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DELIBERATIVE AGENDA

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ADJOURNED MEETING, CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

MONDAY, FEBRUARY 13, 2012

7:10 P.M.

PRESENT: Mayor Kiss, City Council President Keogh, Councilors Adrian, Bushor, Berezniak, Kranichfeld, Brennan, Mulvaney-Stanak, Hartnett (arrived at 7:35 p.m.), Wright (arrived at 7:35 p.m.), Shannon, Blais, Paul, Decelles and Dober

CITY ATTORNEY'S OFFICE: Ken Schatz and Gene Bergman

CLERK/TREASURER'S OFFICE: Scott Schrader, Rich Goodwin and Lori Olberg

CITY COUNCIL PRESIDENT KEOGH PRESIDING:

1. AGENDA

On a motion by Councilors Shannon and Bushor the agenda was unanimously adopted, as amended, as follows: add to the consent agenda item 4.21. COMMUNICATION: Ron Redmond, Church Street Marketplace, re: Church Street Marketplace District Commission Resignation of Dan Latcheran and application from Mathew Chabot with the consent action to "waive the reading, accept the communication, place it on file, advertise the vacancy (will be published in the 2/15 Seven Days' edition), consider Mathew Chabot's application when the appointment will occur (slated for the 3/12 City Council Meeting) and send a letter of appreciation to Dan Latcheran thanking him for his years of service as a member of the Church Street Marketplace Commission;" add to the consent agenda item 4.22. COMMUNICATION: Declan Connolly, Property owner and landlord, re: # of unrelated adults in RH with the consent action to "waive the reading, accept the communication, place it on file and send copies to the Ordinance Committee Members and the Planning Commission Members;" amend the proposed action for agenda item 6. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE Amendments related to Residential Occupancy Limits in the RH District ZA# \_\_\_\_\_ (Councilors Shannon, Bushor, Kranichfeld: Ordinance Committee)(1<sup>st</sup> reading)-Proposed Action: refer to the Planning Commission for comment and refer to the Ordinance Committee for further deliberations; note proposed amendments for agenda item 8. RESOLUTION: Ongoing and Future Relationships Between the City of Burlington and the University of Vermont (Councilors Paul, Blais, Bushor, Wright); remove from the consent agenda item 4.14. COMMUNICATION: David E. White, AICP, Dir. of Planning & Zoning, Bill Ward, Dir. of Code Enforcement, Norm Baldwin, DPW Asst. Dir., Engineering and Inspection Services, Eugene Bergman, Sr. Asst. City Attorney and Terry Francis, Fire Marshal, re: Development Review and Permitting Performance Audit Resolution and place it on the Deliberative Agenda as item 8.4; add to the agenda and note written material for item 8.5. COMMUNICATION: Rich Goodwin, Assistant CAO Finance and Scott McIntire, CPA from Melanson Heath & Company.

2. RESOLUTION: Honoring Team Vermont Winner Snow Sculpting National Competition (Full City Council)

Councilors Shannon and Bushor made a motion to waive the reading and adopt the resolution.

Councilor Shannon read the resolution aloud as part of the record.

Mayor Kiss presented a gift of Vermont Maple Syrup to the team on behalf of the Parks and Recreation Department. The motion passed unanimously.

### 3. PUBLIC FORUM

City Council President Keogh opened the public forum at 7:23 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Michael Long	Ward 1 Resident	In favor of Amendment to RH Zone
Caryn Long	Ward 1 Resident	In favor of Amendment to RH Zone
Bill Bissonette	Burlington Landlord	Against Amendment to RH Zone

City Attorney Schatz stated the Ordinance Committee came forward with this proposal. Councilor Shannon stated after it was initiated it went to the Planning Commission and the Ordinance Committee. City Attorney Schatz stated under State Statute a proposed amendment to the zoning ordinance goes through a several pronged process. The City Council would not be passing it tonight. If approved, it would go to the Planning Commission and then if passed it would go back to the Ordinance Committee. If passed there, it would go back to the City Council. This was the first step in the process. When it came back to City Council, there would be another public hearing prior to passage.

Neil Gordon	Burlington Landlord	Against Amendment to RH Zone
Maddy Posig	Ward 2 Resident	In favor of Amendment to RH Zone
Don Harrington	Burlington Landlord	Against Amendment to RH Zone
Lea Terhune	Ward 4 Resident	Finance Summit
Solveig Overby	Burlington Resident	Finance Summit and Employee of the Year
Sandy Wynne	Burlington Resident	Buy Fair Trade Chocolate /In favor of discussion on RH Zone
Gene Richards	Ward 6 Resident	Against Amendment to RH Zone
Eric Winslow	Ward 3 Resident/Landlord	Against Amendment to RH Zone
Jeff Nick	Burlington Landlord	Against Amendment to RH Zone
Ann Brena	Ward 2 Resident	In favor of Amendment to RH Zone
Bill Church	Ward 2 Resident	In favor of Amendment to RH Zone
Linda Rizvi	Ward 2 Resident	In favor of Amendment to RH Zone
Lion Beliveau	Burlington Landlord	Against Amendment to RH Zone
Tim Elliot	Ward 2 Resident	In favor of Amendment to RH Zone
Bruce Baker	Ward 6 Resident	Against Amendment to RH Zone
Emily Lee	Ward 2 Resident	In favor of Amendment to RH Zone

Jason Katz	UVM Student/Ward 2 Resident	Against Amendment to RH Zone
Bob Meyers	Burlington Landlord/Ward 6 Resident	Against Amendment to RH Zone
Fred Barber	Burlington Landlord/Ward 1 Resident	Against Amendment to RH Zone
David Provost	Champlain College	Against Amendment to RH Zone

With no one further coming forward and no objection from the remaining Council, City Council President Keogh closed the public forum at 8:19 p.m.

4. CONSENT AGENDA

On a motion by Councilors Shannon and Bushor, the consent agenda was unanimously adopted, as amended, thus taking the following actions as indicated:

- 4.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re: Accountability List  
\*waive the reading, accept the communication and place it on file
- 4.02. RESOLUTION: Appointment of Acting Inspectors of Election for Wards Two, Three, Four, Five, Six and Seven (Councilor Keogh)  
\*waive the reading and adopt the resolution
- 4.03. RESOLUTION: Accept FHWA Program Grant and Authorize Execution of a Grant Agreement Between the City of Burlington and the State of Vermont Agency of Transportation – Spring Flooding (Board of Finance)  
\*waive the reading and adopt the resolution
- 4.04. RESOLUTION: Accept Grant and Authorize Execution of a Sub-grant Agreement Between the City of Burlington and the State of Vermont – Spring Flooding (Board of Finance)  
\*waive the reading and adopt the resolution
- 4.05. RESOLUTION: Accept Grant and Authorize Execution of a Sub-grant Agreement Between the City of Burlington and the State of Vermont – Irene Disaster Relief (Board of Finance)  
\*waive the reading and adopt the resolution
- 4.06. RESOLUTION: Authorization to Execute Burlington Telecom Internet Bandwidth Agreement (Board of Finance)  
\*waive the reading and adopt the resolution
- 4.07. RESOLUTION: Approval of Proposal by Alstom Power Inc. to Provide Rotor Coils For the Joseph C. McNeil Generating Station (Board of Finance)  
\*waive the reading and adopt the resolution
- 4.08. RESOLUTION: Creation of Regular Full Time Burlington Telecom Financial Controller (Board of Finance)  
\*waive the reading and adopt the resolution

- 4.09. RESOLUTION: Authorization to Renew Burlington's Downtown Designation  
(Councilors Berezniak, Mulvaney-Stanak: Community Development  
& Neighborhood Revitalization Committee)  
\*waive the reading and adopt the resolution
- 4.10. COMMUNICATION: Kirsten Merriman Shapiro, Special Projects Manager, CEDO, re:  
Designated Downtown District Renewal Application  
\*waive the reading, accept the communication and place it on file
- 4.11. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance December 5,  
2011 Minutes  
\*waive the reading, accept the communication and place it on file
- 4.12. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday,  
December 19, 2011 Minutes  
\*waive the reading, accept the communication and place it on file
- 4.13. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday,  
January 9, 2012 Minutes  
\*waive the reading, accept the communication and place it on file
- 4.15. COMMUNICATION: Eric Winslow, Burlington property owner, re: RH District (2/7/12)  
\*waive the reading, accept the communication, place it on file and send copies to the Ordinance  
Committee Members and the Planning Commission Members
- 4.16. COMMUNICATION: Eric Winslow, Burlington property owner, re: RH District (2/8/12)  
\*waive the reading, accept the communication, place it on file and send copies to the Ordinance  
Committee Members and the Planning Commission Members
- 4.17. COMMUNICATION: Fred Barber, Burlington Landlord, re: RH Zone/Proposed 4BR Limit  
\*waive the reading, accept the communication, place it on file and send copies to the Ordinance  
Committee Members and the Planning Commission Members
- 4.18. COMMUNICATION: Robert Meijers, Landlord, City of Burlington, re: Ordinance to prevent  
(6) Bedroom Housing in HD Zones  
\*waive the reading, accept the communication, place it on file and send copies to the Ordinance  
Committee Members and the Planning Commission Members
- 4.19. COMMUNICATION: Eugene Richards, III, re: Proposed ordinance-RH District  
\*waive the reading, accept the communication, place it on file and send copies to the Ordinance  
Committee Members and the Planning Commission Members
- 4.20. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (**one day only**):  
  
Magliano Café, 47 Maple Street, 2/10/12, 7 p.m. to 10 p.m., UVM's Vantage Point Release  
Party, Bands  
\*waive the reading, accept the communication, place it on file and ratify this One Day Special Event  
Indoor Entertainment Permit Application for Magliano Cafe
- 4.21. COMMUNICATION: Ron Redmond, Church Street Marketplace, re: Church Street Marketplace  
District Commission Resignation of Dan Latcheran and application from  
Mathew Chabot

\*waive the reading, accept the communication, place it on file, advertise the vacancy (will be published in the 2/15 Seven Days' edition), consider Mathew Chabot's application when the appointment will occur (slated for the 3/12 City Council Meeting) and send a letter of appreciation to Dan Latcheran thanking him for his years of service as a member of the Church Street Marketplace Commission

4.22. COMMUNICATION: Declan Connolly, Property owner and landlord, re: # of unrelated adults in RH

\*waive the reading, accept the communication, place it on file and send copies to the Ordinance Committee Members and the Planning Commission Members

5. PUBLIC HEARINGS RE: PROPOSED AMENDMENTS TO THE CITY CHARTER:

- § 62. - Council, school board; not to pledge credit of city; exceptions.
- § 63. - Council may pledge credit of city when authorized by voters to do so.
- § 81. - Tax classification; repeal of inventory tax.

City Attorney Schatz stated there were three proposed amendments to the City Charter that would be on the ballot for the Annual City Meeting. If voters approved them, they would be sent to the Vermont Legislature and upon approval take effect. The proposed amendment to §62 would allow the City to pledge its annual borrowing for capital improvements from \$1 million to \$2 million. The second was a proposed amendment to §63 that would increase BED's annual borrowing authority from \$1 million to \$3 million for capital improvements. The amendment to §81 would increase the exemption of the business personal property tax from \$2,500 to \$45,000.

City Council President Keogh opened the public hearing at 7:22 p.m. There being no one coming forward, City Council President Keogh closed the public hearing at 7:22 p.m.

5.01. COMMUNICATION: Clerk/Treasurer's Office, re: Notice of Public Hearing

Without objection, City Council President Keogh waived the reading, accepted the communication and placed it on file.

6. ORDINANCE:           **COMPREHENSIVE DEVELOPMENT ORDINANCE**  
Amendments related to Residential Occupancy Limits in the RH District ZA#\_\_\_\_\_ (Councilors Shannon, Bushor, Kranichfeld: Ordinance Committee) (1<sup>st</sup> reading)  
**Proposed action: refer to the Planning Commission for comment and to the Ordinance Committee for further deliberations**

Councilor Bushor made a point of order that many people for public forum might like to speak on this issue and that item should be addressed first. City Council President Keogh agreed.

Councilors Kranichfeld and Shannon made a motion to consider this ordinance first reading and refer it to the Ordinance Committee and the Planning Commission.

Councilor Kranichfeld stated this would change the zoning ordinance that applied to the high density residential zone. That was an area that skirted the downtown and was centered around Bradley Street, Buell Street and Hungerford Terrace. This would place limits on how many people could occupy a residential unit in this area. There would be a cap of 4 unrelated adults and requirements for additional parking and square footage for all additional occupants. There were currently no requirements in that district. There had been a demonstrated cost to the community and the City as a result. The housing used to be beautiful, single family homes, but had disintegrated due to minimal upkeep on the part of many

landlords and the fact that renters were college students who were usually there for less than a year. Hallways had been converted to kitchens, closets that had been turned into bathrooms, and living rooms and dining rooms had been eliminated to create as many bedrooms as possible. There was no parking available. Indirect costs were noise, vandalism, garbage and furniture on the green belts. The neighborhood was literally an unsupervised dormitory. In the long term, stable populations were good for the City. Young families should be able to move to Burlington and they need housing stock. The policy in place for the high density residential zones went against this ideal. College students were short term renters. There were many good landlords, but many do the minimum and do not live in the neighborhoods. The ones that do take care of their houses do it because they care about the community; many would not do it on their own. The City had sold out these neighborhoods. It was unfair to the community and residents who live there. It was the Council's responsibility to do what was right. There was a grandfather clause in place that would not change existing units. It was a step in the right direction. Councilor Kranichfeld requested for the sake of transparency, this first reading should be supported to allow the conversation to continue. There would be much more time to talk about this issue and reach a compromise.

Councilor Adrian stated it was time to take action. The people that spoke on public forum were wealthy landlords, such as Mr. Richards, and represent the 1%. Anyone on the Council could name landlords that were problematic and own hundreds of units around the City.

Councilor Brennan made a point of order that comments should be directed to the Council. City Council President Keogh requested that Councilor Adrian keep his comments general and not directed at individuals.

Councilor Adrian stated this was an equity issue. Many in Burlington were struggling to make ends meet. Property values were affected because of the imbalance created by the University of Vermont had shifted more students to renting downtown. Landlords should not be blamed, as they could legally make money off of what they were doing. The Council should make this a community that everyone could be comfortable in. A woman came to the Council for tax abatement because she had to pay property taxes on two parcels, and she was told that she made a business decision and incurred the risks that came with that. The landlords that buy properties were making business decisions. This might affect them, but everyone made decisions that affect them. Their decisions affected neighbors and the community. Someone raised concerns about not being able to pay their debt services. Part of the business model was taking equity out of properties to buy more properties. This was not something the Council needed to consider when recognizing the needs of the neighborhoods and communities. Someone stated it was a lower cost to live in a house with 7 people. Many students living in 10 person houses were still paying \$600-\$700 each. The University should be providing affordable houses. They are taking tens of thousands of dollars from students each year and not providing housing. The way that the ordinance was written, you could file as a functional family unit and have as many people as they want live there. People who had a certain economic situation and live as a community could file for an exemption. There had been so many issues over the year, and this might be one of the most substantial issues facing Ward 1. This needed to move forward and there were many opportunities to give input on this. This was an opportunity to place actions where words were after supporting many things addressing the issues of the 99%.

Councilor Bushor stated many residents in Ward 1 have attended NPAs asking for assistance. There were many meetings about code enforcement and properties were being used more heavily than they should. She stated the process was important, and even though the topic was important, she apologized that some people felt they had not been included. She stated she had asked questions to figure out what this would accomplish and what the unintended consequences might be. Students as individuals were not the problem, but having many people living in a structure that should not accommodate them was a problem. She stated she would like to see a healthy mix of renters and homeowners. The City would be well served

by moving this forward. Planning and Ordinance would allow for more public comment. There might be other tools that could be used to solve problems, and this was just one piece.

Councilor Shannon apologized for moving this forward too quickly and slowly and causing confusion. Extending the four unrelated adults to the RH came as a recommendation from the Planning Commission in 2007. The Council felt it was too controversial and took it out of the plan to allow passage of zoning. It was not high priority because it would not affect much. Residents have asked for this to be moved forward, but the ball had been dropped a few times. This would not change a lot, as it was currently legal and would not force change in existing units. What was important to residents was that it would keep properties from turning over as much. Bedrooms were being added in the basements and attics and more people were being packed in to what were once 2 or 3 bedroom homes. This would slow that transition. People made business decisions and were playing by the rules. The next person who tried to make this business decision would not be allowed to turn a 3 bedroom into a 6 bedroom. If it was discontinued for a year or longer, the use would no longer be allowed. There should also be a lot more done to address this problem. This would change what comes in the future, but not the problems that exist now. Parking issues were huge. More mixed uses could be encouraged allowing people to rent out rooms in their homes. Car share could be a helpful way to deal with parking issues. She inquired about legal uses being allowed to continue; City Attorney Schatz stated that was in process. There would be some grandfathering. People under a current lease would at least be allowed to remain through their existing lease. The questions were around new leases or transfer of property.

Councilor Mulvaney-Stanak stated strong process was important, especially when an item had two very distinct points of view. The only information Councilors were given was the ordinance itself, and no history. There were a lot of opinions and personal experiences on this issue. As easy as it was to attach this to student behavior, it was a broader issue. She stated there was already a low vacancy rate she was unsure how this would impact it. That was a strain on people of all ages and income background. Rent was high for working people and students. If the issue was around student housing, this might not be the solution. There had been improvements through code enforcement and community coalition to help relationship building. The number of people living somewhere did not determine behavior. She suggested tabling this.

Councilor Paul stated it would have been great if these people had spoken at the committee level instead of at a Council meeting. She stated it was interesting that there were contradictory things said. One person requested the Council to advocate for the community, but the community was everyone. Having four versus five unrelated people in a unit was not necessarily the definition of responsible tenants. Having more responsible landlords would lead to having more responsible tenants. It was unfair to vilify landlords. Working on making them accountable and giving them the tools to be better landlords would improve things and attract better tenants. It was unfair to categorize all landlords in one category. A woman who lived on Hungerford Terrace stated there was a landlord near her that was a great landlord, but there was another landlord who was an out of state landlord and another who has had a lot of problems. She inquired if this ordinance was a good idea. Bill Ward, Code Enforcement Director, stated that parking, noise, vandalism, and disorderly conduct were matters that there were other methods to deal with. He stated there were a number of properties that needed inspections. After that, there would be more opportunities to address problem properties. Working with the Chief of Police could help with problem properties. One option for neighbors was to identify properties that they saw as problematic so either Code or the Police could examine them. The Police could create a list of properties that had the most problems, such as noise complaints or disorderly conduct. This ordinance described a much bigger issue. Mr. Ward stated that was not specific to the types of behavior. There were good landlords who were doing a good job, even with more than four people living together, and that raised questions. Councilor Paul stated there was an email from Chief Schirling that said regulation was not the way to address irresponsible landlords. It would be more effective to have education and tools for landlords. If after this they were still problematic, enforcement would be more effective. There could be restrictions for

landlords that accumulated violations and regulation would be performance based. It would make more sense to come back with more thoughtful recommendations and hear input from all stakeholders.

Councilor Decelles stated there had been discussion, but it was years ago. There was not a lot of information on the website for the Ordinance Committee. All that was left was the substantive changes to the ordinance. There was a lot of raw emotion present during public forum. It was hard to know what problems there were and how severe they were. It was important to know what the effects would be and if it could drive up rents by driving people to one and two bedroom apartments. There needed to be more information for Councilors. This ordinance could be referred to committees, but there needed to be more involvement from Code Enforcement and others.

Councilors Decelles and Hartnett made a motion to table the ordinance.

Councilor Mulvaney-Stanak made a point of information inquired when this would come back to the Council. City Council President Keogh stated it would be on the table until the Council decided to bring it back. Councilor Adrian inquired about the effect of tabling something and how that would work when the new Council took office. City Council President Keogh stated it did not matter which Council brought it back. City Attorney Schatz stated a new session of the City Council would begin in April and they could start fresh.

The motion to table failed by a vote of 7-7.

Councilor Decelles stated there was not enough information. Councilors Decelles and Dober made a motion to send this to the Ordinance Committee only.

Councilor Mulvaney-Stanak inquired if it was going to the Ordinance Committee as first reading or just going back to the Ordinance Committee. City Attorney Schatz stated that should be a question for the maker. Councilor Decelles stated it was intended to be first reading and it should just go back to the Ordinance Committee. Councilor Mulvaney-Stanak stated she would support the motion and commented that the Council often lets things linger in Committees. She suggested the Ordinance Committee should come back with a full report for the community.

Councilor Shannon stated there was confusion about the process. The Planning Commission often made recommendations for the Council. First reading often did not have a lot of information, it just started the process. More weight was being put on this reading than there should be. The Planning Commission offered important input. The extra effort was not made to invite a particular group because it was just meant as a start to the process. Groups like Vermont Tenants and Vermont Apartment Owners should be included. The Planning Commission could give feedback to be discussed at the Ordinance Committee. This was not a commitment to approve this on the second reading. This process should be allowed to go forward.

Councilor Wright stated he would support sending this back to the Ordinance Committee, as the process had been flawed. This type of feeling should not be out there and it was a divisive issue. This was not the way to move forward. He suggested starting over with a more inclusive process. Landlords and the Colleges were too important to vilify them.

Councilor Dober stated that this was part of the process, but this should be step two or three and the first steps failed. Sending it back to the Ordinance Committee would allow this to happen. Colleges were working to make changes as quickly as they can. He stated years ago he was looking at homes all over Burlington and chose not to live in Ward 1. While you were in the center of downtown and there were benefits to that, there were also a lot of students in a college environment. People who purchased homes

here knew this when they bought their homes. The stakeholders and students and tenants needed to be part of this process.

Councilors Dober and Decelles made a motion to call the amendment to question. The motion failed by a vote of 7-7.

Councilor Kranichfeld stated if this was sent back to the Ordinance nothing would change. The public was invited to meetings, and this was how to start the process, with a first reading. The Ordinance Committee would only continue this same discussion, without the benefit of the Planning Commission, with it coming back to City Council. If you dislike an ordinance, you could vote against it. Sending it back just doubled the work.

Councilor Adrian stated that if people dislike this issue they should vote against it, rather than using procedure to stall a process. He stated it would be difficult to tell people in Ward 1 that they purchased a home in a bad situation and they had to deal with it. When people moved into the neighborhood, UVM had not raised its student population 37% and that was a big difference. UVM has embarked on an aggressive process of building infrastructure and paying outrageous salaries to administrators while the people in the neighborhoods were suffering.

Councilor Decelles inquired where the minutes an average person could find from the Ordinance Committee's discussion. Councilor Shannon stated the draft minutes were available. One landlord had requested and received them. They were not online, but were available to anyone who requested them. Councilor Decelles stated he did not like the ordinance, but there were no answers to the questions that had been raised. If a lot of questions were answered at the beginning, the view might be different.

Councilors Decelles and Dober made a motion to call the amendment to question. The motion passed by a vote of 10-4. City Council President Keogh requested a roll call.

The motion failed by a vote of 7-7.

AYES: Councilors Brennan, Decelles, Dober, Hartnett, Mulvaney-Stanak, Paul and Wright

NAYS: City Council President Keogh, Councilors Adrian, Berezniak, Blais, Bushor, Kranichfeld and Shannon

Councilor Brennan stated having this as a first reading was a disservice to Burlingtonians. He stated he would not support it as is.

Councilors Decelles and Dober made a motion to call to question. The motion passed by a vote of 10-4. City Council President Keogh requested a roll call.

Councilor Bushor raised a point of information and inquired if this vote was to refer back to the Ordinance Committee and Planning Commission. She inquired if a motion to consider first reading was put forward. Councilor Kranichfeld made a motion to approve it for first reading and refer to Ordinance Committee for further deliberation and to refer to Planning Commission for more comments.

Councilor Wright inquired if there was a 2/3 vote on the call to question. City Council President conducted a re-vote and the motion to call to question passed 10-4.

The motion failed by a vote of 6-8.

AYES: City Council President Keogh, Councilors Adrian, Berezniak, Blais, Kranichfeld and Shannon

NAYS: Councilors Brennan, Bushor, Decelles, Dober, Hartnett, Mulvaney-Stanak, Paul and Wright

The Council recessed for a 3 minute break.

7. PRESENTATION: Lauren- Glenn Davitian, Executive Director, CCTV Center for Media & re: Update (oral)(up to 10 mins.)

Lauren-Glenn Davitian, CCTV Center for Media & Democracy, stated that Channel 17 had contracts with Burlington Telecom and Comcast to continue broadcasting through 2013 to operate the channel. The live coverage had increased and that included the Democratic Caucus, the Financial Forum, and Mayoral Debates. People were interested and were starting to watch live government. Burlington Telecom had been a great partner, and Free Speech Television would be coming in March. There was a fundraising campaign to help with this effort. She stated she would like to know if there was anything that could be done to better serve the community.

Councilor Decelles stated that Channel 17 benefited the community and money was always an issue. One example was a constituent who volunteered to film meetings, such as Board of Finance and Parks Arts and Culture Committee meetings. He inquired if there was a place where people could donate to allow hiring of people to help with filming. Ms. Davitian stated people could donate at any time. There was adequate funding for Burlington City Council meetings. The allocation had increased and it had been possible to remain focused on the key issues. A fundraising campaign had not been established at this time. Volunteers were very helpful.

Councilor Mulvaney-Stanak stated public access was important. She stated at the Community Development and Neighborhood Revitalization Committee meetings a member of the steering committee was interested in having NPA meetings filmed. She inquired if there was a way for people to volunteer to do additional filming. Ms. Davitian stated that all volunteers were trained, and some required additional training. There were a lot of parts to a camera and it was difficult to remember everything if you only work once a month. She stated if there were resources to record NPAs, they would, but it took about 9 hours of labor to cover events. Volunteers only required 2 hours of labor, so that made it much easier. Councilor Mulvaney-Stanak inquired if there were opportunities to partner with college or high school students as internships to help them learn about videography. Ms. Davitian stated there were several young men who work to film live events. It was difficult because they were young and did not have cars. There were issues with quality of production when working with young students. They worked in the studio and were chaperoned in the field. The capacity to manage an intern would be difficult.

Councilor Dober stated he heard a lot of cursing on television while flipping through the channels, though it might not have been on Channel 17. Ms. Davitian stated that public access was about a forum that was unfettered. It was on Channel 15 and they could be profane, especially late at night. However, even mainstream television at that time was pretty profane. With the privilege of free speech came responsibility, and it was public access' responsibility to teach people that. The most controversial programs were when political ideas clash.

Councilor Hartnett stated he had enjoyed serving on the Channel 17 board. When the board did their review, a main question was if there were better ways to get ideas out. This was the first step in the process and using volunteers had worked out well. New equipment had been purchased and had enhanced programming. He thanked the staff. Ms. Davitian stated they got a new studio and control room. Before Channel 17, there were several reporters who put information in the Free Press and broadcasted on the radio.

Councilor Adrian inquired about VPR and NPR having policies about campaign donations by employees. He inquired if Channel 17 had similar policies. Ms. Davitian stated it had never been considered. There was a contract between CCTV and Channel 17. They were CCTV employees, and their policies dictated employee behavior. Channel 17 had guidelines that must be complied with through that contract to treat everyone fairly. Personal beliefs were irrelevant if employees did their jobs well. Councilor Adrian stated that the appearance of openness was important so everyone felt comfortable, regardless of staff people's beliefs. He suggested they consider this. Ms. Davitian stated it was worth considering, but when they began they were closely associated with the Progressives. One reason there was separation from CCTV was that Channel 17 is run by a board of trustees representing everyone. CCTV is entrusted with carrying out their policies. If anyone feels they have not been treated fairly, that is important to know. People have been concerned about how election policies have been implemented, and the trustees have been able to clarify them. Openness and clarity for people of all beliefs is an important goal.

Councilor Brennan thanked Channel 17 for their hard work. Channel 17 camps were valuable for children and it allowed them to see Democracy in action. It was an eye opener for children. Ms. Davitian stated there was a plan in place for a fundraiser to benefit the camps and the one youth intern.

Councilor Wright stated he has always felt welcome at Channel 17.

Councilor Paul stated she used to have a difficult time knowing what camera to look at during live at 5:25. It was confusing and eventually the change was made to add lights on the camera and it was helpful. Ms. Davitian encouraged people to come use the studio, as equipment was expensive and the most should be gotten out of it.

City Council President Keogh thanked Ms. Davitian and her staff.

8. RESOLUTION: Ongoing and Future Relationship Between the City of Burlington and the University of Vermont (Councilors Paul, Blais, Bushor, Wright)

Councilors Blais and Paul made a motion to implement the amendments to the resolution that Councilors were given in advance, waive the reading and adopt the resolution.

Councilor Blais stated after working on the resolution, there were a few issues that were not originally included. Citizen input should be sought to bring to attention issues that might be missed. It usually helped to get as much public input as possible. The Community Development and Neighborhood Revitalization Committee could then seek more input.

Councilor Bushor stated she would like the information out there. She stated she reached out to other Councilors that represent the wards the students lived in to look at the draft and give input. She stated she received no responses. She stated she understands the amendment that addressed the phrase immediate action. She stated she does not completely understand the intent of the resolution with the amendments. The way it was originally drafted was a way for the Council to say to the Administration that when they were having discussions, these were the things that needed to be included. She stated she was unsure what will get to the Administration based on the timeline that was in place. She stated she wanted this to be in place for both the new University President and the new Mayor when they begin working in their new roles; she requested clarification. Councilor Blais stated the intent was to allow public input through the CDNR Committee. It was certainly important that it be in place for the new Administration to provide guidance as to what issues were important. Councilor Bushor inquired if this would come back to the Council after additional items were included. Councilor Blais stated he intended it to return to the Council. Councilor Bushor stated she would like the language to reflect that intention.

Councilor Blais suggested adding language to require a report back to the City Council by the second meeting in April. City Council President Keogh stated the first meeting would be an organizational meeting and the new President might create new or different committees. Councilor Wright inquired if it might be better to refer it to a different committee, as all the current members would be gone. Councilor Berezniak stated the only thing that could be done was to have a public hearing and have it back on a shorter timeline. Otherwise, a different committee would be better.

Councilors Blais and Paul proposed amending the resolution to have a report back by the last council meeting in March. The amendment passed unanimously.

Councilor Mulvaney-Stanak stated she appreciated the spirit of the resolution, as the MOU with the University had been the result of negotiations. Some of the details should be left in the negotiation room to help build trust and an understanding of what each side needs from the relationship. There had been a lot of progress, but the relationship was constantly evolving. Some of the details in the resolution were very specific. It would be a shame if this had a chilling effect on the established relationship. The more proper place to raise this list would be at the negotiation table. She stated she would reluctantly support it.

Mayor Kiss stated that the agreement was voluntary and had evolved over time. UVM was building 400 beds on campus, as part of the agreement. There were a set number of students that were allowed before they were required to provide housing for each additional one. It was negotiated in a mutual, respectful way. It would be best to respect that process. There would be a new mayor and president. It would make sense to pick that discussion up when the new Administration was in place. It was wasted time to proceed before that happened.

Councilor Dober stated he agreed with Councilor Mulvaney-Stanak and the Mayor. It was difficult to understand why this was going through when the current MOU had resulted in progress. This was a dictation of expectations that might hinder that flow.

Councilors Dober and Brennan made a motion to table this issue until the next Administration. The motion failed by a vote of 4 (Councilors Dober, Brennan, Decelles and Mulvaney-Stanak) to 10.

Councilor Berezniak inquired if moving a Council recommendation forward would be beneficial with the timeline of the MOU's expiration date. City Attorney Schatz stated typically negotiations were between the two Administrations and were brought back to the Council for review and input. He stated this laid out issues that the Council requested to be addressed, and was not a mandate or requirement. This would be a preliminary agenda for items to be discussed without the assurance of the ultimate decision.

Councilor Adrian stated he did not want to bend over backwards for UVM. Many people had pointed out that there were exorbitant salaries for UVM's Administration. The University should invest more in the community and build more student housing. At the end of the day, that was the most important thing they could do. He stated he would like to see a minimum number of housing required by a certain date. He stated he would still support this, but would not support an MOU that did not include that provision. Champlain College had made great strides. People in neighborhoods do understand there were differences between living in downtown Burlington than in the country, but that was different than facing constant turmoil because the student population was not being managed. UVM Police could not come into the community without an invitation from Burlington Police. UVM's budget was \$550 million last year and they gave the city \$1 million, which was minimal for them.

Councilor Decelles raised a point of order and inquired how discussions about equity and the 1% were relevant to a discussion about the MOU. City Council President Keogh stated part of Councilor Adrian's comments included this.

Councilor Adrian stated that for Councilors representing downtown, there were major concerns surrounding the University. More could be done and this resolution set a roadmap for how to proceed. It was not intended to be disrespectful to anyone.

Councilor Wright stated there were many changes throughout the process. He stated he would support this, but hoped that the committee was given leeway to make changes to incorporate things from the public. It should be clear that these were things to be considered, not required. The Council should not be doing the negotiating.

Councilor Kranichfeld stated this was an important issue for many constituents, and waiting until spring would not allow enough time to discuss this before the new MOU was entered into in June. It was prudent to start the conversation now to be better prepared when the new Administration came in.

Councilor Paul stated this was a collaborative effort and included many Councilors affected by student behavior. It was a good resolution and it was important not to be negotiating. The Council would be voting on this, not negotiating. This was a huge opportunity for Councilors to raise important issues for those who were negotiating. It was important to ensure that everyone had been heard. UVM had started listening to concerns. Foot patrols and rerouting of busses had begun. This was an unique way to make sure voices were heard.

Councilor Decelles stated he would support this reluctantly. It was important not to overstep boundaries. He suggested in the future, the Council President could work more closely with the Administration to be a direct liaison with the Administration.

Councilor Brennan stated he would not vote on this, as he was an employee of the University of Vermont.

The resolution passed by a vote of 13-1 with Councilor Brennan abstaining.

8.4. (was 4.14.) COMMUNICATION: David E. White, AICP, Dir. of Planning & Zoning, Bill Ward, Dir. of Code Enforcement, Norm Baldwin, DPW Asst. Dir., Engineering and Inspection Services, Eugene Bergman, Sr. Asst. City Attorney and Terry Francis, Fire Marshal, re: Development Review and Permitting Performance Audit Resolution

Councilors Bushor and Wright made a motion to waive the reading, accept the communication and refer it to the Board of Finance.

Councilor Bushor stated this should go to Board of Finance because money was involved. If a consultant would cost \$50,000-80,000, there was a proposal that might be more cost effective, which was to hire a Trades Inspector. It would be helpful to have information to compare what the best way to act on this would be.

The motion passed unanimously.

8.5. COMMUNICATION: Rich Goodwin, Assistant CAO Finance and Scott McIntire, CPA from Melanson Heath & Company

Councilors Wright and Dober and made a motion to suspend the rules at 10:29 p.m. to complete just this agenda item.

Mayor Kiss stated there was also a Board of Civil Authority Meeting.

The motion passed unanimously.

ACAO Goodwin introduced Scott McIntire who is the lead from Melanson & Heath, the audit company.

Interim CAO Schrader stated this was one of three parts of the audit and the annual financial statements. There was also the management letter which was in draft form, and also a single audit that would be incorporated into the audit document and would be presented at a later date.

Councilor Adrian inquired if this was part of the audit. Mr. McIntire stated the financial statements were being finalized and the objective was to walk through the highlights of the audits and give the results with recommendations. Councilor Adrian inquired if this was part of a service that was done in conjunction with the statement of auditing standards. Mr. McIntire stated it was.

Mr. McIntire stated it was the first audit with the City and it went well. The financial statements and disclosures were being compiled and the entire audit would be prepared in the next few weeks. The books and records were in good working order. Most accounts were well reconciled and done in a timely manner. The City had several funds with a negative cash position, including Telecom, Wastewater, Water, and capital projects. The accumulation of those funds was about \$25 million. That had an impact on the general fund in a cash flow basis and a financial statement reporting standpoint. Those balances placed liquidity risk on the City and forced reliance on short time financing to pay operating bills. The two take aways were the books and records were in good working order and there was liquidity risk. In the annual report, the advance to other funds column showed a balance of \$21.5 million, which represented the negative cash position in funds other than the general fund. That asset was segregated because those funds did not have the ability to repay those dollars to the general fund. It was a non-current receivable to the general fund, as there was no ability to collect it. There was a non-spendable with a little over \$25 million. In the liability section, there was a Tax Anticipation Note outstanding as of June 30 that was carried into the new fiscal year at \$11 million. The ending cash position for the City was just over \$4 million, after having borrowed \$11 million in Tax Anticipation Notes. That highlighted the liquidity risk the City faced. The total fund balance was \$13.5 million, up about \$3 million from the prior year. Much of that increase resulted from long term borrowing proceeds that were received and unspent in 2011. He stated non-spendable and unassigned were new terminology. The non-spendable was \$25.5 million which represented a reservation of fund balance that was required to be set aside because of the receivable due from Telecom, Water and Wastewater. It was required to be set aside. That money had to be considered unassigned, which was a negative \$16.9 million.

Councilor Shannon inquired how the unassigned number was determined. Mr. McIntire stated it was the accumulated fund balance deficit. Accounting principles required that \$25 million be set aside because it was not liquid. This was what was left after all other constraints were satisfied was the residual.

Mr. McIntire stated the Airport had an operating loss of \$819,000. When you add that to the non-cash expense of \$4 million, the fund generated \$3.3 million. It needed that to pay about \$2.5 million in debt service. After debt service, the cash position was slightly improved from the prior year. In Wastewater, the operating income was \$716,000, which when added to depreciation generated about \$2.2 million. A \$4 million bond was paid off, and the fund deteriorated, as only \$2.2 million was generated. The Water fund had operating income of \$659,000. When depreciation was added, the fund generated \$1.2 million, which were needed to pay debt service. Operations were stable for the year. A recommendation was to eliminate the deficits, as they caused liquidity risks and caused reliance on short term borrowings. The Wastewater fund made a \$4 million bond payment. That was not appropriated for and was not raised in the rates. It was revenue generated to cover that cost. There was no fund put aside to cover this payment. In 2 years, there was another payment due for \$14 million. The City planned to refinance this over another 14 years. All of this would be paid in the second 20 years, even though it was supposed to take

place over 40 years. Capital Project funds needed to be monitored more closely. Several had negative cash balances because controls broke down. Budgeted versus actual could be improved. With enterprise funds, it was challenging because additional reconciliations were required. There were currently a lot of grants in the general fund, which clouded the reporting. It would be better to have a separate fund for grants, which created more controls and resulted in a cleaner budget versus actual. Capital assets were maintained on spreadsheets and the audit trail could be compromised. He reiterated that the audit went well and there was liquidity risk.

CAAO Goodwin stated the previous auditor produced financials for the last 15 years. There was a formal RFP and this firm was not hired until July 1. Typically, audits start 60 days earlier than this. 25% of the work was looking at the standard operating procedures. The audit was completed in a smaller window of time. It was finished in a reasonable time frame and the accounting and finance staff worked very hard. The Board of Finance and the City Council refer to a change in Administration, but financial workings of the City operate on a daily basis. Money might be distributed in a different manner, but the day to day operation was important. Some changes that had taken place included a structure in June, 2010 to hire two ACAOs. A multitude of projects had moved forward, including a new financial software system to improve reporting, auditing, and the time to close the books. The existing system was from the 80s and was DOS based. Additionally, the way financing was done had changed, and had saved the City hundreds of thousands of dollars. An example would be to stop doing lump sum notes and utilizing revolving lines of credit. The interest rates were more attractive. There had been approval for purchasing software in Human Resources and Payroll to make day to day transactions more efficient. Separate audits were conducted for Telecom and the Airport and there would be additional notes for the general fund. The total revenue audited was \$335 million. No adjustments were made to the audit for the operating revenues, meaning they were being reported properly. One myth was that the Airport was struggling financially. In fact, they had a net profit of \$4.5 million. The profit increased by \$1.6 million in one year. \$4.5 million was the highest profit achieved in 8 years. \$25 million was spent in Airport improvements. That was federally approved AIP projects and was 98% reimbursed by the state and federal agencies. That amounted to the equivalent of half the general fund of the City. The parking garage was expanded at a cost of \$15 million. The myth was that it was not financed, but that was untrue. Investors and creditors wanted to see funds restructured so they were segregated and used only at the Airport. The cash balance increased by \$6.5 million. There was also a rainy day fund that had been established. In the past years, debt coverage was not achieved, but it was this year. The requirement was 1.25 and 1.37; it was achieved. They were on track to hit a \$5.5 million profit this year, the highest in Airport history. Burlington Telecom was a success story. 10 years ago, when it was first started, and this year it had revenues of \$7.2 million, the highest in its history. Additionally, with depreciation, it profited \$392,000, the first time they had profited. Moving forward, all profits would go to the bottom line for BT. This was achieved despite litigation, and one sided press. There were no adjustments to the financials, accounts were in good standing, and there were no recommendations for reserves. Condition 60 was a requirement that expenditures that were incurred must be reimbursed to the City within 60 days. There were zero violations and it was often within 30 days. Revenues had been maintained. 20 years ago, raw sewage was being dumped into the lake which required an overhaul to the wastewater system. The State gave a series of bonds for \$4 million and \$14 million interest free with balloon payments due 20 years later. Before the current Administration, there should have been rate adjustments to accommodate these payments. These did not happen. There was now a plan in place to ensure this happens and it would become positive over time. When cash was projected, he stated he did not plan to have any money collected in the year from Telecom or other funds. If money would not be received, it was considered non-spendable. With the exception of Burlington Telecom, there were no funds that had been overspent. Grants often required money being spent up front and it was reimbursed at a later date. The School required a bond to make their fund whole. The heavy reliance on short term borrowings was true, but the amount owed to the pooled cash took a big hit from the cash. There was no bonding this year, because it would be locked into at a high rate and would result in paying excess interest. There were a lot of short term borrowings at attractive rates. In 2012, the plan would be to lock into \$20 million in bonds at

attractive rates to reduce the reliance on cash. The cash balance was approximately \$4.5 million. This year, the year would end at \$7 million. In 2013, there would be between \$10-12 million in the bank. That would be 20% of the general fund and would be back on track.

Councilor Wright inquired about the liquidity risk to the City and what should be done to deal with this risk, and what it would mean if it were not addressed. Mr. McIntire stated that liquidity risk would be relying on short term borrowings to pay for operating costs. The risk was that you would be borrowing at unattractive rates. In general, cash deficits should be funded. There was a difference between financing and funding. It was being financed with a line of credit, but funding it would require raising revenue over time to permanently eliminate cash deficit. Temporary borrowings would not make deficits go away. Councilor Wright stated that ACAO Goodwin had stated short term borrowings were a better option right now and inquired if that was concerning. Mr. McIntire stated liabilities needed to be paid off; that would not happen using short term notes. The Wastewater Bonds were permanent financing, but they should have been paid each year to eliminate those liabilities. The Tax Anticipation Note was sitting there and the number was not going down. Everything was risk based, and borrowed money should have a repayment schedule. Councilor Wright inquired if a Bond Anticipation Note was the proper way to pay for the Airport parking garage. Mr. McIntire stated he would have to recreate a number of scenarios to answer that question. A Bond Anticipation Note needed to be borrowed. The cash position was only \$4 million and \$11 million was borrowed to put it in that position. Something needed to be done. ACAO Goodwin stated the strategy that was used was a good move for the Airport. It was good because the current rating was poor. It was better to improve that rating before locking into a bond with high rates. It had been difficult to hit debt coverage ratio in past years and that had impacted the ability to borrow. A short term borrowing allowed the Airport to make the debt coverage score. The Airport had done \$46 million in capital improvements, and the long term debt decreased by \$2.5 million. The \$12 million that was due in December would be rolled for 18 more months. The rate was increasing to handle the future debt load. In 2017, the Airport has debt it will retire. It is setting up the Airport for success through 2020. There was no other way to approach this problem. Eventually, long term borrowing would be necessary, but taxpayers' bills dropped, because borrowing decreased. The City historically had dealt with one bank, but now there were several banks who wanted to do business with the City. Building relationships with bankers and the credit rating agencies benefited the City. Councilor Wright inquired what the impact of not meeting the debt score would have been. ACAO Goodwin stated it would require doing a study and hiring an independent consultant to make things correct. In the past, this had been done and it cost \$250,000; this made it even harder to make debt coverage.

Councilor Paul stated that ACAO Goodwin had stated the Council took a new direction in hiring a new auditor, but in reality the previous auditor chose not to work with the City. ACAO Goodwin stated the Board of Finance and the City Council approved putting out an RFP for a new auditor. This could not be done without those approvals. There was a resolution that allowed this to happen. Councilor Paul stated that direction was chosen because it was necessary. It was not fair to say to the public that the City got rid of the old auditor. She stated there had been claims that there had been savings of hundreds of thousands of dollars, and requested a report showing this. She stated a lot of work had been at the Airport, and the Council requested that the Airport and Telecom be run like businesses and not City departments. It was misleading to say that everything was fine at the Airport. Moody's had stated that the debt coverage score needed to be above 1.4 for 12 consecutive months before they would reconsider the Airport's credit rating. It was unfair to say that everything was fine. She stated that as long as things were going alright in the credit market, the City would be ok as far as liquidity, but there could be problems in the future.

Councilor Adrian inquired who drafted the document. Mr. McIntire stated it came out of the auditing software. It was derived from the City's data. The management discussion and analysis was written by management and the documents were merged. Councilor Adrian inquired what parts were created by his office. Mr. McIntire stated pages 20 to the end were generated from his office. Councilor Adrian inquired if the narrative was created by the CAOs office; Mr. McIntire stated that was correct. Councilor Adrian

inquired if the Airport embarkations were down. ACAO Goodwin stated they were up from the last fiscal year approximately 3%. The growth has not been big, but that was comparable with the industry. Councilor Adrian inquired if there had been any decrease in embarkations in the last four fiscal years. ACAO Goodwin stated it had not always increased. He stated he would send historical enplanement data. Councilor Adrian inquired about the \$33.5 million listed as special item of debt extinguishment for Burlington Telecom. Mr. McIntire stated the adjustment there reflected the City's position that with the lease incriminated, the liability was extinguished, as the lease had been terminated. Councilor Adrian inquired how the current lawsuit was accounted for. Mr. McIntire stated that was categorized as a material uncertainty, a fancy way of saying there were a lot of unknowns. Councilor Adrian requested that there be another meeting with plenty of opportunity to review the full audit when it became available.

Councilor Berezniak inquired about the Wastewater increases that had been implemented and why this was not enough to cover the balloon payment of \$4 million. Mr. McIntire stated it was missed completely. There were no funds put aside for the payment. ACAO Goodwin stated that it was the expectation that it would be refinanced. The problem was that \$4 million was too small of an amount for an investor to be interested in. Since it was due, it had to be paid and the result was a negative fund balance. He stated a rate increase for one year was not enough to cover the payment. There would need to be three years of rate increases to make the fund positive. Councilor Berezniak inquired if there was currently zero interest. ACAO Goodwin stated the \$14 million due to the state was interest free. Councilor Berezniak inquired if that would be refinanced in the open market; ACAO Goodwin stated that was true. Voters had approved the refinance of those long term debt. Councilor Berezniak inquired if there would be a cash reserve established. ACAO Goodwin stated that revenues needed to be enough to support the debt. Councilor Berezniak inquired if a revenue bond would be used. ACAO Goodwin stated it would.

Councilor Brennan thanked ACAO Goodwin and Mr. McIntire for their presentation. During the last few years, the country has faced difficult times and this happened during the creation of an enterprise here. It was great that Burlington has had a success through all of this.

Councilor Blais inquired if Telecom's profit took into account interest payments to the \$16.9 million. ACAO Goodwin stated that Burlington Telecom did make a profit, and there was a pooled cash amount in which Telecom paid interest. Councilor Blais inquired what the reason for his reluctance to disclose the amount of the interest payments was. City Attorney Schatz stated there was no reason to withhold disclosing the interest payments. ACAO Goodwin stated the approximate amount was \$500,000. Councilor Blais inquired what the return on that was. ACAO Goodwin stated the amount of interest was built on the borrowing rate that the City got for its Tax Anticipation Notes. The current rate was just below 2.5% on a revolving line of credit. Councilor Blais inquired if only interest was paid without reducing the principle. ACAO Goodwin stated that was correct.

City Council President Keogh inquired what would happen next. Mr. McIntire stated that when the disclosures and single audit were complete they would be sent to the Council. Management was looking at recommendations and a management letter would be provided when it was complete. City Council President Keogh inquired if the audit would be complete at the end of March. Mr. McIntire stated the financial statements and management letter would be ready well before the end of March. The single audit would be ready by the end of March. City Council President Keogh inquired if there would be a presentation for the Council at that time. Interim CAO Schrader stated that could happen.

Without objection, City Council President Keogh waive the reading, accepted the communication and placed it on file.

Minutes, Adjourned, City Council, February 13, 2012

9. COMMITTEE REPORTS (5 mins.)

This item was not addressed at this meeting.

10. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)

This item was not addressed at this meeting.

11. COMMUNICATION: Mayor Kiss, re: General City Affairs (oral)(5 mins.)

This item was not addressed at this meeting.

12. ADJOURNMENT

Without objection, City Council President Keogh, the Adjourned Meeting of the City Council unanimously adjourned at 11:44 p.m.

Attest:

Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary

BOARD OF CIVIL AUTHORITY  
MONDAY, FEBRUARY 13, 2012  
11:44 P.M.

PRESENT: BCA Member Decelles departed at 11:39 p.m.

MAYOR KISS PRESIDING:

1. AGENDA

On a motion by BCA Members Bushor and Mulvaney-Stanak the Board of Civil Authority agenda was unanimously adopted as amended as follows: note revised version of agenda item 2.01. RESOLUTION: Appointment of Assistant Election Officials/Appointment of Acting Justices of Peace (Councilor Keogh) with consent action to “waive the reading, accept the communication and place it on file.”

2. CONSENT AGENDA

2.01. RESOLUTION: Appointment of Assistant Election Officials/Appointment of Acting Justice of Peace (Councilor Keogh) \*\*revised version\*\*

Councilors Bushor and Mulvaney-Stanak made a motion to waive the reading and adopt the revised version of the resolution.

3. ADJOURNMENT

On a motion by BCA Members Wright and Mulvaney-Stanak, the Board of Civil Authority unanimously adjourned at 11:45 p.m.

Attest:

Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary