chief Locke****

Torrey Hall Presentation Final.pptx

4. Public Forum: time certain: 7:30 pm

4.01 Verbal Comments

Type: Information, Procedural

5. Consent Agenda

5.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the actions as indicated: note revised version and motion for agenda item 5.08 Communication re: Burlington Town Center aka City Place Burlington Bank Street and Cherry Street Design Consultant Award (per Kirsten Merriman Shapiro per Mayor's Office)

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 012218 cc
mtg LO.xlsx

5.03 Communication: John Vickery, City Assessor, re: Annual approval of the Error and Omission list for fiscal year 2018

Type: Action (Consent), Information

Recommended Action: waive the reading, accept the communication, place it on file and accept the following changes to the Grand List

Error and Omission List for CC FY2018.pdf



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5.04 Communication: Jill Remick, Acting Director, Property Valuation and Review, State of Vermont, Department of Taxes, re: Tentative Redetermination Estimates

Type: Action (Consent), Communication

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

Communication State of Vermont Department of Taxes re Acknowledgement re Petition for a redetermination of the values.pdf

5.05 Communication: Richard Goodwin, Director of Financial Operations, re: Tyler Technologies Software Support Agreement - Amendment

Type: Action (Consent)

Recommended Action: to authorize the Director of Financial Operation to execute a contract amendment with Tyler Technologies in the amount of \$209,713.76 over three (3) years for maintenance and support services associated with New World financial management software for a period from October 1, 2016 through September 30, 2019

Tyler Maintenance Agreement Memo_v3.docx

Burlington VT Maintenance Amendment 011118 Tyler edits.doc

z_BoF_City Council_Checklist.fillable pdf.pdf

5.06 Communication: Jenna Olson, Stormwater Program Manager, Laura Wheelock P.E., Public Works Engineer and Martin Lee, P.E., Water Resources Engineer, re: Acceptance of Federal Highway Administration Grant to repair the Route 127 slope/road shoulder failure

Type: Action (Consent)

Recommended Action: to approve the acceptance of the Federal Highway Administration Grant Agreement # ER0119 (attached) and authorize Chapin Spencer, Director of Public Works to execute the grant agreement, subject to the prior review and approval of the City Attorney

BOF CC Memo Final .pdf

5.07 Communication: Noelle MacKay, CEDO Director; Bob Rusten, re: ECHO TIF Project Update and Lease

Type: Action (Consent), Communication, Information

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

Memo re. ECHO TIF Project_for_CC_January_22_2017.pdf



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**5.08 Communication: Kirsten Merriman Shapiro, Senior Policy and Project Specialist, CEDO and
Laura K. Wheelock P.E., Public Works Engineer, re: Great Streets - Burlington Town Center Bank
Street and Cherry Street Design Consultant Award**

Type: Action (Consent)

Recommended Action: 1. We respectfully request the City Council approve the following motion: To authorize Chapin Spencer, Director of Public Works, subject to prior approval of the City Attorney's Office, to execute a contract for the development of 30% conceptual plans for Bank and Cherry Streets and 100% design documents for 3 blocks of Cherry Street with Stantec, Inc. in the amount of \$591,151, with additional authorization for Director Spencer to execute any contract amendments up to the contingency limit of \$88,673 that are necessary for the development of these plans, which are part of the Great Streets □ Burlington Town Center Bank St and Cherry St Project. 2. We respectfully request the City Council approve the following motion: To create a capital project budget for FY 18 of \$550,000 for the Great Streets Bank and Cherry Streets Project and approve an overall project budget of \$20,927,000.00

****note revised version and motion for this agenda item per Kirsten Merriman Shapiro per Mayor's Office:**

City Council:

1. To authorize Chapin Spencer, Director of Public Works, subject to prior approval of the City Attorney's Office, to execute a contract for the development of 30% conceptual plans for Bank and Cherry Streets and 100% design documents for 3 blocks of Cherry Street with Stantec, Inc. in the amount of \$591,151, with additional authorization for Director Spencer to execute any contract amendments up to the contingency limit of \$88,673 that are necessary for the development of these plans, which are part of the Great Streets – Burlington Town Center Bank St and Cherry St Project.

2. To create a Design Budget for FY18 of \$ 450,000 for the Design of the Redevelopment of Bank and Cherry Streets and approve a Design Budget of \$829,824

BoF_CC Memo GS-BTC Bank-Cherry Design
Consultant Award_DPW_CEDO 01-16-2018
FINAL.pdf

BoF_CC Memo GS-BTC Bank-Cherry Design
Consultant Award_Design Budget
1_22_18_REVISED.docx

BoF_CC_Checklist.fillable pdf.pdf



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5.09 Communication: C/T Office, re: General Fund Revenue Unaudited - November 2017 Financial

Type: Action (Consent), Communication, Information

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

Nov Financial run 1-4-18.xlsx

5.10 Communication: C/T Office, re: Sweep Accounts & Other Bank Accounts UNAUDITED

Type: Action (Consent), Communication, Information

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

12312017_ Sweep Report For BOF.xlsx

5.11 FIO Document

Type: Action (Consent), Information

Recommended Action: for information only

FIO Document.pdf

**5.12 Resolution: Authorization to Enter into a Capital Lease Purchase Agreement with Key
Government Financing, Inc. (Board of Finance)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Agenda Item BOF - Master Lease CT
01.22.18.pdf

Treasurer - Capital Lease Purchase
Agreement with Key Government Financing,
Inc.pdf

**5.13 Resolution: Elimination of One Office Assistant II Cemetery and One Customer Service
Associate; and Creation of One Customer Service Associate and Cemetery Position -
Clerk/Treasurer's Office and Department of Parks, Recreation & Waterfront (Board of Finance)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Full Packet_Customer Service Associate and
Cemetery January 2018 to BoF.pdf

HR - Clerk-Treasurer & Parks - Customer
Service Associate & Cemetery position.pdf



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**5.14 Resolution: Creation of One (1) Additional Customer Service Sales Associate Position -
Burlington Telecom (Burlington Telecom Advisory Board)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 CC Checklist BT Creation of 5th CSSA
Position 01 22 18.pdf

 Packet for Creation CSSA 1 08 17.pdf

 HR - BT - Creation of Additional Customer
Service Sales Associate Position.pdf

6. Deliberative Agenda

**6.01 Ordinance: Offenses and Miscellaneous Provisions - Ordinances to Repeal (City Attorney;
Ordinance Committee)**

Type: Action

Recommended Action: suspend the rules, place them in all stages of passage and approve the repeal of the listed ordinances, with the minutes to this meeting (1/9 Ordinance Committee DRAFT minutes) sent as a communication

 Offenses & Misc. Provisions – Ordinances
being repealed, Sec. 21-8, 21-9, 21-21, 21-22,
21-23, 21-25, 21-26, 21-27, 21-40.pdf

 Burlington City Council Ordinance Committee
DRAFT Minutes January 9 2018.pdf

**6.02 Ordinance: Offenses & Miscellaneous Provisions - Quality of Life Ordinances (Full City
Council per Resolution of 8/28/17)(1st reading)**

Type: Action, Ordinance - First Reading

****note proposed amendment for this agenda item per Councilor Tracy****

 Offenses & Misc. Provisions - Quality of Life
Ordinances, Sec. 21-24, 21-38, 21-56.pdf

 Proposed Amendment per Councilor Tracy re
Quality of Life Ordinance.pdf

**6.03 Resolution: City Council Actions To Support Burlington's Homeless Community (Public Safety
Committee)**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note revised version of this agenda item per City Attorney's Office per Councilor Roof****

 Public Safety Committee's Recommendations
re Burlington's Homeless Community.pdf

 Public Safety Committee's Recommendations
re Burlington's Homeless Community
(REVISED).pdf



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6.04 Resolution: Process for Defining and Deciding Among The City's Carried Interest Options for Burlington Telecom (Councilors Knodell and Paul)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

BT - Process for Defining and Deciding among City's Options for Carried Interest in Burlington Telecom.pdf

6.05 Resolution: March 6, 2018 Annual City Meeting - Advisory Ballot Question Re Local Option to Fund Perpetually Affordable Housing in Burlington (Councilors Knodell, Moore and Tracy)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Advisory Ballot Question re Sales Tax for Housing Trust Fund (3-06-18 Annual City Meeting).pdf

6.06 Ordinance: Plumbing - Chapter 25 Revisions (Department of Public Works; Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

PLUMBING, Chapter 25 Revisions.pdf

6.07 Ordinance: Personnel - Proposed Changes to Retirement System Ordinance (Burlington Employees Retirement System Board)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

PERSONNEL--Proposed Changes to Retirement System Ordinance.pdf

6.08 Resolution: Authorization to Execute Quitclaim Deed for 28 Nicklaus Circle, South Burlington (formerly located in Burlington)(Councilors Mason and Shannon)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Clerk – Quit Claim Deed for 28 Nicklaus Circle, So. Burlington (former glebe land located in Burlington) (Attachment).pdf

Clerk – Quit Claim Deed for 28 Nicklaus Circle, So. Burlington (former glebe land located in Burlington).pdf



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7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

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 Statement



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12.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142)

Type: Information