



Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

January 7, 2019

MEMBERS PRESENT: Kurt Wright (Council President) – Ward 4

Jane Knodell – Central District

David Hartnett – North District

Joan Shannon – South District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Brian Pine – Ward 3

William “Chip” Mason – Ward 5

Karen Paul – Ward 6

Ali Dieng – Ward 7

Adam Roof – Ward 8

MEMBERS ABSENT: Richard Deane – East District

ADMINISTRATION: Miro Weinberger, Mayor

Beth Anderson, CAO

Rich Goodwin, DFO

Eileen Blackwood, City Attorney

Jordan Redell, Mayor’s Office

Olivia LaVecchia, Mayor’s Office

Lori Olberg, C/T



Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

Amy Bovee, C/T

Chapin Spencer, DPW

Norm Baldwin, DPW

David White, Planning & Zoning and CEDO

Meagan Tuttle, Planning & Zoning

Bill Ward, Code Enforcement

OTHERS PRESENT: Andy Montroll

Hains Roen

Gene Bergman

Mark Hughes

Yaw Obeng

Clare Wool

Nathan Lavery

[Note: Minutes reflect the order of the published agenda.]

1.0 CALL TO ORDER and AGENDA

Council President Wright called the meeting to order at 6:18 PM on January 7, 2019 and led the assemblage in the Pledge of Allegiance.

1.01 Agenda

MOTION by Councilor Knodell, SECOND by Councilor Bushor to approve the agenda with the following amendments:

- **Note final version of Item 5.06 (Investment Policy)**
- **Note material for Item 5.07 (Key Bank Contract Extension)**
- **Note revision to Item 5.11 (Waterfront and Downtown TIFs)**
- **Add Item 5.12 (Step Placement, Olivia Darisse)**
- **Note updated presentation for Item 6.01 (FY20 School Budget)**
- **Note updated information for Item 6.03 (Nonunion Salary Increases)**
- **Note written material for Item 6.05 (BPOA Collective Bargaining Agreement)**

VOTING: unanimous; motion carried.



Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

2.0 EXECUTIVE SESSION

MOTION by Councilor Mason, SECOND by Councilor Knodell, to find that premature public knowledge of an update on matters related to ongoing litigation and negotiations pertaining to the sale of BT would place the public at a substantial disadvantage. VOTING: unanimous; motion carried.

MOTION by Councilor Mason, SECOND by Councilor Roof, based on the finding of premature public knowledge of matters relating to the sale of BT to go into Executive Session and invite the Mayor, Mayor's Office, CIO, CAO, and City Attorney to attend. VOTING: unanimous; motion carried.

Executive Session was convened at 6:22 PM.

MOTION by Councilor Knodell, SECOND by Councilor Shannon, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 6:59 PM.

3.0 PRESENTATION: Draft planBTV Comprehensive Plan

Comprehensive Planner Tuttle, Planning Director White, Planning Commission members Montroll and Roen gave a high level overview of the planBTV Comprehensive Plan. The plan is an update to the 2014 plan and focuses on the city's 20 year vision. Public input and the work of the Planning Commission were incorporated into the draft plan. There will be additional opportunities for public input. The updated draft will be brought to City Council for adoption at the end of March (current plan expires March 31, 2019).

Councilor Dieng asked about having a planBTV for the New North End. Comprehensive Planner Tuttle pointed out planBTV does suggest a plan for the New North End. Planning Director White added the plan is not only goals, but also a work plan.

City Council will schedule a public hearing on the draft planBTV in February.

4.0 PUBLIC FORUM

Public forum was opened at 7:28 PM.

COMMENTS



Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

- Gene Bergman submitted a statement that listed concerns and objections to the charter change for the DID, noting there are serious flaws in the draft. City Council is urged to pull the item from the ballot. There is no need to privatize functions.
- Mark Hughes, Justice for All, urged City Council to consider enhanced police oversight and accountability for law enforcement when negotiating the police union contract.

There were no further comments. Public Forum was closed at 7:40 PM.

5.0 CONSENT AGENDA

- 5.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated
- 5.02 COMMUNICATION: Accountability List
- 5.03 COMMUNICATION: 2018 Equalization Study Results
- 5.04 COMMUNICATION: 2019 Certificate of Highway Mileage
- 5.05 COMMUNICATION: City-BT Services Agreement
- 5.06 COMMUNICATION: Investment Policy Statement
- 5.07 COMMUNICATION: Key Bank Contract Extension
- 5.08 COMMUNICATION: FIO Document(s)
- 5.09 RESOLUTION: Selection of Newspapers
- 5.10 RESOLUTION: Board of Medical Examiners, Jennifer Huldin
- 5.11 RESOLUTION: Waterfront and Downtown TIFs Reimbursement
- 5.12 COMMUNICATION: Step Placement, Olivia Darisse

MOTION by Councilor Knodell, SECOND by Councilor Bushor, to adopt the Consent Agenda as amended and take the actions indicated for Items 5.01 through 5.12. VOTING: unanimous; motion carried.

6.0 DELIBERATIVE AGENDA

- 6.01 Presentation: FY20 School Budget – School District

Superintendent Obeng, Finance Director Lavery, and School Board Chair Wool gave a presentation on the FY20 school budget and the budget process. Multiple community forums were held to gather feedback on the budget. Budget assumptions, enrollment projections, and priorities were noted. Potential new investment will total \$5.37 million plus debt service. A scenario that reflects a 4% tax increase is being drafted.

Councilor Bushor asked about new FTE and how this will serve the community. Superintendent Obeng said the



Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

presentation is showing a multi-year approach.

Councilor Dieng mentioned doing opioid prevention activities at the middle and high school levels. Superintendent Obeng said staff supporting those initiatives are working from grants. School Board Chair Wool said the Health Nurse and Guidance Counselor positions are being restored to full time at the middle and high schools.

Councilor Pine asked about impact of the union contracts on the budget. Finance Director Lavery said the tentative agreement with the teachers union was incorporated and assumptions were made for the other contracts. Salary increases in the contracts are part of the 4% tax increase. Adjustments will be made if the settlement is higher.

Councilor Knodell asked if the homestead dollar yield is higher due to the statewide consolidations. Finance Director Lavery said the yield is mainly due to state law relative to sales and use tax that results in more revenue going to the school district. Councilor Knodell stressed that the \$70 million of debt service must be included in the budget.

Councilor Paul asked if the decline in the number of elementary students was factored in. Superintendent Obeng said the district is aware of the trends and is staffing to address them.

6.02 Compensation Hearing: Champlain Parkway – Councilor Mason

MOTION by Councilor Mason, SECOND by Councilor Dieng to waive the reading and adopt the resolution on the Champlain Parkway compensation order.

DISCUSSION:

- **Councilor Mason said this is a step toward construction of the parkway. The compensation hearings that were held and the compensation offers were reviewed.**

VOTING: unanimous; motion carried.

6.03 Non-Union Salary Increases and Adjustments to Health and Retirement Benefit Contributions for FY19 – Mayor Weinberger, Councilor Knodell

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

DISCUSSION:

- **Mayor Weinberger reported negotiations are complete with two of the four bargaining units. What is in effect will be ratified.**

VOTING: unanimous [Councilor Mason not present for vote]; motion carried.





Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

6.04 Single Use Plastic Reduction Policy – Councilors Shannon, Roof, Paul, Mason

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

DISCUSSION:

- **Councilor Shannon said the city as a community needs to address plastics going into the waste stream and eventually into the oceans.**
- **Councilor Roof said there needs to be conversation on reducing the use of plastic straws and stir sticks in restaurants and bars.**
- **Councilor Pine recalled Milo Kreffs at the Sustainability Academy started the movement to get rid of plastic straws.**
- **Councilor Dieng suggested creating a working group to look at the ramifications before putting the question on the ballot. [Councilor Shannon said an informal group was organized, but could not get any action forward. Councilor Roof added the next steps include forming a working group or ordinance committee to create an ordinance on banning plastics.]**

VOTING: unanimous; motion carried.

6.05 BPOA Collective Bargaining Agreement – Board of Finance

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

DISCUSSION:

- **Councilor Pine said the potential of impact or limit on the city's ability for disciplinary options should be discussed.**

MOTION by Councilor Pine, SECOND by Councilor Bushor, to find that premature public disclosure of contract negotiations would place the city at substantial disadvantage. VOTING: unanimous; motion carried.

MOTION by Councilor Pine, SECOND by Councilor Bushor, based on the finding of premature public knowledge of negotiations placing the city at a disadvantage to go into Executive Session and invite the Mayor, Mayor's Office, CAO, and City Attorney. VOTING: unanimous; motion carried.

Executive Session was convened at 8:46 PM.

MOTION by Councilor Dieng, SECOND by Councilor Shannon, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous; motion carried.

Executive Session was adjourned at 9:12 PM. City Attorney Blackwood said the existing provisions in the contract related to



Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm, Contois Auditorium, City Hall 1/7/2019

discipline were not subject to negotiation this round and were not changed.

CONTINUED DISCUSSION:

- **Councilor Knodell noted the Board of Finance unanimously supported the agreement which will result in an increase in training in the Police Dept. and help retain officers. Having an outstanding police department is essential.**
- **Councilor Hartnett said cuts need to be found because the taxpayers cannot be continually asked for more funding.**
- **Councilor Knodell said the Board of Finance was cognizant of the concerns of the burden on taxpayers. City Council is urged to ratify the agreement and have the police help City Council create a citizen complaint process.**
- **Mayor Weinberger assured there will be further discussions on the budget with City Council. This is only the second time in eight years that a tax increase is being requested for the operating budget. Capital items have been increased.**
- **Councilor Dieng said members of City Council need to be involved in the bargaining.**

VOTING: unanimous; motion carried.

7.0 COMMITTEE REPORTS

- Councilor Tracy said the TEUC will meet 1/8/19 to discuss the Colchester Ave. intersection and Regional Planning Unified Work Plan.
- Councilor Knodell said the Senior Center Study Committee will meet 1/16/19.

8.0 CITY COUNCIL – GENERAL AFFAIRS

No report.

9.0 CITY COUNCIL PRESIDENT – COUNCIL UPDATES

Council President Wright noted:

- A date for the implicit bias training will be set.
- Representatives from Brookfield will address City Council at the next meeting.

10.0 MAYOR – GENERAL AFFAIRS

Mayor Weinberger noted:

- Highlight on New Year's Eve was a success. Over 6,000 tickets were sold.
- Happy new year to all.



**Regular City Council Meeting - Monday, January 7, 2019, 6:00 pm,
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1/7/2019**

11.0 ADJOURNMENT

MOTION by Councilor Knodell, SECOND by Councilor Roof, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 9:25 PM.

RScty: MERiordan