



Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM

5:30 pm, Contois Auditorium OR Remotely via ZOOM:

Please click the link below to join the webinar:

<https://zoom.us/j/92282345545>

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Webinar ID: 922 8234 5545

****CCTV link: https://www.youtube.com/playlist?list=PLIjLFn4BZd2PwCge7lNoKug676jIf_iUA ****

To participate in Public Forum in person, sign up at the meeting.

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<https://www.burlingtonvt.gov/citycouncil/publicforum>

Do not sign up in person and via Zoom - select one only

1. Agenda

Subject	1.1. Motion to amend/adopt agenda
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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: add to the consent agenda item 5.19. Communication: Vehicle for Hire Licensing Board, re: Vehicle for Hire Modernization; add to the consent agenda item 5.20. Communication: Dana Poverman, re: Resolution on tomorrow's agenda; add to the consent agenda item 5.21. Communication: Ed Baker, re: Comments: Agenda item 6.2.; note proposed amendments for agenda item 6.2. (per Councilor Magee)

2. Communication: Mayor Miro Weinberger re: privileged update on Memorial Auditorium as well as a discussion regarding negotiation of an agreement with VTANG pertaining to capital investments (verbal) **expected executive session**

Subject	2.1. Communication: Mayor Miro Weinberger re: privileged update on Memorial Auditorium as well as a discussion regarding negotiation of an agreement with VTANG pertaining to capital investments (verbal) **expected executive session**
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM

Category	2. Communication: Mayor Miro Weinberger re: privileged update on Memorial Auditorium as well as a discussion regarding negotiation of an agreement with VTANG pertaining to capital investments (verbal) **expected executive session**
Department	Mayor's Office
Type	Action
Recommended Action	I move to find that premature general public knowledge of contract negotiations related to the Patrick Leahy International Airport and also Memorial Auditorium would clearly place the City at a substantial disadvantage because the City risks disclosing its negotiating strategy if discussing the proposed contract terms or negotiations in public. Based on this finding of substantial disadvantage, I move that we enter into executive session to discuss contract negotiations related to real estate purchase or lease options pursuant to 1 V.S.A 313(1)(A) and (2).

3. Public Forum: Time Certain: 7:15 pm **See above for signup instructions**

Subject	3.1. Verbal Comments
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	3. Public Forum: Time Certain: 7:15 pm **See above for signup instructions**
Department	Council and Board
Type	Action Procedural

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

Subject	4.1. Climate emergency reports
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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: C/T Office, re: Accountability List
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Communication Action (Consent) Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.3. Communication: C/T Office, re: Regular City Council Meeting Minutes, July 24, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.4. Communication: C/T Office, re: Local Cannabis Control Commission Meeting Minutes, July 24, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.5. Communication: C/T Office, re: Local Control Commission Meeting Minutes, July 24, 2023, Draft

Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.6. Communication: C/T Office, re: Regular City Council Meeting Minutes, August 14, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.7. Communication: C/T Office, re: City Council With Mayor Presiding Meeting Minutes, August 14, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.8. Communication: C/T Office, re: Local Control Commission Meeting Minutes, August 14, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda

Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.9. Communication: C/T Office, re: Regular City Council Meeting Minutes, September 11, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.10. Communication: C/T Office, re: Regular City Council Meeting Minutes, September 18, 2023, Draft
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	waive the reading, accept the communication, place it on file and adopt the minutes at the October 23, 2023 Regular City Council Meeting
Subject	5.11. Amendment to Indoor Entertainment Permit: Vermont Comedy Club
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)

Recommended Action	approve the amendment to the Vermont Comedy Club's Indoor Entertainment Permit: add karaoke night, 9 pm - 12 am, Tuesdays only
Subject	5.12. Fire Station Two Dormitory Renovation - BPRW
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	To approve and recommend authorization to affect all necessary budget amendments to create a project budget of \$358,414 for the Fire Station 2 project. To approve and recommend that City Council approve and authorize the execution of a contract with Farrington Construction, for a price not to exceed \$326,414, to provide services related to the renovation of the dormitory in Fire Station Two, plus a project contingency of \$32,000 (total request including contingency not to exceed \$358,414), 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	5.13. Summary of Proposal for Myers Trash Hauling Services - C/T Office
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	move to approve and authorize the Chief Administrative Officer, to execute a 2 year agreement, with retroactive approval to June 1, 2023, including an option to also renew year 3 & 4 with Myers Trash Hauling, for the purposes of monthly trash hauling within the City of Burlington, at a rate of \$14,932.93 a month and an additional on-call charge of \$155 per haul and \$150 per ton for trash compactor pick up, upon final review and approval of the City Attorney's Office
Subject	5.14. Request for Approval of Contract for Emergency Winooski River Siphon Repair Work - DPW - Water Resources
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department - Water Resources
Type	Action (Consent)
Recommended Action	to retroactively approve, authorize, and ratify the Director of Public Works' execution of a contract with Engineers Construction, Inc. for emergency inverted siphon repair, for a Maximum Limiting Amount of \$793,500.00 with authorization for contingency funding of an additional \$40,000.00, for a total authorized expenditure not to exceed \$833,500.00, subject to the review and approval of the City Attorney's Office

Subject	5.15. Balanced and Restorative Justice amendment (contract 45100) approval - CEDO/CJC
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent)
Recommended Action	move to approve and authorize Director Pine to approve and authorize Director Pine to accept the DCF State Grant amendment #45100 in the amount of \$311,061.40 for the period of Jan. 1, 2023-June 30, 2024, upon final review and approval of the City Attorney's Office
Subject	5.16. FEMA Hazard Mitigation Grant Project, 389 Riverside Avenue - DPI
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Permitting & Inspections
Type	Action (Consent)
Recommended Action	1. To approve a budget neutral amendment to the FY '24 Department of Permitting & Inspections budget to include the FEMA Hazard Mitigation Grant Program monies in the amount of \$457,430 as described in the affiliated memorandum. 2. To authorize the Zoning Manager to execute a grant from the FEMA Hazard Mitigation Grant Program in an amount of \$457,530, subject to review and approval of the City Attorney's Office. 3. To accept the conveyance of 389 Riverside Avenue to the City of Burlington and authorize the Zoning Manager to execute the related documents necessary for the conveyance, subject to the review and approval of the City Attorney's Office.
Subject	5.17. Champlain Parkway Cooperative Agreement Amendment No. 8 - DPW
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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, or his designee, to execute Amendment No. 8 to the Cooperative Agreement for the Champlain Parkway Project for continued project construction by increasing the maximum limiting amount by \$20,430,000 and the local match obligation by \$408,600, for a total authorized maximum limiting amount of \$65,000,000, including a total local match obligation of \$1,300,000 subject to the prior review and approval of the City Attorney's Office
Subject	5.18. FIO Documents
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM

Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	for information only
Subject	5.19. Communication: Vehicle for Hire Licensing Board, re: Vehicle for Hire Modernization
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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, place it on file and refer this communication to the Transportation, Energy & Utilities Committee
Subject	5.20. Communication: Dana Poverman, re: Resolution on tomorrow's agenda
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	5.21. Communication: Ed Baker, re: Comments: Agenda item 6.2.
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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

6. Deliberative Agenda

Subject	6.1. Communication: Lt. Mike Belliveau and Deputy Chief Brian Labarge, Burlington Police Department, re: Presentation regarding Drug Unit
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Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	6. Deliberative Agenda
Department	Police Department
Type	Information Communication Presentation

Recommended Action

Subject **6.2. Resolution: Declaring The Unprecedented Increase In Substance Use A Public Health Crisis And Together With Drug Activity In Our City To Be Our Top Public Health And Safety Priority, And Amending Appendix B Rules And Regulations Of The City Council To Add A Standing Item To Every Agenda (Public Safety Committee: Paul, Grant, Doherty) (30 mins.)**

Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	6. Deliberative Agenda
Department	Council and Board
Type	Action Resolution

Recommended Action waive the reading and adopt the resolution

Subject **6.3. Burlington Fire Department Community Response Team (CRT) - Fire (20 mins.)**

Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	6. Deliberative Agenda
Department	Fire Department
Type	Action

Recommended Action move to approve and authorize the Chief Administrative Officer to make any and all necessary budget amendments to allocate the use of the assigned Opioid Money Fund to support the formation and associated costs of a Community Response Team operated within the Burlington Fire Department for six months with a budget not to exceed \$182,598.00

Subject **6.4. City Of Burlington Seasonal Warming Shelter Project: Creation of (1) FTE position within CEDO; AHS; Grant Agreements; Contracts; Lease - CEDO (20 mins.)**

Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	6. Deliberative Agenda

Department	Community & Economic Development Office (CEDO)
Type	Action
Recommended Action	Move to move and authorize approve the following: • The creation of (1) FTE position within the Community Economic Development Office, the Homelessness Initiatives Manager, a non-union, limited service, grade 18 position. • Approve the acceptance of SFY 2024 grant funds in the amount of \$590,023 from the State of Vermont Housing and Opportunities Program for the operations of the seasonal overnight shelter and authorize the Director of CEDO to execute all contracts and documents necessary to accept the funding through the period of June 30th 2024, including retroactive approval for the period of November 1, 2023 thru June 30, 2024, subject to the final review and approval of the City Attorney's Office. • Approve and authorize the Director of CEDO or their designee to create a project budget not to exceed \$590,023 for the development of a seasonal overnight shelter and to execute all contracts in furtherance of this initiative upon review and approval of the Chief Administrative Officer and City Attorney's Office. • Approve and authorize the Director of CEDO to execute Maxim Healthcare Staffing contract and related documents with maximum limiting amount of \$340,990 for the time period of December 1, 2023 thru March 31, 2024, subject to the final review and approval of the City Attorney's Office • Approve and authorize the Director of CEDO to execute VFW lease and related documents with maximum limiting amount of \$10,000 over a five month period (November 1, 2023 – March 31, 2024), subject to the final review and approval of the City Attorney's Office

7. Committee Reports (up to 15 mins.)

Subject	7.1. Verbal reports
Meeting	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 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	October 10, 2023 - Regular City Council Meeting - Tuesday, October 10, 2023, 5:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	12. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information