

**BURLINGTON CITY COUNCIL
CITY HALL, CONTOIS AUDITORIUM *OR*
REMOTE MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
October 10, 2023
DRAFT**

MEMBERS PRESENT:

Karen Paul
Joan Shannon
Ali Dieng
Sarah E Carpenter (via Zoom)
Mark Barlow
Joe Magee
Gene Bergman
Ben Traverse
Timothy Doherty
Melo Grant (via Zoom, then in-person)
Hannah King

OTHERS PRESENT:

Miro Weinberger
Katherine Schad
Jordan Redell
Jared Pellerin
Samantha Sheehan
Lori Olberg
Brian Labarge
Mike Belliveau
Phil Tremblay
Michael LaChance
Kyle Blake
Brian Pine
Sarah Russell

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Paul at 5:40 PM.

MOTION by Councilor Bergman, SECOND by Councilor Dieng, to amend and adopt the 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).

VOTING: unanimous; motion carries.

MOTION TO RECONSIDER by Councilor Bergman, SECOND by Councilor Magee.

VOTING: 10-1; motion carries (Councilor Shannon dissenting).

Councilor Grant requested a discussion of a plan of action regarding the City's NPAs, given a recent incident of discrimination at one of the NPAs. Deputy City Attorney Pellerin said that his team is working on a response, and that Councilor Grant could provide an update during the City Council General Affairs item. He said that a further substantive discussion will occur at an upcoming City Council meeting.

MOTION by Councilor Bergman, SECOND by Councilor Dieng, to adopt the agenda as amended.

VOTING: unanimous; motion carries.

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**

2.1. Communication: Mayor Miro Weinberger, re: Privileged Update on Memorial Auditorium and Discussion re: Negotiation of an Agreement with VTANG Pertaining to Capital Investments (verbal) ** Expected Executive Session **

Mayor Weinberger spoke briefly about this. He said that the Council last discussed Memorial Auditorium in the spring, and that the City has been exploring a new RFP, and that they have an update for the Council that could potentially involve real estate agreements. He noted that they do not expect action coming out of executive session for either executive session items.

MOTION by Councilor Traverse, SECOND by Councilor Shannon, 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.

VOTING: unanimous; motion carries.

MOTION by Councilor Traverse, SECOND by Councilor Shannon, that, based on that finding, the City Council 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).

VOTING: unanimous; motion carries.

The City Council entered into executive session at 5:57 P.M.

The City Council exited executive session at 7:17 P.M.

3. PUBLIC FORUM: **TIME CERTAIN – 7:15 PM**

3.1 Verbal Comments

Forum opened at 7:22 PM.

COMMENTS:

Burlington residents (in person):

- Steven Whittaker spoke about a shortage of facilities on the waterfront for community events and concerts, particularly restroom facilities.
- Kegan Lafferty spoke on behalf of Big Heavy World, which recently developed an online licensing platform that would ensure fair compensation for musicians. She also spoke about a plan for a youth-led and youth-run music venue to give young people meaningful experiences in the community.
- Andre Clark spoke about Vermont's homelessness crisis, saying that the City's proposed warming shelter is not enough to address the problem for the City. He proposed the City develop a policy for sanctioned encampments, such as at North Beach.
- David Maher drug use and that harm reduction does not decrease demand for those drugs. He proposed implementing involuntary commitment for drug users to help decrease demand.
- Romeo Van Hermann expressed support for Israelis and Palestinian during this current conflict. He also expressed support for agenda items 6.2 and 6.4.
- David Call expressed support for these proposals to tackle difficult public issues.
- Jana Qualey spoke about her experience as a resident and business-owner on College Street, expressing concern for the erosion of public safety in downtown Burlington.
- Meghan Meunier expressed concern about public safety in downtown Burlington, particularly for families. She expressed support for item 6.2. She said she wants people to be excited to visit downtown and that people need to be safe in the community.
- Michael Nedell spoke about the Elmwood Avenue shelter pods, saying that it is a good idea but that it has attracted a lot of drug users.
- Andrew Vota thanked the Public Safety Committee for its proposed resolution and urged the Council to pass the resolution. He said that the community is tired of the crime, violence, drug use, and general lack of safety in the City. He said that the community wants more data and transparency about what is and isn't happening in response to crimes, and that they also want action.
- Andrew Juarez spoke about his lived experience with drug use and addiction and his work to help others recover from addiction. He expressed concern about the deterioration of the environment downtown. He expressed support for agenda item 6.2.
- Eric Krank spoke with support of the resolution related to addressing the opioid crisis and the homelessness crisis in downtown. He also spoke about the lack of public safety in downtown.
- Todd Lacroix spoke about his experience being harassed by the Police Department. He also spoke about apathy.
- Ryan Nick spoke in support of the resolutions related to public safety and urged the City Council to act swiftly.
- Morgan Hillebrand spoke about how the public safety crises in town are being framed in a way that is limiting thinking, and that the two solutions are harm reduction and law enforcement (which are perceived as diametrically opposed). She said that the crises can be solved by implementing humanitarian aid (through harm reduction) while also holding people accountable (through law enforcement and rule of law).
- Chad Mengan spoke about how services need to be provided that discourage drug issues and that downtown does not feel safe for him or his family.

- Anne Tewksbury spoke about her nonprofit (JUMP) that serves the populations of concern in downtown, noting that it provides referrals for services for these populations, noting that it has served around 2,000 individuals since its inception several decades ago. She said that she would love to be connected to City Council and the City's efforts around these populations and services.
- Brian Boardman spoke about a disturbing experience in downtown which made him feel unsafe in the community. He said that the resolution on the table will help provide solutions to these problems.
- Lee Morrigan spoke about their lived experience as a drug user, noting that their recovery was aided by a complicated intersection of harm reduction and law enforcement.
- Isabella Fern asked for support for harm reduction over law enforcement to tackle the opioid epidemic, and advocated for solutions such as safe injection sites.
- Christopher Aaron Felker spoke about the dearth of inpatient psychiatric and drug treatment beds since the previous governor dedicated his State of the State address to the heroin crisis a decade ago. He said that safe injection sites will not address the entirety of the problem.

Burlington residents (via Zoom):

- Kyle Dodson spoke about the importance of moving forward collaboratively in order to solve the numerous crises facing the community today.
- Mary Cox spoke in favor of item 6.2, speaking about innovative approaches being used by communities around the country to solve these problems.
- Jo Bottolato spoke in support of item 6.2.
- Clare Wool expressed appreciation for the resolution related to item 6.2, urging the Council to pass it without amendments, saying that this is a critical time for the City.
- Tony Finnigan spoke about their concern with public safety in the City, expressing support for item 6.2.
- Sharon Bushor spoke in support of the resolution related to public safety, as well as the proposal for the overdose response team pilot through the Fire Department, and further spoke about the warming shelter proposal. She asked whether the warming shelter could be opened earlier than December and whether it could also offer breakfast in addition to dinner, given the food insecurity in the community.

Non-Burlington residents (in person):

- Kelly Devine asked the Council to act swiftly on the public safety resolution and said that more immediate action is needed to relieve pressure for the downtown. She said that downtown is a very concentrated 19-block area and that if it loses its vibrancy, it will be difficult to reclaim. She corrected a statement made by an article that said that the Burlington Business Association is not supportive of warming shelters (which it is), but expressed concern about the effects of that type of organization on the downtown area.

Non-Burlington residents (via Zoom):

- Mariah Flynn spoke as the director of the Burlington Partnership for a Health Community, which focuses on addressing the causes and consequences of substance misuse in Burlington and expressed support for items 6.2. She pointed out a gap in the resolution in terms of prevention, saying that protective factors, such as community-level prevention strategies, should also be focused on.
- Andy Blanchett spoke in support of item 6.2. They asked whether the business owners and City want people to be able to live, or whether they want them to disappear out of sight. They asked whether business owners should continue to dictate public policy or whether evidence-based practices should be implemented. They said that actionable steps need to be taken to reduce death, which will lead to a better community.

- Peter Duval spoke about the McNeil station and the District Energy Plan to run steam energy from McNeil to the hospital. He spoke about the continued risks to operating the plant, and against the District Energy Plan.

Forum closed at 8:31 PM.

4. CLIMATE EMERGENCY REPORTS

4.1 Climate Emergency Reports

Councilor Bergman noted a carbon fee ordinance before the Council and also spoke about thermal energy networks and how they could potentially be made exempt from the fee.

5. CONSENT AGENDA

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

5.2 Communication: C/T Office, re: Accountability List – waive the reading, accept the communication, and place it on file.

5.3 Communication: C/T Office, re: Regular City Council Meeting Minutes, July 24, 2023, Draft – waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.4 Communication: C/T Office, re: Local Cannabis Control Commission Meeting Minutes, July 24, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.5 Communication: C/T Office, re: Local Control Commission Meeting Minutes, July 24, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.6 Communication: C/T Office, re: Regular City Council Meeting Minutes, August 14, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.7 Communication: C/T Office, re: City Council With Mayor Presiding Meeting Minutes, August 14, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.8 Communication: C/T Office, re: Local Control Commission Meeting Minutes, August 14, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.9 Communication: C/T Office, re: Regular City Council Meeting Minutes, September 11, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.10 Communication: C/T Office, re: Regular City Council Meeting Minutes, September 18, 2023, Draft - waive the reading, accept the communication, place it on file, and adopt the minutes at the October 23, 2023 Regular City Council Meeting.

5.11 Amendment to Indoor Entertainment Permit: Vermont Comedy Club – approve the amendment to the Vermont Comedy Club’s Indoor Entertainment Permit: add karaoke night, 9 pm – 12 am, Tuesdays only.

5.12 Fire Station Two Dormitory Renovation – BPRW - approve and recommend authorization to affect all necessary budget amendments to create a project budget of \$358,414 for the Fire Station 2 project; and 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.

5.13 Summary of Proposal for Myers Trash Hauling Services – C/T Office – 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 and 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.

5.14 Request for Approval of Contracts for Emergency Winooski River Siphon Repair Work – DPW – Water Resources - authorize 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 an 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.

5.15 Balanced and Restorative Justice Amendment (Contract #45100) Approval – CEDO/CJC - approve and authorize Director Pine to accept the DCR State Grant amendment #45100 in the amount of \$311,061.40 for the period of January 1, 2023-June 30, 2024, upon final review and approval of the City Attorney's Office.

5.16 FEMA Hazard Mitigation Grant Project, 389 Riverside Avenue – DPI - 1. Approve a budget neutral amendment to the FY24 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; and 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.

5.17 Champlain Parkway Cooperative Agreement Amendment No. 8 – DPW - 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.

5.18 FIO Documents – for information only.

5.19 Communication: Vehicle for Hire Licensing Board, re: Vehicle for Hire Modernization – waive the reading, place it on file and refer this communication to the Transportation, Energy & Utilities Committee.

5.20 Communication: Dana Poverman, re: Resolution on tomorrow's agenda – waive the reading and place the communication on file.

5.21 Communication: Ed Baker, re: Comments: Agenda item 6.2 – waive the reading and place the communication on file.

MOTION by Councilor Shannon, SECOND by Councilor Dieng, to adopt the consent agenda as amended and take the actions indicated for items 5.1-5.21.

VOTING: unanimous; motion carries.

6. DELIBERATIVE AGENDA

6.1 Communication: Lt. Mike Belliveau and Deputy Chief Brian Labarge, Burlington Police Department, re: Presentation regarding Drug Unit Mayor Weinberger spoke briefly about how the downtown got into its current state and the actions being taken to address that. He said that the three main changes since 2020 are the increased prevalence of fentanyl, the significant increase in homelessness in Burlington, and that the Police Department's capacity to respond to crises and crimes since 2020 has been decreased (due to its decrease in size). He spoke about solutions to address each of these. He noted that the City has been working to build back public safety capacity in both sworn officer counts and non-sworn, community service positions. He spoke about local efforts to combat the opioid crisis, such as the monthly CommStat meetings, the resolutions being brought forth tonight, and trying to garner more support for modern criminal justice reform, added social workers at the Police Department, a needle exchange program, and funding that has begun flowing into the City from opioid lawsuit settlements. He spoke further about the opioid lawsuit funding, noting the City's involvement in providing recommendations for how funding at the State level could be put toward tackling the crisis. He then spoke about the City's response to homelessness, noting that it has been exacerbated dramatically due to the pandemic, the number of people moving to Vermont and Burlington, and the extreme housing shortage being faced by the community. He said that Burlington cannot fix these problems alone, given that they are not problems that are faced by Burlington alone. He said that to confront the entirety of this crisis, the City needs both harm reduction and law enforcement actions.

Deputy Chief Labarge provided an overview of the Police Department's Drug Unit operations. He began by sharing statistics from the Police Department about the annual number of overdoses in the City. He then shared statistics about average overdose deaths by county in Vermont, compared to the overall statewide rate, noting that while Chittenden County has a rate that is slightly higher than the Vermont average, other counties in Vermont have rates that are much higher. He then spoke about resources in the Police Department to respond to drug trafficking, noting that its Drug Unit responds to higher-level (not necessarily street-level) enforcement at this juncture, given its reduced capacity.

Officer Tremblay spoke about what the City currently has for dealing with crime, what it needs to have, and proposed activities to fill that gap. He spoke about the Police Department's Street Crimes Unit, which was active from 2015-2020, to address emerging crime trends and needs on a week-to-week basis. He noted that the SCU has been added as a voluntary overtime assignment in 2023. He spoke about the resources the Police Department currently has to address drug issues, which currently comprises the Drug Unit (which investigates organization-level drug crimes, rather than street-level activity). He spoke about a handful of recent ongoing investigations around drug trafficking in the community. Deputy Chief Labarge spoke briefly about drug tips, how to make them, and the number of drug tips made over the last several years. He then spoke about next steps related to the Rebuilding Plan for the Police Department, noting that its first priority is to reinstate the Street Crimes Unit, in order to restore the level of public safety that Burlingtonians expect and deserve. He then outlined new initiatives in the City beyond just the Police Department, including creating new low-barrier shelter resources, using opioid settlement funds for VCJR and the Recovery Center downtown, the creation of the Community Response Team pilot in the Fire Department, and expanding efforts for needle exchange resources through the Howard Center.

Councilor Grant advocated for more engagement with the community in terms of the drug tip line and expressed appreciation for working through the backlog in responses for both the drug tips and the incident logs. She asked if more information can be provided to the public about when autopsy reports (for example) come back. She also spoke in support of a drug checking program, and asked that this kind of program be looked into.

Councilor Doherty asked whether the BPD is still seeing the dynamic where drug traffickers and sellers are generally not using their own product and are also generally disdainful of the drug users they are selling to. Officer Tremblay replied that overall, that is still the dynamic.

Councilor Traverse asked if there are efforts between now and 2025 to restaff the Street Crimes Unit. Deputy Chief Labarge replied that they intend to staff the unit when possible. He said that once the unit is built up, officers will serve on it for a one-year assignment. Councilor Traverse asked about successes and challenges in recruiting. Deputy Chief Labarge replied that they have had good turnouts with class size, despite national struggles to train and recruit police officers.

Councilor Bergman asked what plans or ideas the City can have in the near-term to deal with the impunity at City Hall Park and increase the safety of the park. Deputy Chief Labarge replied that the levels of addiction in the community right now are so much higher than they had been in the past, but that the BPD is responding the best it can with its current resources, including the non-sworn community officer resources that have been added over the last several years. He said that when the BPD is built back further and has enough officers, it will be able to do more proactive policing and conduct more patrols.

Councilor Dieng asked about BPD's collaborative work with surrounding municipalities. He asked if individuals who are hospitalized due to overdoses have follow-up from the police in terms of trying to determine where the drugs came from. Deputy Chief Labarge noted that surrounding municipalities are also struggling with similar issues, but that municipalities work together if multiple towns are involved or affected by issues. Officer Tremblay added that there are collaborative efforts around drug-related investigations with neighboring

municipalities and that there are monthly meetings with the State Attorney's Office that all municipalities in Chittenden County have a law enforcement presence in. Councilor Dieng asked whether the 6 new officers will be slated to join the Street Crimes Unit, and Deputy Chief Labarge replied that the Street Crimes Unit will be filled by more seasoned officers.

Councilor Shannon asked about the large number of unmarked cars (without license plates) in the City. Deputy Chief Labarge noted that the DMV has had a backlog at the State level with issuing license plates since the pandemic. Councilor Shannon expressed concern that drug dealers are taking advantage of this and utilizing unmarked or stolen cars. Deputy Chief Labarge noted that proactive policing is an important tool in any City police department's toolbox and that the BPD will begin to conduct more proactive exercises once the department has more capacity. Councilor Shannon asked about the decrease in the number of drug tips submitted to the BPD and asked whether the public may not be calling in more tips because they don't feel like they're being heard or the tips are useful. Deputy Chief Labarge replied that the BPD will continue its efforts to handle drug tips in a timely way and communicate back with individuals about what they can expect in terms of follow-up once they submit drug tips.

Councilor Grant asked if the drug tip information can be used to inform heat maps about drug use in the City. Deputy Chief Labarge replied that they have not used those data points to date.

MOTION by Councilor Traverse, SECOND by Councilor Dieng, to suspend the rules and complete the remainder of the agenda.

VOTING: unanimous; motion carries.

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)

City Council President passed the gavel to Councilor Traverse in order to participate in this discussion.

Councilor Paul spoke about the gravity of this resolution and that the City Council needs to act with one voice and pass the resolution unanimously. She said that the community needs to hear that the City is committed to addressing its public safety and drug issues. She said that this resolution approaches the issue through harm reduction (which the City Council has championed as a mechanism through a number of resolutions), and through law enforcement. She said that the resolution creates two public forums for harm reduction solutions, and hopes that the vision created by these forums will subsequently create solutions. She said that by approving and supporting this resolution, the City Council is supporting the law enforcement and public safety professionals who are tantamount to keeping the community safe.

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

DISCUSSION:

- **Councilor Doherty said that the resolution contains several important components, which include the creation of a standing agenda item at City Council meetings to maintain the sense of urgency on this issue, a reaffirmation of the City's commitment to harm reduction strategies in the context of the opioid epidemic as a public health crisis, a call to State leaders to implement a commensurate and fair response to this crisis, and a series of public forums with stakeholders and community members to share data and policy ideas. He thanked the Public Safety Committee for their efforts on this resolution.**

MOTION TO AMEND by Councilor Magee, **SECOND** by Councilor Bergman, to amend the resolution to reflect the changes in "JM_AltProposed_Amendment_RESOLUTION..." per CivicClerk"

DISCUSSION OF AMENDMENT:

- Councilor Magee noted that this set of amendments clarifies language, modifies language to reduce stigma around drug use (given that not all of the crimes being committed in the City are related to drug use), strikes language around recruiting additional Deputy State's Attorneys and addressing recruitment/retention challenges (given that there are not currently issues with recruiting and retaining prosecutorial resources in Chittenden County), and modifies language around data that can be shared by the State Attorney's Office, since there are issues with the feasibility of the data asks in the resolution of the State Attorney's Office.
- Councilor Grant said that this set of proposed amendments seeks to correct some of the errors in the original resolution around the data.
- Councilor Bergman said that these seem to be technical amendments that seek to correct several errors and asked whether they would be friendly amendments to the maker (Councilor Paul replied that she would not be amenable to these amendments as presented).
- Councilor Paul spoke about the Public Safety Committee's process to develop this resolution as collaboratively as possible. She pointed out that the language around data doesn't obligate the State Attorney's Office to provide data outright, but "where possible", acknowledging that there may be certain components that are not feasible for provision.

VOTING ON AMENDMENT (by roll call): Councilor Barlow – nay, Councilor Bergman – aye, Councilor Carpenter – nay, Councilor Dieng – nay, Councilor Doherty – nay, Councilor Grant – aye, Councilor Hightower – absent, Councilor King – nay, Councilor Magee – aye, Councilor Shannon – nay, Councilor Paul – nay, Acting City Council President Traverse – nay (3 ayes, 8 nays, 1 absent); motion fails.

DISCUSSION (CONT'D):

- Councilor Grant spoke about how some of the intent of the resolution has been lost, saying that the forums, for example, should be used to hear the voices of Burlingtonians (similarly to how public forum at City Council occurs).
- Councilor Magee spoke about statements made tonight that there is too much of a focus on harm reduction and not enough on law enforcement in this conversation, and disagreed wholeheartedly. He said that he worries that this resolution focuses too much on law enforcement and not enough on harm reduction, which is status quo. He said that the emphasis in this country has always been on enforcement (citing the war on drugs), and that things would be radically different if, instead, resources had been put into a robust system of well-resourced support services. He said that if true health-focused solutions are implemented, it will greatly improve the community. He said he disagrees with parts of the process that got the resolution to this stage, as well as the stigmatizing language around drug users.
- Councilor Bergman said that though he would like the inclusion of Councilor Magee's amendments, he believes that this resolution presents a balance approach to developing solutions to this massive crisis and problem. He said that it calls for new innovations in both the harm reduction and enforcement realms.
- Mayor Weinberger expressed support for this resolution and spoke further to some of the City's efforts to move forward.
- Councilor Shannon said that this resolution should be viewed as an intervention, since current practices are not working. She said that the City needs to offer people help, but that the State and federal government and partners also need to help the City in this.

- Councilor Dieng said that the Council should send a message of hope to the community and unite behind this resolution, though he acknowledged that he does not believe this goes far enough in having more prevention-focused initiatives or resources for the Police Department or staff to work on these issues.
- Councilor Paul said that the point of the public forums in the resolution are to solicit feedback and recommendations for solutions from the community.

VOTING (by roll call): Councilor Barlow – aye, Councilor Bergman – aye, Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Doherty – aye, Councilor Grant – aye, Councilor Hightower – aye, Councilor King – aye, Councilor Magee – nay, Councilor Shannon – aye, Councilor Paul – aye, Acting City Council President Traverse – aye (10 ayes, 1 nay, 1 absent); motion carries.

6.3 Burlington Fire Department Community Response Team (CRT) – Fire

MOTION by Councilor Barlow, SECOND by Councilor Dieng, 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.

DISCUSSION:

- Chief LaChance said that the Fire Department has been brainstorming how to help with the opioid epidemic. He said that they developed this proposal for a pilot where firefighters will work voluntary overtime to run overdose responses. He noted that they have been in contact with the Howard Center’s Street Outreach Team, Turning Point, and the CSOs and others in the Police Department on how to coordinate with them in terms of providing resources to individuals. He provided a summary of current data on overdose responses in 2023, noting that the average number of overdose responses has risen month-over-month.
- Firefighters Association President Blake said that this is the first time that a triage model is being used for these types of calls, since it has gotten to the point that the volume of overdose calls has stretched resources too thinly. He said that when these calls are received, they will be triaged on-scene, meaning that a fire truck or ambulance won’t be sent to every single incident, regardless of the level of care needed, but that needs will be assessed and triaged on-scene. He said that they will have advanced life support available on-hand for every incident, if they turn out to be truly life-threatening overdose situations. He emphasized that this is a heavy lift for the department and that it is being run for 12 hours a day, 7 days a week, purely through voluntary overtime. He asked that this continue to be framed as a pilot, because he is concerned about backlash if the BFD becomes overwhelmed by this scope of work in its current state. He said that BFD is very open to trying this out and evaluating it to determine if it can become a sustainable model.
- Councilor Dieng asked whether it would be a higher level of cost to hire additional staff, and Chief LaChance replied that it would be, and that they are hoping to use the data from this pilot to determine what kind of a lift in terms of additional staffing and hours is needed, based on demand.
- Mayor Weinberger thanked the Fire Department and union for their collaborative work together to bring this forward.
- Councilor Grant thanked the Fire Department for their creative thinking and willingness to come together and collaborative, as well as their willingness to share data and engage.

VOTING: unanimous; motion carries.

6.4 City of Burlington Seasonal Warming Shelter Project: Creation of (1) FTE position within CEDO; AHS; Grant Agreements; Contracts; Lease – CEDO

MOTION by Councilor King, SECOND by Councilor Magee, to move and authorize/approve the following: 1. The creation of (1) FTE position within the Community Economic Development Office; the Homelessness Initiatives Manager, a non-union, limited service, grade 18 position; 2. 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 the retroactive approval for the period of November 1, 2023 through 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 through March 31, 2024, subject to the final review and approval of the City Attorney's Office; and 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.

DISCUSSION:

- Special Assistant Russell began by noting that the unsheltered population in Burlington and Chittenden County has increased more than 175% in the last year, as a result of the end of the pandemic-era motel voucher program. She noted that outreach teams from Champlain Housing Trust, the Champlain Valley Office of Economic Opportunity, the Committee on Temporary Shelter, and the Burlington Police Department have collaborated to enroll as many newly-unsheltered households as possible into Coordinated Entry. She said that Coordinated Entry is a system to streamline access and create equity to housing supports and resources in the Chittenden County region. She noted that between January and August, Coordinated Entry has supported 176 households exiting homelessness into permanent housing. She noted the new shelter capacity in Burlington since 2020, which includes Champlain Inn, the Community Resource Center, the Elmwood Emergency Shelter Community, and the new Winter Warming Shelter at the VFW (this agenda item). She noted that the new winter warming shelter at the VFW would operate using a low-barrier model, would be in operation between December 15 and March 15th, and would create overnight capacity for an additional 30 beds. She noted that the City has used a winter warming shelter since 2014, which prevent exposure deaths, reduce disorder in the downtown, provide services and stability to those seeking permanent housing, and improve public health and safety. She emphasized that a parallel effort to urgently address the drug crisis and expand and reform the state's treatment system is also needed. Mayor Weinberger also said that the current public safety concerns downtown are not being driven by too many homeless shelters and resources but too few.
- Councilor Bergman noted public comments asking whether opening earlier than December 15 would be feasible. Special Assistant Russell replied that it is not feasible to open it any earlier, given staffing and timeline limitations. She said that in terms of public comments asking about providing breakfast, she said that she will look into it.
- Councilor Dieng expressed concern about the warming shelter in the downtown area given the public safety concerns and other problems downtown.
- Councilor Barlow said that given the challenges being faced by downtown and that this shelter would be a block away from the Church Street Marketplace, he has real concerns about further negative impacts to downtown. He noted the

increase of drug use and criminal activity at the Elmwood Emergency Shelter pods. He said he liked one suggestion at public forum of potentially utilizing North Beach or other areas that are not located downtown.

- Councilor Grant said that one of the safety concerns about downtown in the winter is people sheltering in alcoves of businesses and residential entryways, because it is sheltered from the elements, and said that it would be better to shelter them in a warming shelter rather than on the street.

VOTING (by roll call): Councilor Barlow – aye, Councilor Bergman – aye, Councilor Carpenter – aye, Councilor Dieng – nay, Councilor Doherty – aye, Councilor Grant – aye, Councilor Hightower – absent, Councilor King – aye, Councilor Magee – aye, Councilor Shannon – aye, Councilor Traverse – aye, City Council President Paul – aye (10 ayes, 1 nay, 1 absent); motion carries.

7. COMMITTEE REPORTS

7.1. Verbal reports

None.

8. CITY COUNCIL – GENERAL AFFAIRS

8.1. Verbal reports

Councilor Grant spoke about an extreme act of discrimination that occurred at one of the Neighborhood Planning Assemblies (NPAs). She said that people who serve or volunteer in a public group have a responsibility to make those groups welcoming to all. She said that the Council will be working with CEDO and the City Attorney's Office to develop language to be included in the NPA bylaws about discrimination.

Councilor Dieng said that he is glad that this issue with these individuals are being looked into, because they are very serious allegations that are putting the City's democracy at risk. He said that the City Council needs to uphold its policies declaring racism a public health crisis. He said that the City needs to operate with respect and acceptance. He spoke about how he has had issues in the past with the same NPA.

Councilor Bergman said that the Parks, Arts & Culture Committee will look into the issue about the closing of public bathrooms at the Harbor Marina that was raised during tonight's public forum.

9. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

9.1. Verbal reports

City Council President Paul said that in anticipation of the passage of item 6.4, work on coordinating the public forums has already begun and there should be an update at the next City Council meeting. She also noted that per that resolution, there will be a new agenda item at the next Council meeting as well.

10. MAYOR – GENERAL AFFAIRS

10.1. Verbal reports

None.

11. ADJOURNMENT

11.1 Motion to Adjourn

MOTION by Councilor Traverse, SECOND by Councilor Bergman, to adjourn the meeting.

VOTING: unanimous; motion carries.

The meeting adjourned at 12:12 AM.

RScty: AACoonrad