



Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

6:00 pm, Contois Auditorium OR Remotely via ZOOM:

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1. Agenda

Subject	1.1. Motion to amend/adopt agenda
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to amend/adopt agenda as follows: put the action of item 2.1. on the consent agenda; add to the consent agenda item 5.25. Communication: Stephanie Seguino, Member, Police Commission re: Resignation

2. Annual Report for 2022 -23, Parks, Recreation and Waterfront Commission

Subject	2.1. Annual Report for 2022 - 23, Parks, Recreation and Waterfront Commission
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	2. Annual Report for 2022 -23, Parks, Recreation and Waterfront Commission
Department	Parks, Recreation, & Waterfront
Type	Action Information Report

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

3. Public Forum: Time Certain: 6:30 pm **See above for signup instructions**

Subject 3.1. Verbal Comments

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 3. Public Forum: Time Certain: 6:30 pm **See above for signup instructions**

Department Council and Board

Type Action (Consent)
Procedural

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

Subject 4.1. Climate emergency reports

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 4. Climate Emergency Reports (5 - 10 mins.)

Department Council and Board

Type Information

5. Consent Agenda

Subject 5.1. Motion to adopt the consent agenda (as amended) and take the actions indicated

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Council and Board

Type Action (Consent)
Procedural

Recommended Action Motion to adopt the consent agenda and take the actions indicated

Subject 5.2. Communication: CT Office, re: Accountability List

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication
Information

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

Subject 5.3. Update on Initial Receipt and Obligations of Nationwide Settlement Opioid Money - CAO and Mayor

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action

- Authorize and approve moving all opioid settlement agreement money received to date and all forthcoming into assigned fund balance labeled 'Opioid Money' to be spent only as directed by such agreements, and to further authorize the Chief Administrative Officer or designee to effect all necessary budget amendments and transfers of funds to complete such allocation; and
- Authorize and approve earmarking and expenditure of \$75,000 of opioid settlement agreement money to support VCJR, and further authorize the Chief Administrative Officer or designee to execute an agreement and all other necessary documents to memorialize such expenditure, subject to any necessary review by the City Attorney's Office.

Subject 5.4. Champlain St. Park Renovations Construction, Contractor Contract - BPRW

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Parks, Recreation, & Waterfront

Type Action (Consent)

Recommended Action

1. To approve and authorize the execution of a contract with Waterman Siteworks, LLC, for a price not to exceed \$163,844.00 for the Champlain Street Park Renovations Construction project, plus a project contingency of \$19,887.50, for a total authorized expenditure in the amount of \$183,731.75, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract and any related documents needed to carry out the project, subject to review by the City Attorney's Office.
2. To authorize the Chief Administrative Officer, or their designee, to affect the necessary budget amendment and transfer of \$10,000.00 in funds from the Penny for Parks unallocated restricted fund balance to the Champlain St. Park Renovations Project as outlined on the Budget Amendment Request form.

Subject 5.5. Lakeview Cemetery Exterior Restoration - BPRW

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Parks, Recreation, & Waterfront

Type Action (Consent)

Recommended Action to approve and authorize the execution of a contract with Farrington Construction Company, for a price not to exceed \$238,976.00, to complete exterior restoration at Lakeview Cemetery, plus a project contingency of 35,846.00 (total request including contingency not to

exceed \$274,882.00), and to authorize Cindi Wight, Director of Parks, Recreation & Waterfront, to execute the contract and any related documents needed to carry out the project, subject to review by the City Attorney's Office

Subject	5.6. North Winooski Avenue Project and Community Health Centers Parking - DPW
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	The City Council approves the use of \$15,000 of Councilor Initiative funds for the Community Health Centers to conduct additional geotechnical study and design work for off-street parking adjacent to their facility and authorize the Director of Public Works to execute an agreement with Community Health Centers to facilitate transfer and terms of acceptance of such funds, subject to review by the City Attorney's Office.
Subject	5.7. Acceptance of VTrans Town Highway Class 2 Roadway Program Grant #P02156 for North Avenue Road Surfacing - DPW
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	to authorize the Director of Public Works to accept and execute the Town Highway Class 2 Roadway Program Grant #P02156 from the Vermont Agency of Transportation, in an amount up to \$200,000, for the mill and fill of asphalt on North Avenue between Plattsburg Avenue and Staniford Road, where such acceptance includes commitment of local matching funds which equal 20% of the grant award, with such execution of grant documents being subject to the prior review of the City Attorney's Office
Subject	5.8. Budget Amendment for 79 Pine Street Sales Tax Reallocation Funds for the BTC Public Improvements Project - DPW
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	to authorize the use of \$480,052 in 79 Pine St Sales Tax Reallocation funds towards the BTC Public Improvements Project Budget - Great Streets Bank and Cherry Street Project Budget and authorize the Chief Administrative Officer or designee to effectuate all necessary budget amendments and transfers of funds in substantial conformance with Attachment 1 in furtherance of securing this reimbursable state funding

Subject	5.9. Acceptance of Grant Agreement (CA0811) for the Congressionally Directed Spending Church Street Side Street - Cherry St. associated with the BTC Public Improvements Project - DPW
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	1. To authorize the Director of Public Works to execute the Cooperative Agreement from the Vermont Agency of Transportation to accept a grant amount of \$12,000,000 for construction of the Church Street Side Street (Cherry) Project, with project costs to be paid upfront by the City of Burlington and then reimbursed by the Vermont Agency of Transportation, with a local match of \$3,000,000 in City funds (20%), for a total project budget of \$15,000,000, subject to approval by the City Attorney's Office. 2. To approve necessary amendments to the BTC Public Improvements Project Budget – Great Streets Bank and Cherry Street Project Budget by adjusting the accounts as described in the affiliated memorandum and attachments and further authorize the Chief Administrative or designee to effect all necessary transfer of funds in furtherance of such amendments. 3. To approve and authorize the use of the VTrans At-the-Ready process for Professional Design Consultant Procurement.
Subject	5.10. Authorization to Amend Project Budget and Execute the Construction Contract for East Avenue Traffic Calming - DPW
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	1. To authorize the Chief Administrative Officer, or her designee, to affect all necessary budget amendments and transfers of funds from Transportation Capital as needed to create the Traffic Calming project budget in the amount of \$396,320.10 in accordance with the attached Budget Amendment (Attachment 1) for the East Avenue Traffic Calming Project. 2. To authorize the Director of Public Works to execute a contract, subject to City Attorney approval with S.D. Ireland Brothers Corp. in the amount of \$360,291.00, and further authorize the Director of Public Works to execute any necessary future change orders using up to \$36,029.10 (10%) in available contingency funds, for a total authorized amount of \$396,320.10 for the construction of the East Avenue Traffic Calming project.
Subject	5.11. Communication: Juliette N. Rooney-Varga, William Moomaw, and Laura Zakaras, RIST Institute For Sustainability & Energy, re: Is Burning Wood Climate Neutral?
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office

Type Action (Consent)
Communication
Information

Recommended Action waive the reading and place the communication on file

Subject 5.12. Communication: Jennifer A. Francoeur, re: Management of city funds

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM,
Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject 5.13. Communication: Robert Herendeen, Member, Electric Light Commission, re: Resignation

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM,
Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation thanking Robert Herendeen for his time served as a member of the Electric Light Commission

Subject 5.14. Communication: Jason Wiseberg, Member, Parks and Recreation Commission, re: Resignation

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM,
Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation to Jason Wiseberg thanking him for his time served as a member of the Parks and Recreation Commission

Subject 5.15. Communication: Jennifer Garvin, re: Crime in Burlington

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Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject 5.16. Communication: Daniel Gaviria, re: Shelter hidden in Callahan Park

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject 5.17. Communication: Brad Wiltfong, re: Expand Alternative Transportation Improvements in Burlington

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject 5.18. Communication: Pike Porter, re: VTANG Contracts/email

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Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject 5.19. FIO Documents

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Communication
Information
Action (Consent)

Recommended Action for information only

Subject 5.20. Ordinance: Model Years for Vehicles for Hire (Councilor Barlow)

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Council and Board

Type Action (Consent)

Recommended Action to suspend the rules, waive the reading, and place in all stages of passage an ordinance relating to model years for vehicles for hire

Subject 5.21. Ordinance: CDO--SETBACKS ZA-23-03 (Planning, Planning Commission)

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Planning

Type Action (Consent)
Ordinance - First Reading

Recommended Action 1st reading, waive the reading, accept proposed change by staff to remove the language "(2015 IBC)" from line 38 and warn the ordinance for public hearing.

Subject 5.22. Ordinance: CDO - STRUCTURES ZA-23-04 Temporary Structures (Planning, Planning Commission)

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Planning

Type Action (Consent)
Ordinance - First Reading

Recommended Action 1st reading, waive the reading and warn the ordinance for public hearing

Subject 5.23. Ordinance: CDO-Technical Amendments ZA-24-01 (Planning, Planning Commission)

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Planning

Type Action (Consent)
Ordinance - First Reading

Recommended Action 1st reading, waive the reading and warn the ordinance for public hearing

Subject 5.24. Ordinance: CDO - Rezoning ZA-23-05 168 Archibald Street (Planning, Planning Commission)

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Planning

Type Action (Consent)
Ordinance - First Reading

Recommended Action 1st reading, waive the reading and warn the ordinance for public hearing

Subject 5.25. Communication: Stephanie Seguino, Member, Police Commission, re: Resignation

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading, accept the communication, place it on file, advertise the vacancy in Seven Days and send a letter of appreciation to Stephanie Seguino thanking her for her time served as a member of the Police Commission

6. Deliberative Agenda

Subject 6.1. Joint Committee to review Neighborhood Code recommendations (30 mins.)

Meeting September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 6. Deliberative Agenda

Department Planning

Type	Discussion Information Action Communication
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Recommended Action waive the reading, accept the communication and place it on file

7. Committee Reports (up to 15 mins.)

Subject	7.1. Verbal reports
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	7. Committee Reports (up to 15 mins.)
Department	Council and Board
Type	Information

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

Subject	8.1. Verbal reports
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	8. City Council - General Affairs (up to 15 mins.)
Department	Council and Board
Type	Information

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

Subject	9.1. Verbal reports
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	9. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

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

Subject	10.1. Verbal reports
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	10. Mayor - General Affairs (up to 10 mins.)
Department	Council and Board
Type	Information

11. Adjournment

Subject	11.1. Motion to adjourn
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	11. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action Motion to adjourn	

12. Informational and Non-Discrimination Statements

Subject	12.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (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.
Meeting	September 11, 2023 - Regular City Council Meeting - Monday, September 11, 2023, 6:00 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	12. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information