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**DELIBERATIVE AGENDA**  
**SPECIAL CITY COUNCIL WORKSESSION**  
**MONDAY, JANUARY 6, 2014**  
**CONFERENCE ROOM 12, CITY HALL**  
**6:00 P.M. – 7:00 P.M.**

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1. AGENDA
2. PRESENTATION: ACAO Schrader, re: Board.docs (via webinar)
3. ADJOURNMENT

**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, JANUARY 6, 2014**  
**CONTOIS AUDITORIUM, CITY HALL**  
**7:15 P.M.**

1. AGENDA
2. PRESENTATION: Alan Matson, Chair, Keith Pillsbury, Finance Chair, Jeanne Collins, Superintendent and David Larcombe, Finance Director, Burlington School District, re: Burlington School District FY15 Budget December 16 & 19, 2013 (20 mins.)
  - 2.01. COMMUNICATION: Burlington School District, re: Burlington School District FY15 Budget December 16 & 19, 2013
  - 2.02. COMMUNICATION: Burlington School District, re: FY15 BSD Budget Draft 2.4.xls, Comparison (1)
  - 2.03. COMMUNICATION: Burlington School District, re: FY15 BSD Budget Draft 2.4.xls, Comparison Detail (1)
3. PUBLIC FORUM **(Time Certain: 7:30 p.m. – 8:00 p.m. unless extended by the Council President per Council Rules)**
4. CONSENT AGENDA
5. PUBLIC HEARING: ZA-14-06 – Removal of Café Parking Requirements in Shared Use Districts
  - 5.01. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Removal of Café Parking Requirements in Shared Use Districts ZA 14-06 (Councilor Shannon; Councilors Mason, Bushor, Paul: Ordinance Committee) (2<sup>nd</sup> reading)
  - 5.02. COMMUNICATION: Assistant City Attorney Sturtevant, re: Public Hearing Notice: Proposed Amendment: ZA-14-06 – Removal of Café Parking Requirements in Shared Use Districts
6. RESOLUTION: Appointment of Retirement Committee Representatives (Councilor Shannon)
7. COMMITTEE REPORTS (5 mins.)

8. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)
9. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)
10. COMMUNICATION: Eileen Blackwood, City Attorney, re: Contract negotiations Re: Burlington Telecom (oral)

• \* \* \* \* **EXPECTED EXECUTIVE SESSION** \* \* \* \*

11. ADJOURNMENT

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**CONSENT AGENDA**

**REGULAR MEETING, CITY COUNCIL**

**MONDAY, JANUARY 6, 2014**

- 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 Public Works Director Chapin Spencer as Authorized City Representative for Vermont Water & Stormwater Project Loans & Grants (Councilor Tracy)  
\*waive the reading and adopt the resolution
- 4.03. RESOLUTION: Authorization to Enter into License Agreement for a Canopy Extending Over a Portion of The City's Right-of-way with SAS Architects (Councilors Blais, Tracy: License Committee)  
\*waive the reading and adopt the resolution
- 4.04. RESOLUTION: Authorization for Burlington Electric Department Electric Vehicle Charging Station Grant (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
  - 4.04.01. COMMUNICATION: Spencer Newman, Chair, Burlington Electric Commission to Dick Valentinetti, Director Air Pollution Control Division, State of Vermont, re: 2014 Electric Vehicle Charging Station Proposal City of Burlington  
\*waive the reading, accept the communication and place it on file
- 4.05. RESOLUTION: Recategorization of One Limited Service Part Time Criminal Justice Liaison and One Limited Service Part Time Victim Liaison Assistant to Regular Full Time at The Community Justice Center (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
  - 4.05.01. COMMUNICATION: Julie Hulburd, HR Generalist and Susan Leonard, Director of Human Resources, Re-categorization of one Limited Service Part-Time Criminal Justice Liaison and one Limited Service Victim Services Liaison to Regular Part Time  
\*waive the reading, accept the communication and place it on file
  - 4.05.02. COMMUNICATION: Peter Owens & Karen Vastine, CEDO to Board of Finance, Re: Request for Conversion of 2 Limited Service Positions  
\*waive the reading, accept the communication and place it on file

4.06. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council Meeting, September 23, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes at the January 13, 2014 City Council Meeting

4.07. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Draft Minutes, Regular City Council Meeting, October 7, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes at the January 13, 2014 City Council Meeting

4.08. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council Meeting, October 21, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes at the January 13, 2014 City Council Meeting

4.09. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Draft Minutes, Special City Council Meeting, October 28, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes at the January 13, 2014 City Council Meeting

4.10. COMMUNICATION: Martha R. Lang, Ph.D., re: The Proposed Burlington School Budget for Fiscal Year 2015

\*waive the reading, accept the communication and place it on file

4.11. COMMUNICATION: City Attorney's Office, re: Notice of Public Hearings concerning proposed amendments to the Burlington City Charter

\*waive the reading, accept the communication and place it on file

4.12. COMMUNICATION: William E. Johnson, Director, Property Valuation & Review, State of Vermont, Department of Taxes, re: Division of Property Valuation and Review Certified Equalized Education Property Value (Effective 1/1/2014)

\*waive the reading, accept the communication and place it on file

4.13. COMMUNICATION: City Council President Shannon and Councilor Knodell, Priorities Committee, re: Priority Areas

\*waive the reading, accept the communication, place it on file

4.14. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

The Skinny Pancake, 12/31/2013, Dancing, Amplified Music, 8 p.m. – 2 a.m.

\*waive the reading, accept the communication, place it on file and ratify the one day only special event indoor entertainment permit application for The Skinny Pancake

*Members of the public may speak when recognized by the Chair, during the Public Forum (time certain: 7:30 p.m.) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 on January 8, 2014 at 8:00 p.m., repeating at 1 a.m., 7 a.m. and 1 p.m. the following day. For information on access, call Scott Schrader, Assistant CAO for Administration and Management (865-7140) or Lori Olberg, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).*

# Burlington School District Draft FY15 Budget

December 16 & 19, 2013



# Mission

## Burlington Schools: Excellence and Equity



*The mission of the Burlington School District is to ensure that all students achieve their highest intellectual and personal potential and are prepared to contribute as global citizens in the 21<sup>st</sup> Century.*

# Budget Process

This year, we are working to build a budget that meets a Board selected overall financial goal as well as program priorities.

We have received input from the community and schools, the Administration, and by Board Committees that have led to this presentation. Tonight we propose a budget that results from setting these particular goals.

In order to reach a fiscally efficient budget, there were difficult choices to be made. This budget draft gives the Administration the ability to make these choices within a set of Board priorities in order to provide the best outcomes for our students.

# Budget Process

In presenting this budget, we want to be clear that Burlington voters and citizens understand that your elected and appointed school officials are working hard to develop a spending plan that is responsible to the children of the community and also is responsible fiscally. Burlington is a dynamic community with a wide array of needs and aspirations. The budget that we are developing reflects community values. We also want to be clear about the fact that the Burlington School District must not only respond to our own operations and programs but also to requirements of the City, State and Federal Governments - which in recent years have been substantial and will be described later in this presentation.

# Board Commitments



- High Achievement for All Students
  - Student Centered Learning in Technology Environment
  - Restructure for Equity and Opportunity
  - Maintain and Update Facilities for Safety, Energy Efficiency and Accessibility
- 

# Board Budget Priorities

- **Technology** for the 21<sup>st</sup> Century grades 6-12
- Multi-tiered system of **student support**
- **Diversity & Equity** needs - professional development, recruitment and response to harassment
- BHS/Edmunds **facilities** planning for 21<sup>st</sup> Century learning and accessibility
- Aged **facilities**/ maintenance needs

# Board Budget Priorities, cont.

- **Professional development** for differentiation, common core, high achievers, ELL needs
- Implementation of **Common Core** Curriculum
- Teacher evaluation for **high quality teachers**

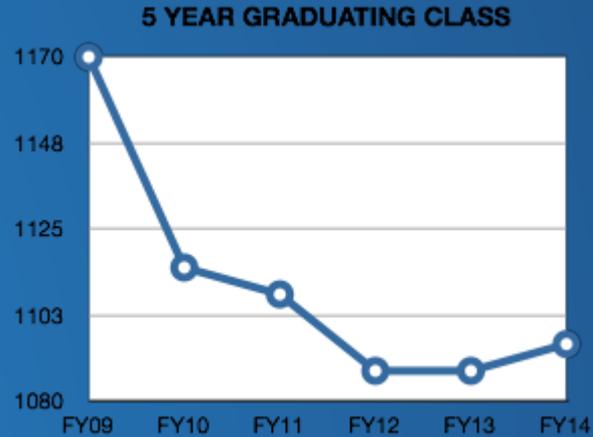
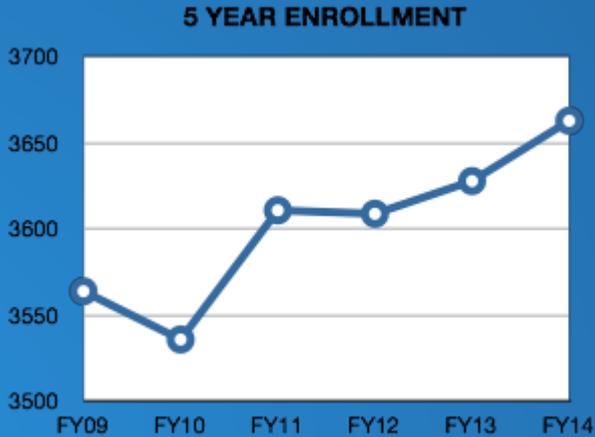


# What This Budget Accomplishes:

- Focus on **instruction** and **teacher quality**
- Integration of **technology** grades 6-12
- **Professional development** for differentiation, diversity, ELL, and Common Core
- **Equitable** opportunities and outcomes for all students
- Facility/maintenance focus on **safety**, **efficiency**, and **accessibility**

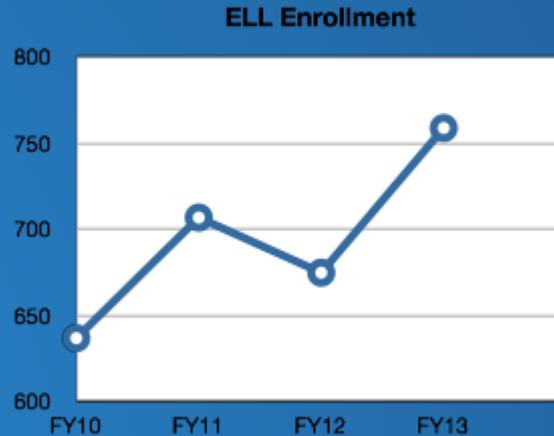
# Budget Challenges

Increased enrollment with greater challenges



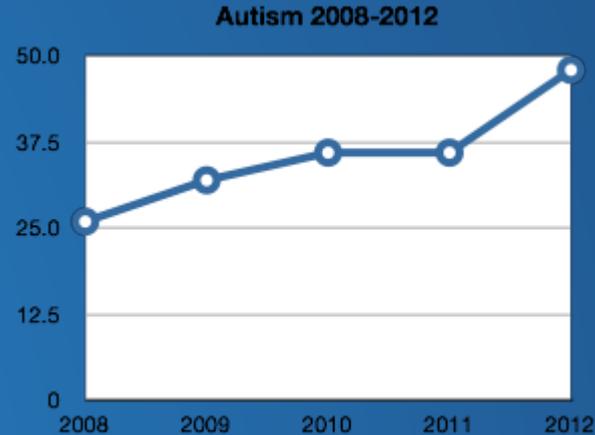
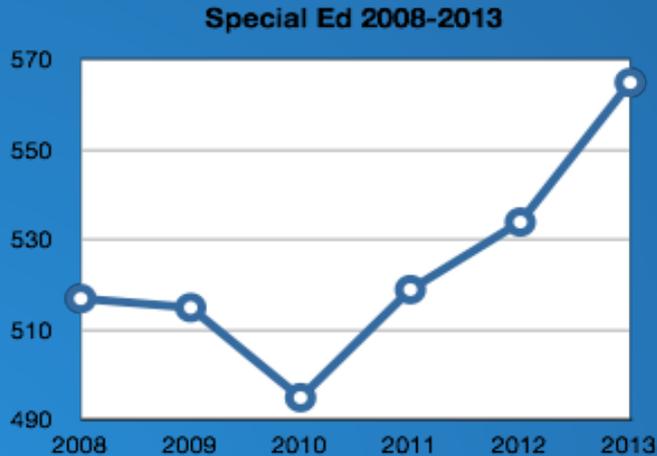
# Budget Challenges

## Increased English Language Learner (ELL) Enrollment



# Budget Challenges

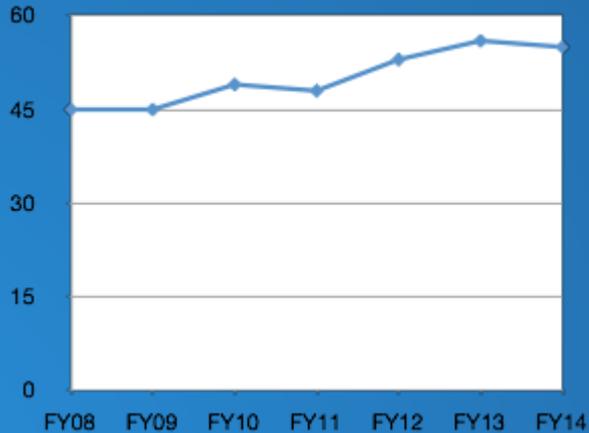
## Increased Number of Special Education Students



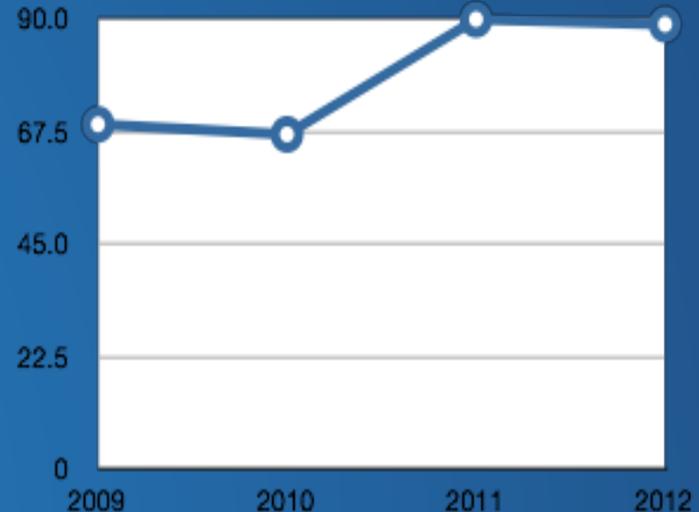
# Budget Challenges

## Increased Poverty and Homeless Needs

**FRL 5 Year Increase**



**Homeless Pop. 2009-2012**



# Budget Challenges

Recent Budgets Have Absorbed Cost Shifts

Local:

- Pension costs for school employees from the City
- City fees
- Increased costs of bonding given City's credit rating

# Budget Challenges

Recent Budgets Have Absorbed Cost Shifts That Must be Maintained

State:

- Health insurance costs over five years
- Mandates for improving educational system such as Common Core, Dual Enrollment, Next Generation Science Standards

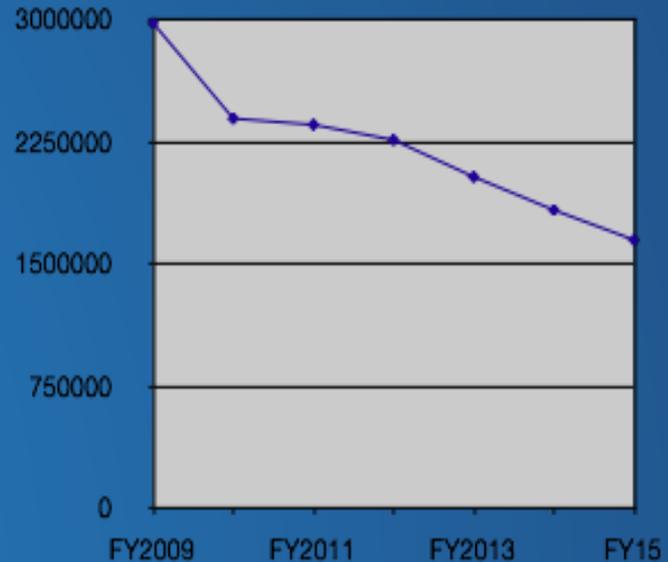
# Budget Challenges

Recent budgets have absorbed cost shifts that must be maintained:

Federal:

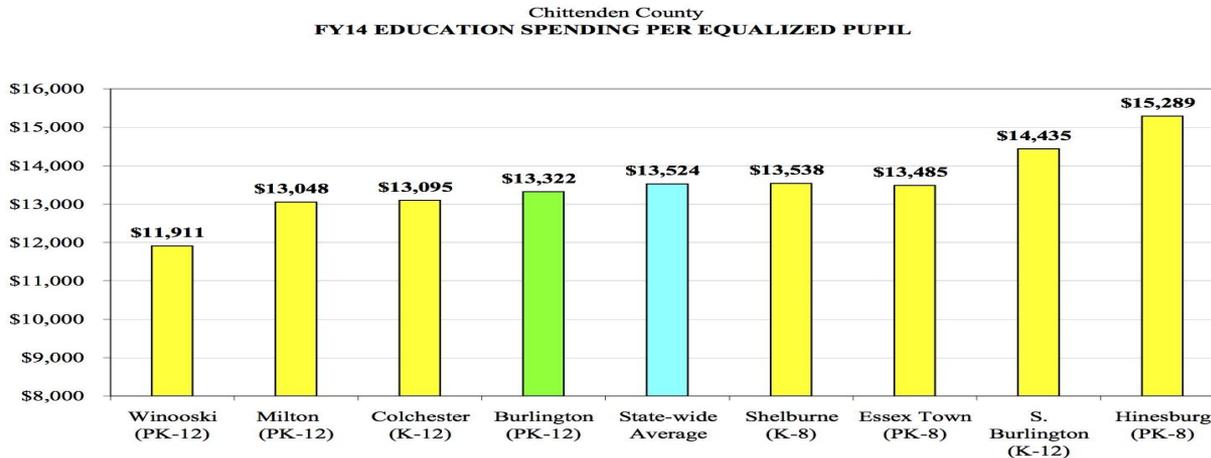
- Decreased federal grants

We lost about \$2M in federal funds They paid for classroom teachers.



# Budget Data

Financial Goal: 6.9% increase in equalized pupil spending.



In order to meet the financial goal, we propose:

- Increasing class sizes
- Redesigning special education model to serve more students in need (multi-tiered system of support)
- Slowing growth in supports for ELL students

In order to meet the financial goal, we propose:

- Increasing use of volunteers in schools in libraries and lunchrooms to support students when possible
- Changing model of behavioral supports
- Revisiting world language offerings
- Changing the model of community and parent outreach

# Budget Realities to Meet Priorities

- Increase equalized pupil spending by 6.9% to meet our priorities
- Translates to 7.7% budget increase
- Total budget of \$67,587,197; an increase of \$4.8m - Instruction/Support \$3.0m, Ops&Maint \$0.3m, Debt Serv \$0.3m, FY13 Deficit \$1.2m

To meet our needs would cost

\$3.0m Current program

\$1.2m Deficit

\$0.6m Need for more teachers to reduce class size and meet our facility needs

# Difficult Decisions

We recognize that there are limits to what can be afforded. We need to let go of programs and functions in order to meet this goal. This budget gives the Administration flexibility to reduce or change programs while focusing on Board priorities.

# Current programs to be considered

## Core

English

Math

Social Studies

Science

Elementary

Special Education

English Language Learning

Class size ranges

## Non-Core

Arts: Music, Art, Drama

Physical Education

Afterschool & summer

Facilities/Maintenance

# Input needed from Community

- Are our priorities the right priorities?
- Is the financial goal of 6.9% increase in equalized pupil spending acceptable for supporting these priorities?



# Next Steps

- ❖ Budget Hearings Dec. 16 & 19, 2013
- ❖ City Council Presentation Jan. 6, 2014
- ❖ Revenue information continues to come in during December and January
- ❖ Board Decision: Jan. 14, 2014
- ❖ Town Meeting Vote: March 4, 2014
- ❖ Legislative Decisions on tax increase-usually in May

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
				<i>YTD Actual + Encumbered</i>	<i>15 Cost of 14 Program</i>	<i>Board Goals for 15</i>	<i>Admin Redesign</i>	<i>Current Draft for 15</i>
<b>REGULAR ED INSTRUCTION</b>								
TOTAL	25,831,552	26,485,461	26,840,338	24,298,671	27,754,914	1,436,000	(1,056,000)	28,134,914
<b>SPECIAL ED INSTRUCTION</b>								
TOTAL	9,647,031	11,353,149	11,439,324	10,856,382	11,911,666	0	0	11,911,666
<b>CO-CURRICULAR INSTRUCTION</b>								
TOTAL	196,112	134,740	167,480	58,959	174,883	0	0	174,883
<b>ATHLETICS INSTRUCTION</b>								
TOTAL	497,012	577,969	435,694	311,041	452,433	0	0	452,433
<b>AFTERSCHOOL INSTRUCTION</b>								
TOTAL	369,092	322,426	392,234	199,240	393,476	0	(50,000)	343,476
<b>TOTAL INSTRUCTION</b>	<b>36,540,799</b>	<b>38,873,745</b>	<b>39,275,070</b>	<b>35,724,292</b>	<b>40,687,371</b>	<b>1,436,000</b>	<b>(1,106,000)</b>	<b>41,017,371</b>
% Prior Year Budget	113%		107%					104%

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SOCIAL SERVICES</b>								
TOTAL	206,696	143,422	187,758	178,633	196,616	0	(75,000)	121,616
<b>GUIDANCE SERVICES</b>								
TOTAL	1,341,066	1,394,530	1,421,849	1,403,304	1,489,405	0	0	1,489,405
<b>DIVERSITY &amp; EQUITY SERVICES</b>								
TOTAL	221,544	289,970	388,715	127,310	401,792	0	0	401,792
<b>HEALTH SERVICES</b>								
TOTAL	695,361	725,753	741,612	694,324	774,169	0	0	774,169
<b>PSYCHOLOGICAL SERVICES</b>								
TOTAL	252,409	307,678	282,235	256,287	295,323	0	0	295,323
<b>SPEECH &amp; LANGUAGE SERVICES</b>								
TOTAL	1,186,653	1,025,853	840,926	1,029,713	879,980	0	0	879,980
<b>OCCUPATIONAL THERAPY SERVICES</b>								
TOTAL	0	103,232	126,996	94,052	133,016	0	0	133,016
<b>PHYSICAL THERAPY SERVICES</b>								
TOTAL	58,543	56,604	69,466	57,527	72,761	0	0	72,761
<b>TOTAL STUDENT SUPPORT SERVICES</b>	3,962,272	4,047,042	4,059,557	3,841,150	4,243,062	0	(75,000)	4,168,062
<b>% Prior Year Budget</b>	119%		102%					103%

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>CURRICULUM/STAFF TRAINING SERVICES</b>								
TOTAL	729,967	663,640	933,385	486,282	967,435	150,000	(30,000)	1,087,435
<b>LIBRARY SERVICES</b>								
TOTAL	1,097,540	1,080,422	1,158,052	1,085,255	1,210,217	0	(200,000)	1,010,217
<b>TECHNOLOGY SUPPORT SERVICES</b>								
TOTAL	79,232	88,127	93,196	83,596	97,521	0	0	97,521
<b>TECHNOLOGY INTEGRATION SERVICES</b>								
TOTAL	630,659	661,452	793,815	635,794	828,921	0	0	828,921
<b>SCHOOL TECHNOLOGY SERVICES</b>								
TOTAL	294,612	196,671	217,363	182,565	225,577	0	0	225,577
<b>TOTAL INSTRUCTOR SUPPORT SERVICES</b>	<b>2,832,010</b>	<b>2,690,312</b>	<b>3,195,811</b>	<b>2,473,493</b>	<b>3,329,672</b>	<b>150,000</b>	<b>(230,000)</b>	<b>3,249,672</b>
<b>% Prior Year Budget</b>	<b>105%</b>		<b>113%</b>					<b>102%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SCHOOL BOARD SERVICES</b>								
TOTAL	279,870	302,525	359,886	189,907	367,084	0	(33,000)	334,084
<b>SUPERINTENDENT SERVICES</b>								
TOTAL	427,950	473,036	362,178	356,851	373,433	0	0	373,433
<b>BUILDING ADMINISTRATION</b>								
TOTAL	2,387,900	2,556,450	2,551,441	2,403,676	2,632,028	135,000	(135,000)	2,632,028
<b>SPECIAL ED ADMINISTRATION</b>								
TOTAL	390,079	437,652	403,294	387,396	416,039	0	0	416,039
<b>BUSINESS SERVICES</b>								
TOTAL	519,657	596,624	640,903	470,732	659,595	0	0	659,595
<b>PERSONNEL SERVICES</b>								
TOTAL	281,895	441,860	434,849	437,229	448,610	28,000	3,130	479,740
<b>MANAGEMENT INFORMATION SERVICES</b>								
TOTAL	190,895	212,851	214,867	221,275	221,063	0	0	316,341
<b>GRANTS ADMINISTRATION</b>								
TOTAL	177,108	212,482	212,370	206,284	219,309	0	0	219,309
<b>EMPLOYEE BENEFITS/DISTRICT</b>								
TOTAL	2,269,813	1,202,497	741,241	0	538,818	0	0	538,818
<b>TOTAL SCHOOL/CENTRAL ADMIN</b>	<b>6,925,167</b>	<b>6,435,977</b>	<b>5,921,029</b>	<b>4,673,351</b>	<b>5,875,977</b>	<b>163,000</b>	<b>(164,870)</b>	<b>5,969,386</b>
<b>% Prior Year Budget</b>	<b>118%</b>		<b>86%</b>					<b>101%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
TOTAL	339,235	411,317	362,426	310,510	373,279	0	0	373,279
<b>CARE &amp; UPKEEP OF BUILDINGS/SECURITY</b>								
TOTAL	4,973,533	5,469,962	5,470,127	1,947,882	5,627,493	400,000	(325,000)	5,702,493
<b>CARE &amp; UPKEEP OF GROUNDS</b>								
TOTAL	81,300	105,841	81,300	62,134	83,568	0	0	82,926
<b>VEHICLE MAINTENANCE</b>								
TOTAL	158,258	175,491	167,484	67,196	171,665	0	0	171,665
<b>SCHOOL RESOURCE OFFICER</b>								
TOTAL	50,000	54,082	50,029	4,793	51,500	0	0	107,500
<b>PREVENTATIVE MAINTENANCE</b>								
TOTAL	882,173	912,197	899,104	895,729	918,431	164,000	(164,000)	918,431
<b>STUDENT TRANSPORTATION</b>								
TOTAL	455,151	811,116	810,116	384,847	830,820	0	0	830,820
<b>SCHOOL BUS MAINTENANCE</b>								
TOTAL	90,569	75,997	93,153	15,019	95,284	0	0	95,284
<b>TOTAL OPERATIONS SERVICES</b>	<b>7,030,219</b>	<b>8,016,003</b>	<b>7,933,739</b>	<b>3,688,110</b>	<b>8,152,040</b>	<b>564,000</b>	<b>(489,000)</b>	<b>8,282,398</b>
<b>% Prior Year Budget</b>	<b>102%</b>		<b>113%</b>					<b>104%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>CAPITAL CONSTRUCTION/ACQUISITION</b>								
TOTAL	0	215,886	0	0	0	200,000	0	200,000
<b>DEBT SERVICE</b>								
TOTAL	2,155,483	2,139,396	2,331,588	0	2,481,588	200,000	0	2,681,588
<b>PRIOR YEAR ADJUSTMENTS</b>								
TOTAL	0	5,599	0	19,132	0	0	0	0
<b>FUND TRANSFERS</b>								
TOTAL	170,000	50,000	50,000	1,118,218	1,370,000	0	0	1,370,000
<b>TOTAL OTHER SERVICES</b>								
	2,325,483	2,410,881	2,381,588	1,137,351	3,851,588	400,000	0	4,251,588
	% Prior Year Budget 110%		102%				179%	
<b>TOTAL EXPENDITURES</b>	59,615,950	62,473,960	62,766,794	51,537,746	66,139,709	2,713,000	(2,064,870)	66,938,476
	% Prior Year Budget 112%		105%				107%	

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
				<i>YTD Actual + Encumbered</i>	<i>15 Cost of 14 Program</i>	<i>Board Goals for 15</i>	<i>Admin Redesign</i>	<i>Current Draft for 15</i>
<b>REGULAR ED INSTRUCTION</b>								
Salaries/wages	17,178,630	17,352,396	17,380,536	17,302,401	18,027,563	997,000	(914,000)	18,110,563
Benefits	4,549,907	4,832,048	4,766,787	4,760,726	4,940,475	125,000	(108,000)	4,957,475
Professional services	1,026,531	979,426	1,246,531	744,887	1,271,462	0	0	1,271,462
Property services	93,551	147,238	93,551	147,889	95,422	0	0	95,422
Other services	2,146,883	2,195,904	2,146,883	283,970	2,189,821	0	0	2,189,821
Supplies	756,220	923,080	1,126,220	997,739	1,148,744	314,000	(34,000)	1,428,744
Property	78,330	52,773	78,330	59,424	79,897	0	0	79,897
Other objects	1,500	2,596	1,500	1,634	1,530	0	0	1,530
<b>TOTAL</b>	<b>25,831,552</b>	<b>26,485,461</b>	<b>26,840,338</b>	<b>24,298,671</b>	<b>27,754,914</b>	<b>1,436,000</b>	<b>(1,056,000)</b>	<b>28,134,914</b>
<b>SPECIAL ED INSTRUCTION</b>								
Salaries/wages	5,787,665	6,404,954	6,734,296	6,316,567	7,071,011	0	0	7,071,011
Benefits	1,710,095	2,051,104	2,076,315	1,931,447	2,159,368	0	0	2,159,368
Professional services	721,517	943,724	1,021,517	963,971	1,041,947	0	0	1,041,947
Property services	1,300	0	1,300	247	1,326	0	0	1,326
Other services	1,379,076	1,912,118	1,558,518	1,609,875	1,589,688	0	0	1,589,688
Supplies	33,878	39,847	33,878	34,274	34,556	0	0	34,556
Property	13,500	1,402	13,500	0	13,770	0	0	13,770
<b>TOTAL</b>	<b>9,647,031</b>	<b>11,353,149</b>	<b>11,439,324</b>	<b>10,856,382</b>	<b>11,911,666</b>	<b>0</b>	<b>0</b>	<b>11,911,666</b>
<b>CO-CURRICULAR INSTRUCTION</b>								
Salaries/wages	156,099	95,901	129,372	34,256	135,841	0	0	135,841
Benefits	10,513	7,265	8,608	63	8,952	0	0	8,952
Professional services	2,000	2,000	2,000	825	2,040	0	0	2,040
Property services	7,000	4,748	7,000	5,249	7,140	0	0	7,140
Other services	15,000	19,382	15,000	13,820	15,300	0	0	15,300
Supplies	2,000	3,203	2,000	1,835	2,040	0	0	2,040
Property	1,500	1,441	1,500	2,061	1,530	0	0	1,530
Other objects	2,000	800	2,000	849	2,040	0	0	2,040
<b>TOTAL</b>	<b>196,112</b>	<b>134,740</b>	<b>167,480</b>	<b>58,959</b>	<b>174,883</b>	<b>0</b>	<b>0</b>	<b>174,883</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>ATHLETICS INSTRUCTION</b>								
Salaries/wages	312,870	377,442	245,097	194,206	257,352	0	0	257,352
Benefits	27,133	41,325	33,588	12,082	34,932	0	0	34,932
Professional services	0	0	0	7,712	0	0	0	0
Property services	23,787	35,781	23,787	1,740	24,263	0	0	24,263
Other services	71,923	75,514	71,923	57,723	73,361	0	0	73,361
Supplies	46,789	38,369	46,789	16,520	47,725	0	0	47,725
Property	6,710	1,738	6,710	10,356	6,844	0	0	6,844
Other objects	7,800	7,800	7,800	10,703	7,956	0	0	7,956
<b>TOTAL</b>	<b>497,012</b>	<b>577,969</b>	<b>435,694</b>	<b>311,041</b>	<b>452,433</b>	<b>0</b>	<b>0</b>	<b>452,433</b>
<b>AFTERSCHOOL INSTRUCTION</b>								
Salaries/wages	279,657	233,258	279,657	157,922	293,640	0	(45,000)	248,640
Benefits	49,659	74,147	72,801	35,083	75,713	0	(5,000)	70,713
Professional services	16,126	7,641	16,126	0	0	0	0	0
Other services	23,650	7,380	23,650	6,235	24,123	0	0	24,123
<b>TOTAL</b>	<b>369,092</b>	<b>322,426</b>	<b>392,234</b>	<b>199,240</b>	<b>393,476</b>	<b>0</b>	<b>(50,000)</b>	<b>343,476</b>
<b>TOTAL INSTRUCTION</b>	<b>36,540,799</b>	<b>38,873,745</b>	<b>39,275,070</b>	<b>35,724,292</b>	<b>40,687,371</b>	<b>1,436,000</b>	<b>(1,106,000)</b>	<b>41,017,371</b>
	<b>% Prior Year Budget</b>	<b>113%</b>	<b>107%</b>					<b>104%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SOCIAL SERVICES</b>								
Salaries/wages	130,864	94,168	134,789	133,006	141,528	0	(67,500)	74,028
Benefits	20,832	47,558	52,969	41,770	55,088	0	(7,500)	47,588
Professional services	55,000	0	0	338	0	0	0	0
Other services	0	0	0	2,517	0	0	0	0
Supplies	0	1,696	0	1,001	0	0	0	0
<b>TOTAL</b>	<b>206,696</b>	<b>143,422</b>	<b>187,758</b>	<b>178,633</b>	<b>196,616</b>	<b>0</b>	<b>(75,000)</b>	<b>121,616</b>
<b>GUIDANCE SERVICES</b>								
Salaries/wages	1,068,389	1,092,013	1,100,440	1,111,714	1,155,462	0	0	1,155,462
Benefits	256,550	286,815	305,282	279,619	317,493	0	0	317,493
Supplies	16,127	15,702	16,127	11,971	16,450	0	0	16,450
<b>TOTAL</b>	<b>1,341,066</b>	<b>1,394,530</b>	<b>1,421,849</b>	<b>1,403,304</b>	<b>1,489,405</b>	<b>0</b>	<b>0</b>	<b>1,489,405</b>
<b>DIVERSITY &amp; EQUITY SERVICES</b>								
Salaries/wages	129,908	157,125	133,806	78,117	140,496	0	0	140,496
Benefits	38,136	48,765	64,409	14,575	66,985	0	0	66,985
Professional services	46,523	68,945	146,523	20,876	149,453	0	0	149,453
Other services	3,477	7,988	3,477	11,976	3,547	0	0	3,547
Supplies	3,500	7,147	40,500	1,767	41,310	0	0	41,310
<b>TOTAL</b>	<b>221,544</b>	<b>289,970</b>	<b>388,715</b>	<b>127,310</b>	<b>401,792</b>	<b>0</b>	<b>0</b>	<b>401,792</b>
<b>HEALTH SERVICES</b>								
Salaries/wages	501,598	588,150	524,646	566,562	550,878	0	0	550,878
Benefits	84,066	105,211	99,269	96,259	103,240	0	0	103,240
Professional services	99,833	27,871	107,833	27,211	109,990	0	0	109,990
Other services	600	0	600	0	612	0	0	612
Supplies	8,508	4,521	8,508	4,292	8,678	0	0	8,678
Property	756	0	756	0	771	0	0	771
<b>TOTAL</b>	<b>695,361</b>	<b>725,753</b>	<b>741,612</b>	<b>694,324</b>	<b>774,169</b>	<b>0</b>	<b>0</b>	<b>774,169</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>PSYCHOLOGICAL SERVICES</b>								
Salaries/wages	196,201	242,434	211,875	204,974	222,469	0	0	222,469
Benefits	44,208	55,438	54,360	49,956	56,534	0	0	56,534
Professional services	10,000	8,223	10,000	0	10,200	0	0	10,200
Other services	2,000	1,583	6,000	1,357	6,120	0	0	6,120
<b>TOTAL</b>	<b>252,409</b>	<b>307,678</b>	<b>282,235</b>	<b>256,287</b>	<b>295,323</b>	<b>0</b>	<b>0</b>	<b>295,323</b>
<b>SPEECH &amp; LANGUAGE SERVICES</b>								
Salaries/wages	878,543	794,363	577,878	818,571	606,772	0	0	606,772
Benefits	244,836	205,351	244,974	205,939	254,773	0	0	254,773
Professional services	16,500	12,821	6,500	828	6,630	0	0	6,630
Property services	1,650	0	1,650	0	1,683	0	0	1,683
Other services	2,924	1,709	2,924	77	2,982	0	0	2,982
Supplies	42,200	11,609	7,000	4,298	7,140	0	0	7,140
<b>TOTAL</b>	<b>1,186,653</b>	<b>1,025,853</b>	<b>840,926</b>	<b>1,029,713</b>	<b>879,980</b>	<b>0</b>	<b>0</b>	<b>879,980</b>
<b>OCCUPATIONAL THERAPY SERVICES</b>								
Salaries/wages	0	72,420	94,000	72,420	98,700	0	0	98,700
Benefits	0	30,812	32,996	21,632	34,316	0	0	34,316
<b>TOTAL</b>	<b>0</b>	<b>103,232</b>	<b>126,996</b>	<b>94,052</b>	<b>133,016</b>	<b>0</b>	<b>0</b>	<b>133,016</b>
<b>PHYSICAL THERAPY SERVICES</b>								
Salaries/wages	42,343	42,343	51,613	42,343	54,194	0	0	54,194
Benefits	16,200	14,261	17,853	15,184	18,567	0	0	18,567
<b>TOTAL</b>	<b>58,543</b>	<b>56,604</b>	<b>69,466</b>	<b>57,527</b>	<b>72,761</b>	<b>0</b>	<b>0</b>	<b>72,761</b>
<b>TOTAL STUDENT SUPPORT SERVICES</b>	<b>3,962,272</b>	<b>4,047,042</b>	<b>4,059,557</b>	<b>3,841,150</b>	<b>4,243,062</b>	<b>0</b>	<b>(75,000)</b>	<b>4,168,062</b>
<b>% Prior Year Budget</b>	<b>119%</b>		<b>102%</b>					<b>103%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>CURRICULUM/STAFF TRAINING SERVICES</b>								
Salaries/wages	209,552	206,303	383,552	221,747	402,730	136,000	(27,000)	511,730
Benefits	164,376	74,401	193,794	18,378	201,546	14,000	(3,000)	212,546
Professional services	232,360	220,350	232,360	170,425	237,007	0	0	237,007
Property services	0	0	0	5,706	0	0	0	0
Other services	11,679	36,720	11,679	8,947	11,913	0	0	11,913
Supplies	111,000	109,673	111,000	58,069	113,220	0	0	113,220
Property	0	15,413	0	2,411	0	0	0	0
Other objects	1,000	780	1,000	600	1,020	0	0	1,020
<b>TOTAL</b>	<b>729,967</b>	<b>663,640</b>	<b>933,385</b>	<b>486,282</b>	<b>967,435</b>	<b>150,000</b>	<b>(30,000)</b>	<b>1,087,435</b>
<b>LIBRARY SERVICES</b>								
Salaries/wages	776,996	765,244	800,304	788,881	840,319	0	(176,000)	664,319
Benefits	212,549	225,163	249,753	231,910	259,743	0	(24,000)	235,743
Professional services	0	483	0	60	0	0	0	0
Property services	11,950	10,397	11,950	11,672	12,189	0	0	12,189
Supplies	93,145	79,016	93,145	52,733	95,008	0	0	95,008
Property	2,900	119	2,900	0	2,958	0	0	2,958
<b>TOTAL</b>	<b>1,097,540</b>	<b>1,080,422</b>	<b>1,158,052</b>	<b>1,085,255</b>	<b>1,210,217</b>	<b>0</b>	<b>(200,000)</b>	<b>1,010,217</b>
<b>TECHNOLOGY SUPPORT SERVICES</b>								
Salaries/wages	58,024	58,821	59,765	60,457	62,753	0	0	62,753
Benefits	21,208	29,306	33,431	23,139	34,768	0	0	34,768
<b>TOTAL</b>	<b>79,232</b>	<b>88,127</b>	<b>93,196</b>	<b>83,596</b>	<b>97,521</b>	<b>0</b>	<b>0</b>	<b>97,521</b>
<b>TECHNOLOGY INTEGRATION SERVICES</b>								
Salaries/wages	443,405	440,879	514,876	479,504	540,620	0	0	540,620
Benefits	90,476	161,362	189,174	104,455	196,741	0	0	196,741
Professional services	8,000	6,898	12,500	2,343	12,750	0	0	12,750
Supplies	88,278	52,124	76,265	49,298	77,790	0	0	77,790
Other objects	500	189	1,000	195	1,020	0	0	1,020
<b>TOTAL</b>	<b>630,659</b>	<b>661,452</b>	<b>793,815</b>	<b>635,794</b>	<b>828,921</b>	<b>0</b>	<b>0</b>	<b>828,921</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SCHOOL TECHNOLOGY SERVICES</b>								
Salaries/wages	102,473	104,558	110,947	106,000	116,494	0	0	116,494
Benefits	25,139	26,304	26,916	27,108	27,993	0	0	27,993
Professional services	2,000	1,224	4,000	3,263	4,080	0	0	4,080
Other services	44,000	22,989	30,500	19,552	31,110	0	0	31,110
Supplies	121,000	41,596	45,000	26,642	45,900	0	0	45,900
<b>TOTAL</b>	<b>294,612</b>	<b>196,671</b>	<b>217,363</b>	<b>182,565</b>	<b>225,577</b>	<b>0</b>	<b>0</b>	<b>225,577</b>
<b>TOTAL INSTRUCTOR SUPPORT SERVICES</b>	<b>2,832,010</b>	<b>2,690,312</b>	<b>3,195,811</b>	<b>2,473,493</b>	<b>3,329,672</b>	<b>150,000</b>	<b>(230,000)</b>	<b>3,249,672</b>
<b>% Prior Year Budget</b>	<b>105%</b>		<b>113%</b>					<b>102%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SCHOOL BOARD SERVICES</b>								
Salaries/wages	0	1,903	0	94	0	0	0	0
Benefits	0	184	16	7	17	0	0	17
Professional services	130,000	189,668	210,000	105,714	214,200	0	(33,000)	181,200
Other services	142,180	98,525	142,180	78,272	145,024	0	0	145,024
Supplies	1,050	4,733	1,050	0	1,071	0	0	1,071
Other objects	6,640	7,512	6,640	5,820	6,773	0	0	6,773
<b>TOTAL</b>	<b>279,870</b>	<b>302,525</b>	<b>359,886</b>	<b>189,907</b>	<b>367,084</b>	<b>0</b>	<b>(33,000)</b>	<b>334,084</b>
<b>SUPERINTENDENT SERVICES</b>								
Salaries/wages	333,697	350,059	251,040	262,243	258,571	0	0	258,571
Benefits	58,151	79,596	75,036	60,661	78,037	0	0	78,037
Professional services	0	6,490	0	2,499	0	0	0	0
Other services	12,102	17,796	12,102	11,218	12,344	0	0	12,344
Supplies	14,000	9,994	14,000	4,785	14,280	0	0	14,280
Property	2,500	763	2,500	1,198	2,550	0	0	2,550
Other objects	7,500	8,338	7,500	14,249	7,650	0	0	7,650
<b>TOTAL</b>	<b>427,950</b>	<b>473,036</b>	<b>362,178</b>	<b>356,851</b>	<b>373,433</b>	<b>0</b>	<b>0</b>	<b>373,433</b>
<b>BUILDING ADMINISTRATION</b>								
Salaries/wages	1,830,481	1,866,150	1,876,245	1,854,184	1,932,532	120,000	(120,000)	1,932,532
Benefits	422,027	584,901	539,804	454,553	561,396	15,000	(15,000)	561,396
Property services	19,272	7,325	19,272	7,058	19,657	0	0	19,657
Other services	81,932	74,504	81,932	77,771	83,571	0	0	83,571
Supplies	29,188	20,205	29,188	6,610	29,772	0	0	29,772
Property	1,500	0	1,500	0	1,530	0	0	1,530
Other objects	3,500	3,365	3,500	3,500	3,570	0	0	3,570
<b>TOTAL</b>	<b>2,387,900</b>	<b>2,556,450</b>	<b>2,551,441</b>	<b>2,403,676</b>	<b>2,632,028</b>	<b>135,000</b>	<b>(135,000)</b>	<b>2,632,028</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SPECIAL ED ADMINISTRATION</b>								
Salaries/wages	300,487	344,954	308,000	325,964	317,240	0	0	317,240
Benefits	74,246	74,062	79,948	53,202	83,146	0	0	83,146
Professional services	6,000	4,408	4,000	0	4,080	0	0	4,080
Property services	406	0	406	0	414	0	0	414
Other services	4,740	9,755	6,740	6,124	6,875	0	0	6,875
Supplies	2,500	3,541	2,500	1,757	2,550	0	0	2,550
Property	500	0	500	0	510	0	0	510
Other objects	1,200	932	1,200	350	1,224	0	0	1,224
<b>TOTAL</b>	<b>390,079</b>	<b>437,652</b>	<b>403,294</b>	<b>387,396</b>	<b>416,039</b>	<b>0</b>	<b>0</b>	<b>416,039</b>
<b>BUSINESS SERVICES</b>								
Salaries/wages	299,417	348,084	301,712	351,594	310,763	0	0	310,763
Benefits	83,883	109,740	142,834	74,008	148,547	0	0	148,547
Professional services	128,000	118,435	188,000	253	191,760	0	0	191,760
Property services	0	8,880	0	35,551	0	0	0	0
Other services	750	2,465	750	501	765	0	0	765
Supplies	6,107	8,044	6,107	7,877	6,229	0	0	6,229
Property	1,000	0	1,000	0	1,020	0	0	1,020
Other objects	500	976	500	949	510	0	0	510
<b>TOTAL</b>	<b>519,657</b>	<b>596,624</b>	<b>640,903</b>	<b>470,732</b>	<b>659,595</b>	<b>0</b>	<b>0</b>	<b>659,595</b>
<b>PERSONNEL SERVICES</b>								
Salaries/wages	174,382	283,327	268,742	312,247	276,804	15,000	8,000	299,804
Benefits	60,213	110,113	118,807	83,482	123,559	2,000	1,180	126,739
Professional services	20,000	22,118	20,000	25,544	20,400	11,000	(6,050)	25,350
Other services	24,400	23,333	24,400	12,265	24,888	0	0	24,888
Supplies	1,900	1,696	1,900	1,965	1,938	0	0	1,938
Property	1,000	1,273	1,000	1,725	1,020	0	0	1,020
<b>TOTAL</b>	<b>281,895</b>	<b>441,860</b>	<b>434,849</b>	<b>437,229</b>	<b>448,610</b>	<b>28,000</b>	<b>3,130</b>	<b>479,740</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>MANAGEMENT INFORMATION SERVICES</b>								
Salaries/wages	95,810	113,827	98,205	112,575	101,151	0	0	101,151
Benefits	24,230	47,460	45,807	44,227	47,639	0	0	47,639
Professional services	0	17,500	0	0	0	0	0	95,279
Property services	55,855	28,125	55,855	64,473	56,972	0	0	56,972
Supplies	12,000	5,939	12,000	0	12,240	0	0	12,240
Property	3,000	0	3,000	0	3,060	0	0	3,060
<b>TOTAL</b>	<b>190,895</b>	<b>212,851</b>	<b>214,867</b>	<b>221,275</b>	<b>221,063</b>	<b>0</b>	<b>0</b>	<b>316,341</b>
<b>GRANTS ADMINISTRATION</b>								
Salaries/wages	145,946	146,252	149,594	159,361	154,082	0	0	154,082
Benefits	28,162	62,386	59,776	45,286	62,167	0	0	62,167
Supplies	3,000	3,844	3,000	1,637	3,060	0	0	3,060
<b>TOTAL</b>	<b>177,108</b>	<b>212,482</b>	<b>212,370</b>	<b>206,284</b>	<b>219,309</b>	<b>0</b>	<b>0</b>	<b>219,309</b>
<b>EMPLOYEE BENEFITS/DISTRICT</b>								
Salaries/wages	505,000	498,025	222,000	0	0	0	0	0
Benefits	1,705,166	657,905	459,594	0	477,978	0	0	477,978
Other services	59,647	46,567	59,647	0	60,840	0	0	60,840
<b>TOTAL</b>	<b>2,269,813</b>	<b>1,202,497</b>	<b>741,241</b>	<b>0</b>	<b>538,818</b>	<b>0</b>	<b>0</b>	<b>538,818</b>
<b>TOTAL SCHOOL/CENTRAL ADMIN</b>	<b>6,925,167</b>	<b>6,435,977</b>	<b>5,921,029</b>	<b>4,673,351</b>	<b>5,875,977</b>	<b>163,000</b>	<b>(164,870)</b>	<b>5,969,386</b>
<b>% Prior Year Budget</b>	<b>118%</b>		<b>86%</b>					<b>101%</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
Salaries/wages	195,160	170,465	200,039	200,258	206,040	0	0	206,040
Benefits	61,875	54,233	80,187	44,813	83,394	0	0	83,394
Professional services	59,500	110,547	59,500	30,370	60,690	0	0	60,690
Property services	3,000	46,220	3,000	7,546	3,060	0	0	3,060
Other services	17,850	23,275	17,850	25,657	18,207	0	0	18,207
Supplies	1,850	6,577	1,850	1,867	1,887	0	0	1,887
<b>TOTAL</b>	<b>339,235</b>	<b>411,317</b>	<b>362,426</b>	<b>310,510</b>	<b>373,279</b>	<b>0</b>	<b>0</b>	<b>373,279</b>
<b>CARE &amp; UPKEEP OF BUILDINGS/SECURITY</b>								
Salaries/wages	2,224,154	2,353,260	2,189,758	710,197	2,255,451	91,000	(91,000)	2,255,451
Benefits	772,281	1,211,405	1,303,271	330,683	1,355,402	9,000	(9,000)	1,355,402
Property services	286,000	245,793	286,000	134,415	291,720	0	0	291,720
Other services	157,498	160,581	157,498	160,306	160,648	0	0	160,648
Supplies	1,518,600	1,466,991	1,518,600	602,272	1,548,972	300,000	(225,000)	1,623,972
Property	15,000	31,932	15,000	10,008	15,300	0	0	15,300
<b>TOTAL</b>	<b>4,973,533</b>	<b>5,469,962</b>	<b>5,470,127</b>	<b>1,947,882</b>	<b>5,627,493</b>	<b>400,000</b>	<b>(325,000)</b>	<b>5,702,493</b>
<b>CARE &amp; UPKEEP OF GROUNDS</b>								
Property services	64,200	90,137	64,200	55,577	66,126	0	0	65,484
Supplies	3,800	1,835	3,800	2,283	3,876	0	0	3,876
Property	13,300	13,869	13,300	4,274	13,566	0	0	13,566
<b>TOTAL</b>	<b>81,300</b>	<b>105,841</b>	<b>81,300</b>	<b>62,134</b>	<b>83,568</b>	<b>0</b>	<b>0</b>	<b>82,926</b>
<b>VEHICLE MAINTENANCE</b>								
Salaries/wages	39,324	50,741	39,324	12,951	40,504	0	0	40,504
Benefits	12,694	23,323	21,920	3,746	22,797	0	0	22,797
Supplies	71,240	70,216	71,240	45,099	72,665	0	0	72,665
Property	35,000	31,211	35,000	5,400	35,700	0	0	35,700
<b>TOTAL</b>	<b>158,258</b>	<b>175,491</b>	<b>167,484</b>	<b>67,196</b>	<b>171,665</b>	<b>0</b>	<b>0</b>	<b>171,665</b>

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>SCHOOL RESOURCE OFFICER</b>								
Salaries/wages	0	3,594	0	4,453	0	0	0	5,000
Benefits	0	249	29	341	500	0	0	500
Professional services	50,000	50,000	50,000	0	51,000	0	0	51,000
Supplies	0	239	0	0	0	0	0	51,000
<b>TOTAL</b>	<b>50,000</b>	<b>54,082</b>	<b>50,029</b>	<b>4,793</b>	<b>51,500</b>	<b>0</b>	<b>0</b>	<b>107,500</b>
<b>PREVENTATIVE MAINTENANCE</b>								
Salaries/wages	60,191	22,821	61,696	0	63,547	0	0	63,547
Benefits	20,982	18,985	36,408	0	37,864	0	0	37,864
Property services	731,000	816,130	731,000	856,908	745,620	0	0	745,620
Supplies	70,000	54,261	70,000	38,821	71,400	164,000	(164,000)	71,400
<b>TOTAL</b>	<b>882,173</b>	<b>912,197</b>	<b>899,104</b>	<b>895,729</b>	<b>918,431</b>	<b>164,000</b>	<b>(164,000)</b>	<b>918,431</b>
<b>STUDENT TRANSPORTATION</b>								
Salaries/wages	138,612	292,032	236,077	97,249	243,159	0	0	243,159
Benefits	41,539	127,364	107,039	108,053	111,321	0	0	111,321
Professional services	0	108,810	0	29,030	0	0	0	0
Other services	275,000	280,710	467,000	150,236	476,340	0	0	476,340
Other objects	0	2,200	0	279	0	0	0	0
<b>TOTAL</b>	<b>455,151</b>	<b>811,116</b>	<b>810,116</b>	<b>384,847</b>	<b>830,820</b>	<b>0</b>	<b>0</b>	<b>830,820</b>
<b>SCHOOL BUS MAINTENANCE</b>								
Salaries/wages	13,108	0	13,108	0	13,501	0	0	13,501
Benefits	4,261	2,131	6,845	0	7,119	0	0	7,119
Property services	50,000	40,591	50,000	0	51,000	0	0	51,000
Other services	1,200	2,925	1,200	1,231	1,224	0	0	1,224
Supplies	22,000	30,350	22,000	13,788	22,440	0	0	22,440
<b>TOTAL</b>	<b>90,569</b>	<b>75,997</b>	<b>93,153</b>	<b>15,019</b>	<b>95,284</b>	<b>0</b>	<b>0</b>	<b>95,284</b>
<b>TOTAL OPERATIONS SERVICES</b>	<b>7,030,219</b>	<b>8,016,003</b>	<b>7,933,739</b>	<b>3,688,110</b>	<b>8,152,040</b>	<b>564,000</b>	<b>(489,000)</b>	<b>8,282,398</b>
% Prior Year Budget			113%					104%

**FY15 BSD Budget Draft 2.4.xls**

<b>EXPENDITURES</b>	<b>13Approved</b>	<b>13Actual</b>	<b>14Approved</b>	<b>14Committed 11-12-13</b>	<b>15Current Program</b>	<b>15Goals Draft 1</b>	<b>15Goals Draft 2</b>	<b>15Draft2</b>
<b>CAPITAL CONSTRUCTION/ACQUISITION</b>								
Professional services	0	0	0	0	0	200,000	0	200,000
Property	0	215,886	0	0	0	0	0	0
<b>TOTAL</b>	0	215,886	0	0	0	200,000	0	200,000
<b>DEBT SERVICE</b>								
Other objects	622,908	675,871	743,064	0	793,064	100,000	0	893,064
Other uses	1,532,575	1,463,525	1,588,524	0	1,688,524	100,000	0	1,788,524
<b>TOTAL</b>	2,155,483	2,139,396	2,331,588	0	2,481,588	200,000	0	2,681,588
<b>PRIOR YEAR ADJUSTMENTS</b>								
Other uses	0	5,599	0	19,132	0	0	0	0
<b>TOTAL</b>	0	5,599	0	19,132	0	0	0	0
<b>FUND TRANSFERS</b>								
Other uses	170,000	50,000	50,000	1,118,218	1,370,000	0	0	1,370,000
<b>TOTAL</b>	170,000	50,000	50,000	1,118,218	1,370,000	0	0	1,370,000
<b>TOTAL OTHER SERVICES</b>	2,325,483	2,410,881	2,381,588	1,137,351	3,851,588	400,000	0	4,251,588
% Prior Year Budget	110%		102%					179%
<b>TOTAL EXPENDITURES</b>	59,615,950	62,473,960	62,766,794	51,537,746	66,139,709	2,713,000	(2,064,870)	66,938,476
% Prior Year Budget	112%		105%					107%

COMPREHENSIVE DEVELOPMENT ORDINANCE—  
Removal of Café Parking Requirements in Shared Use Districts  
ZA 14-06

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Article 8, Parking, Table 8.1.8-1: Minimum Off-Street Parking Requirements (Non-Residential Uses—Café), thereof to read as follows:

<i>Table 8.1.8-1 Minimum Off-Street Parking Requirements</i>			
	<b>Neighborhood Districts</b>	<b>Shared Use Districts</b>	<b>Downtown Districts</b>
*****	*****	*****	*****
<b>NON-RESIDENTIAL USES</b>	<b>Per 1,000 square feet of gross floor area (gfa) except as noted</b>		
*****	*****	*****	*****
Café (per four (4) seats)	1	<del>1</del> <u>None</u>	None
*****	*****	*****	*****

Balance of Table 8.1.8-1 As written.

- \* Material stricken out deleted.
- \*\* Material underlined added.

## **PUBLIC HEARING NOTICE**

### ***Burlington Comprehensive Development Ordinance***

#### **PROPOSED AMENDMENT: ZA-14-06 – Removal of Café Parking Requirements in Shared Use Districts**

Pursuant to 24 V.S.A. §4442 and §4444, notice is hereby given of a public hearing by the Burlington City Council to hear public comments on the following proposed amendment to the City of Burlington's *Comprehensive Development Ordinance (CDO)*. The public hearing will take place on **Monday, January 6, 2014** beginning at 7:00 p.m. in Contois Auditorium, on the second floor of Burlington City Hall, 149 Church Street, Burlington VT.

The purpose of the proposed amendment is to remove the café parking requirement in the Shared Use Parking District. The amendment would modify Article 8, Parking, Table 8.1.8-1: Minimum Off-Street Parking Requirements (Non-Residential Uses—Café). This zoning change affects the Shared Use Parking District within the City of Burlington.

The full text of the *Burlington Comprehensive Development Ordinance* and the proposed amendment are available for review at the Department of Planning and Zoning, City Hall, 149 Church Street, Burlington Monday through Friday 8:00 a.m. to 4:30 p.m. or on the department's website at [www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)

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APPOINTMENT OF RETIREMENT COMMITTEE REPRESENTATIVES

In the year Two Thousand Fourteen.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, on December 16, 2013, the Burlington City Council unanimously adopted a Resolution Addressing Burlington’s Retirement System Challenges; and

WHEREAS, the above referenced Resolution established the formation of a Retirement Committee for the purpose of developing proposals for addressing the needs and challenges of the retirement fund; and

WHEREAS, the Council President was charged with appointing 4 City Councilors (with input from the caucuses) and 1 non-union, non-management employee to the Committee pending Council approval; and

WHEREAS, all City employees were sent the notice and request for applicants for the non-union/non-management position on the Committee; and

WHEREAS, no employees had expressed interest prior to the deadline for submission of this Resolution (though some may still come forward and can be appointed);

NOW, THEREFORE, BE IT RESOLVED that the City Council President presents the following slate of Council representatives for appointment to the Retirement Committee:

- Councilor Karen Paul
- Councilor Chip Mason
- Councilor Sharon Bushor
- Councilor Jane Knodell

		1/2/2014	
<b>Prepared by: Lori Olberg, Licensing, Voting &amp; Records Coordinator</b>			
<b>Meeting Date</b>	<b>Type of Document</b>	<b>Action Requested</b>	<b>Return to Council</b>
1/9/2012	Resolution: Creation of a Financial Literacy Web Page	progress report to the Council by the Interim CAO	2/13/2012
2/13/2012	Resolution: Ongoing and Future Relationship Between the City of Burlington and the University of Vermont	report due back to the Council by the Community Development and Neighborhood Revitalization Committee	3/26/2012
8/13/2012	Resolution: Strategic Plan Re Fiscal Health of the City	Board of Finance and the C/T Office will work to produce a strategic plan and present said plan to the Council in a worksession	1/7/13; 1/28/13
8/13/2012	Resolution: Landlord Accountability	report due back to CD & NR Committee from the Code Enforcement Office	not-specified
11/26/2012	Resolution: Moving Urban Agriculture Issues Forward	Board of Health to report back to the Council; Planning Commission to report back to the Council	6/24/2013
3/11/2013	Resolution: Commission and Board Appointment Process	report due back from the Charter Change Committee to the Council	first meeting in November 2013
3/11/2013	Resolution: Survey to Determine if Commissions and Boards are Functioning Optimally	report due back from the Charter Change Committee to the Council	first meeting in November 2013
3/18/2013	Communication: Burlington Committee on Accessibility Strategy and Plan	future action to be taken	not-specified
4/15/2013	Resolution: Proposed Amendments to Appendix B Rules and Regulations of The City Council	postpone action for now	post City Council Retreat
6/10/2013	Resolution: City Attorney Constitutional Analysis of No Trespass Ordinance for Church Street Marketplace June 12, 2012	have the Ordinance Committee review Attorney John Franco's issues	not-specified
6/24/2013	Communication: John L. Franco, Jr., re: CSM Trespass Authority Ordinance Opinion Supplement	referred to the Ordinance Committee	not-specified
7/15/2013	Communication: UVM Housing Master Plan	referred to the Institution/Human Resources Committee	not-specified
7/15/2013	Communication: Richard Cate, UVM, re: COB and UVM MOU re: Zoning Amendments	referred to the Institution/Human Resources Committee	not-specified
8/12/2013	Ordinance: CDO Historic Building Materials ZA 13-12	referred to the Ordinance Committee	not-specified
8/12/2013	Communication: P & Z Director White, re: Proposed Zoning Amendment 13-12	referred to the Ordinance Committee	not-specified
9/23/2013	Resolution: Finalize A Strategic Plan for Diversity, Equity and Inclusion for the City of Burlington Districts	final plan and adoption by the City Council	1/27/2014
11/4/2013	Ordinance: CDO--RCO-Recreation Greenspace Lot Coverage ZA 14-02	referred to the Ordinance Committee	not-specified
11/4/2013	Communication: Corey Mallon, RN, re: St. Joseph's School	"wtrapf" and referred to the Board of Finance	not-specified
11/4/2013	Communication: Hunter Rieseberg, VLCT, re: VLCT Board Sets DY15 Dues	send a copy to the Board of Finance	n/a
11/18/2013	Resolution: Launching The Downtown Parking Improvement Initiative	tasked to complete the downtown parking facilities assessment	no later than the end of 2014
11/18/2013	Resolution: Launching The Downtown Parking Improvement Initiative	Downtown Parking Management Plan will be presented to the City Council for adoption	no later than March, 2015
11/18/2013	Resolution: March 4, 2014 Annual City Meeting--Proposed Charter Change Re Ban on Firearms in any Establishment With a Liquor License	two public hearings need to occur	1/17/14, at noon; 1/27/14, at 7:00 p.m.
11/18/2013	Resolution: March 4, 2014 Annual City Meeting--Proposed Charter Change Re Safe Storage of Firearms	two public hearings need to occur	1/17/14, at noon; 1/27/14, at 7:00 p.m.
11/18/2013	Communication: Thomas Gustafson, VP for University Relations & Administration, Re; City of Burlington and University of Vermont Memorandum of Agreement Re: 2009 Zoning Amendments	referred to the Institution/Human Resources Committee with a report due back as to whether UVM is meeting the goals of the agreement and an assessment as to whether UVM is holding students accountable for off-campus behavior, and trends in the neighborhoods as they relate to UVM housing issues	2/10/2014
12/9/2013	Communication: CC Resolution -St. Paul Street Easement Deed Draft	"wtrapf" and referred to the Board of Finance	not-specified
12/16/2013	Resolution: Authorization to Grant Charter § 130 Hardship	referred to the Institution and Human Resources Committee for consideration	not-specified

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**APPOINTMENT OF PUBLIC WORKS DIRECTOR  
CHAPIN SPENCER AS AUTHORIZED CITY  
REPRESENTATIVE FOR VERMONT WATER &  
STORMWATER PROJECT LOANS & GRANTS**

In the year Two Thousand Fourteen.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, the City’s Department of Public Works has received the following State of Vermont water and stormwater project grants and loans: Water RF3-295, ARRA project AR1-013 and associated Grant VT-342; and

WHEREAS, because the City’s authorized representative for these grants and loans is now- retired former Public Works Director Steven Goodkind, a new City representative must be authorized;

NOW, THEREFORE, BE IT RESOLVED that the City Council appoints Public Works Director Chapin Spencer as the City’s authorized representative for these grants and loans.

1  
2 **Resolution Relating to**  
3  
4

**RESOLUTION**  
Sponsor(s): Councilors Blais,  
Tracy: License Com.  
\_\_\_\_\_  
Introduced: \_\_\_\_\_  
Referred to: \_\_\_\_\_  
\_\_\_\_\_  
Action: \_\_\_\_\_  
Date: \_\_\_\_\_  
Signed by Mayor: \_\_\_\_\_

5  
6 AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT  
7 FOR A CANOPY EXTENDING OVER A PORTION OF THE  
8 CITY’S RIGHT-OF-WAY WITH SAS ARCHITECTS  
9

10  
11  
12 **CITY OF BURLINGTON**  
13

14 In the year Two Thousand Fourteen.....

15 Resolved by the City Council of the City of Burlington, as follows:  
16

17 That WHEREAS, SMITH, ALVAREZ SIENKIEWYCZ ARCHITECTS d/b/a SAS  
18 ARCHITECTS of Burlington, Vermont (hereinafter SAS) is an establishment doing business in a  
19 commercial building located at 117 St. Paul Street. in the City of Burlington, Vermont; and

20 WHEREAS, SAS desires to erect and maintain a canopy extending over the sidewalk  
21 area in front of the building at 117 St. Paul Street; and

22 WHEREAS, SAS wishes to enter into a License Agreement with the City for such  
23 canopy; and

24 WHEREAS, the placement of the canopy has been reviewed and approved by the  
25 Department of Public Works with conditions to address public safety concerns; and

26 WHEREAS, the Charter of the City of Burlington, Sec. 48XLIX and the Code of  
27 Ordinances Sec. 27-32 require authorization by the City Council for such use of a public  
28 thoroughfare for periods in excess of thirty (30) days;

29 NOW, THEREFORE, BE IT RESOLVED that this City Council hereby authorizes SAS  
30 to erect and maintain a canopy extending over the sidewalk area in front of the building at 117  
31 St. Paul Street covering an area of 4.5 sq. ft. as indicated in and pursuant to its License  
32 Agreement upon entering into the License Agreement in substantially the form attached hereto;  
33 and

34 BE IT FURTHER RESOLVED that Mayor Weinberger be and hereby is authorized to  
35 execute a License Agreement, in substantially the form attached, on behalf of the City of  
36 Burlington for a term commencing on the date of execution of the License Agreement and  
37 terminating on April 30, 2014.

**LICENSE AGREEMENT FOR CANOPY**  
**WITH SAS ARCHITECTS**  
**2013-2014 SEASON**

This LICENSE AGREEMENT is made by and between the City of Burlington, a municipal corporation organized and validly existing under the laws of the State of Vermont (hereinafter CITY) and SMITH, ALVAREZ SIENKIEWYCZ ARCHITECTS. d/b/a SAS ARCHITECTS, a commercial establishment located at 117 St. Paul Street, 3<sup>rd</sup> Floor, Burlington, Vermont (hereinafter SAS or LICENSEE).

WHEREAS, the CITY owns property, including the street and sidewalk right-of-way adjacent to 117 St. Paul Street; and

WHEREAS, SAS stated on its application (attached hereto as Exhibit A) that it wishes to erect a canopy extending over the sidewalk area in front of the building at 117 St. Paul Street; and

WHEREAS, SAS has stated in its permit application that there is an existing banner and cornice adjacent to the canopy and the canopy will cover a 4.5 sq. ft. area; and

WHEREAS, this application was reviewed and approved by the Department of Public Works attached hereto as Exhibit B; and

WHEREAS, such use of a public thoroughfare for periods in excess of 30 days requires approval of the City Council under Charter Sec. 48XLIX and Burlington Code of Ordinances Chap. 27, Sec. 27-32;

W I T N E S S E T H :

The CITY and SAS enter into the following License Agreement:

1. TERM

The CITY grants to SAS (hereinafter LICENSEE) a license to erect and maintain a canopy covering an area of 4.5 sq. ft. extending over the public right-of-way in front of the building at 117 St. Paul Street for a term commencing as of the date of execution of this

Agreement and terminating on April 30, 2014 or sooner as provided herein.

2. LOCATIONS

LICENSEE may erect, use and maintain a canopy extending over the public right-of-way (hereinafter referred to as the premises) to provide a covered area around the entrance to its establishment. The canopy is to be attached to the building and must be exactly as described and placed as approved by the Department of Public Works. A copy of the approved plan is attached hereto as Exhibit C.

3. MAINTENANCE

- a. LICENSEE shall maintain the canopy in proper condition.
- b. LICENSEE shall be responsible for the maintenance and upkeep of the canopy and any damage to the canopy is solely the responsibility of LICENSEE. Should LICENSEE fail to maintain the canopy this License Agreement is revocable on notice by the CITY to LICENSEE of a violation of this section; however LICENSEE shall have 14 days to cure any problem if it notifies the CITY in writing within three (3) days of its intent to cure the violation.
- c. The canopy shall be placed in accordance with all conditions set by the Department of Public Works and shall not impede the CITY'S ability to maintain the road, sidewalk, parking meters or greenbelt.
- d. The canopy shall not cause an obstruction or inconvenience to members of the public using the sidewalk, parking meters or street.
- e. LICENSEE shall pick up and sweep debris created by its use of the public right-of-way.

4. LICENSE FEE

There shall be a fee for this license equal to the encumbrance application fee and the square foot use fee. This fee shall be payable immediately to the Burlington City Clerk's Office. **Failure to pay the annual fee shall result in the immediate revocation of the license.**

5. REVOCATION

This License Agreement is immediately revocable should LICENSEE discontinue use of the canopy. In any event, this Agreement is revocable by the CITY within 30 days upon sending written notice to LICENSEE. Upon revocation, LICENSEE must remove at its own expense the canopy and other materials or obstructions placed on the property. If LICENSEE refuses to promptly remove such obstructions, they may be removed by the CITY and LICENSEE shall be liable for all expenses of such removal.

6. INSURANCE

a. LICENSEE shall maintain in effect throughout the term of this Agreement comprehensive public liability insurance with an A rated insurance carrier, or better, qualified to transact business in the State of Vermont, insuring against all legal liability for injuries or damages suffered as a result of the exercise of rights granted pursuant to this Agreement in an amount not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The CITY shall be named as an additional insured on such insurance policy.

b. Prior to execution of this Agreement, LICENSEE shall furnish the CITY with a certificate of insurance and endorsement which shall include the provision that the

CITY is named as an additional insured and shall be given 15 days written notification prior to cancellation of such insurance for nonpayment of premium and 45 days notice for any other reason. The certificate shall be attached to this Agreement as Exhibit D and the endorsement as Exhibit E.

c. The certificate of insurance shall be provided annually on or before its stated expiration. It is the responsibility of LICENSEE to ensure that a current certificate of insurance is on file with the CITY at all times. **Failure to furnish a current certificate of insurance will result in immediate revocation of this license.**

7. INDEMNIFICATION

LICENSEE agrees to indemnify, defend and hold the CITY harmless and free from liability arising out of LICENSEE'S use of the CITY'S right-of-way, and LICENSEE agrees to make no claim against the CITY or any of its officers, employees, agents or representatives for any loss or damage caused by the CITY'S use or maintenance of its right-of-way.

8. PERMITS

LICENSEE shall be responsible for obtaining all necessary CITY and/or State permits including zoning permits, prior to placement of the canopy.

9. NUISANCES PROHIBITED

LICENSEE shall not, during the term hereof, on or in the premises maintain, commit, or permit the maintenance or commission of any nuisance or violation of any applicable City of Burlington ordinance, State or Federal statute, or controlling bylaw, regulation, or condition imposed whether existing at the time of commencement of this Agreement or enacted, amended, or otherwise put into effect during the term of this Agreement.

10. ASSIGNMENT OF RIGHTS

LICENSEE shall not sell or assign its rights pursuant to this Agreement or permit the use of the premises or any part thereof by any other entity without the express prior written consent of the CITY. Any unauthorized action in violation of this provision shall be void, and shall terminate LICENSEE’S rights pursuant to this Agreement.

11. LIMITATION OF RIGHTS

LICENSEE acknowledges that no property or other right is created other than that specifically defined and limited by this Agreement.

DATED at Burlington, Vermont this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF BURLINGTON

\_\_\_\_\_  
Witness

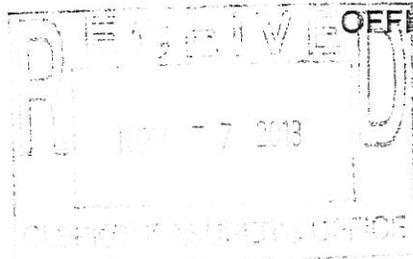
By: \_\_\_\_\_  
Miro Weinberger, Mayor  
Duly Authorized

SMITH, ALVAREZ SIENKIEWYCZ  
ARCHITECTS. d/b/a SAS ARCHITECTS

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Duly Authorized

lb/c: GM 2013/License Agree for Encumbrance – SAS Architects, 117 St. Paul St.. (Canopy) 2013  
12/13/13

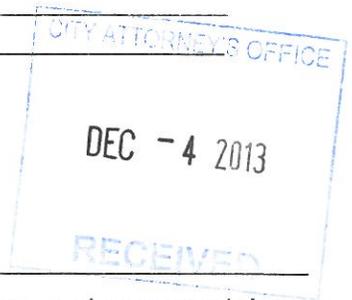


OFFICE OF THE CLERK AND TREASURER  
 149 CHURCH STREET  
 BURLINGTON, VT 05401  
 Voice (802)865-7000  
 FAX (802)865-7014  
 TTY (802)865-7142  
 Amy Bovee (802)865-7019  
 Ron Gore (802)865-7562

Encumbrance Application / Renewal

DBA NAME: SAS ARCHITECTS  
 CONTACT NAME: BREN X. VAREZ  
 MAILING ADDRESS: 117 ST. PAUL ST.  
05401

DATE: 4 November 2013  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_  
 EMAIL: \_\_\_\_\_



DBA NAME: \_\_\_\_\_  
 COMPANY: \_\_\_\_\_  
 LOCATION OF ENCUMBRANCE: 117 ST. PAUL ST.

Permission is requested to allow/continue the encumbrance in the following area and manner (please describe fully, including size and physical barriers around area i.e. trees, grates, parking meters, etc with photos, diagrams, blueprints; may reference prior application):

Description: SEE ATTACHED DRAWING OF PROPOSED CANOPY

ENCUMBRANCE AREA BASED ON 13" x 50" = 650 SQ. IN  
= 4.5 SQ. FT.

Total Square Feet (\$1.00 per SF): 4.5 SQ FT

PLEASE ATTACH:

1. Certificate of Liability Insurance with holder as the: "CITY OF BURLINGTON, CLERK/TREASURER'S OFFICE ENCUMBRANCE APPLICATION DEPT., 149 CHURCH ST., BURLINGTON, VT 05401"
2. Endorsement to Insurance Policy outlining the Cancellation Policy
3. Endorsement to Insurance Policy listing the City as Additional Insured
4. Sketch, Photo, or Blueprint of what you are proposing.
5. Check for the square feet fees (\$1 per square foot) + \$25 Application fee: \$ 29.50

Signature: [Signature] Date: \_\_\_\_\_

For office use only: Amount received \$ 29.50 on 11/13 Check # 621664  
 Sent to DPW: 11/13 Sent to Attorney: 12/4

*Exhibit A*



OFFICE OF THE CLERK AND TREASURER  
 149 CHURCH STREET  
 BURLINGTON, VT 05401  
 Voice (802)865-7000  
 FAX (802)865-7014  
 TTY (802)865-7142  
 Amy Bovee (802)865-7019  
 Ron Gore (802)865-7562

Encumbrance DPW Approval Form

Effective 05/01/2013 - 04/30/2014

ATTENTION: RON GORE, BURLINGTON DEPARTMENT OF PUBLIC WORKS

DBA NAME: SAS ARCHITECTS

DATE: Wednesday, November 13, 2013

COMPANY: SAS ARCHITECTS

PHONE:

LOCATION: 117 ST. PAUL ST.

FAX:

MAILING ADDRESS: BREN ALVAREZ  
 117 ST. PAUL ST.  
 BURLINGTON, VT 05401

RACKS / RAMPS / STAIRS / TABLES / CHAIRS ETC

1. Racks, ramps, sidewalks encumbrances should be located on private property, if possible. In the opinion of the City Building Inspector, is there an available alternative location for the ramp on private property? Yes  No

2. Will there be sufficient width for plows and pedestrian access if racks, ramp, sidewalk, tables & chairs encumbrances are added on the sidewalk? Yes  No

3. Additional Comments: AWNING IS MOUNTED ON BUILDING - GREATER THAN 7' ABOVE SIDEWALK

4. A 4 square foot placement of PROPOSED CANOPY OCCUPYING 4.5 SQUARE FEET at 117 ST. PAUL ST.

DEPARTMENT OF PUBLIC WORKS

Approved? Yes

MOUNTED ON BUILDING  
GREATER THAN 7'-0" ABOVE  
SIDEWALK

No

Explain:

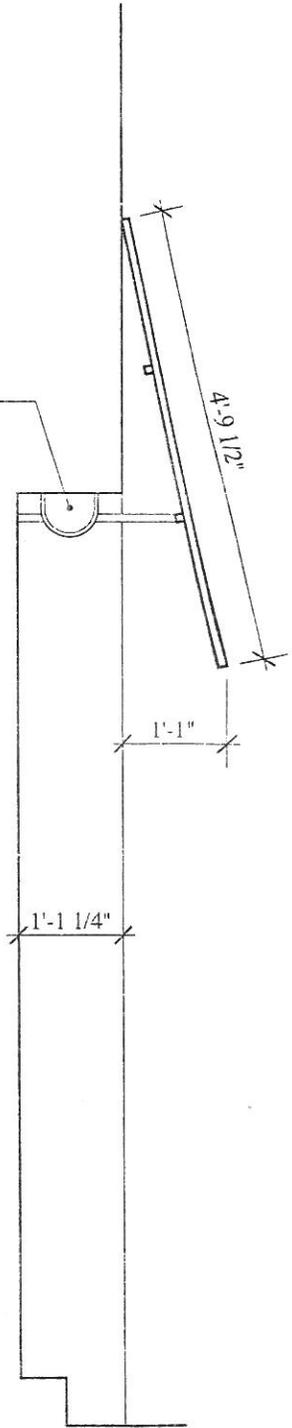
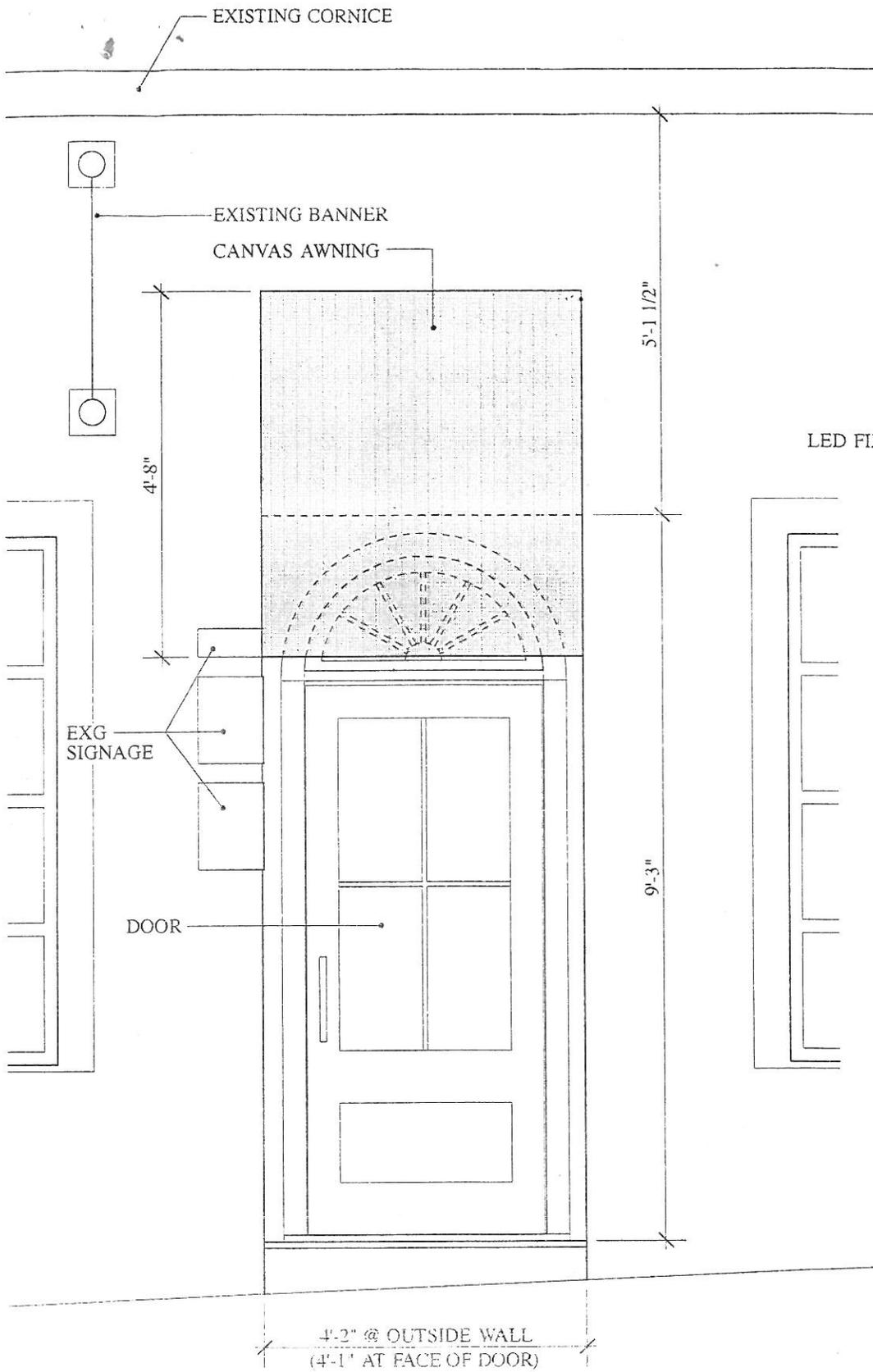
Signature

Ron Gore

Date:

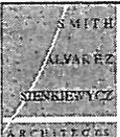
11/20/13

Exhibit B



ELEVATION

SECTION

	117 St. Paul Street 3rd Floor Burlington, VT 05401	PROJECT: 117 ST. PAUL ST. ENTRANCE	DRAWING: ELEVATION / SECTION	SCALE: 1/2" = 1'-0"
	P: 802 • 863 • 2227 F: 802 • 863 • 0093		PROJECT NO.:	DATE: 11/4/2013

*Exhibit C*



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## VERMONT CHANGES

This endorsement modifies insurance provided under the following:

### BUSINESSOWNERS COVERAGE FORM

#### A. Section I - Property is amended as follows:

1. The following is added to Paragraph **E.4. Legal Action Against Us** Property Loss Condition:

However, your right to bring legal action against us is not conditioned upon your compliance with the provisions of the Appraisal Property Loss Condition, if any.

2. The following is added to Paragraph **E.5. Loss Payment** Property Loss Condition and replaces any provision to the contrary:

We will pay for covered loss or damage within 10 working days after we reach agreement with you on the amount of loss, provided all other terms of the Loss Payment Property Loss Condition are satisfied.

#### B. Section III - Common Policy Conditions is amended as follows:

1. Paragraph **A. Cancellation** is replaced by the following:

##### A. Cancellation

1. The first Named Insured shown in the Declarations may cancel this policy by mailing or delivering to us advance written notice of cancellation.
2. **Cancellation Of Policies In Effect For Less Than 60 Days.**

If this policy has been in effect for less than 60 days and this policy is not a renewal of a policy we issued, we may cancel this policy by:

- a. Giving the first Named Insured at least 15 days' notice prior to the cancellation date for nonpayment of premium or substantial increase in hazard; or
- b. Mailing or delivering the first Named Insured at least 45 days' notice prior to the cancellation date for any other reason.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

#### 3. Cancellation Of Policies In Effect For 60 Days Or More.

If this policy has been in effect for 60 days or more, or if this is a renewal of a policy we issued, we may cancel this policy only for one or more of the following reasons:

- a. Nonpayment of premium;
- b. Fraud or material misrepresentation affecting this policy or in the presentation of claims under this policy;
- c. Violation of any provisions of this policy; or
- d. Substantial increase in hazard, provided we have secured approval for the cancellation from the commissioner of insurance.

If we cancel this policy for one of the reasons specified in Paragraph 3., we will cancel only in the following manner:

- a. By giving at least 15 days' notice before the effective date of cancellation if we cancel for nonpayment of premium; or
- b. By mailing or delivering at least 45 days' notice before the effective date of cancellation if we cancel for any other reason.

*Exhibit E*

Written notice of cancellation, including the reason for cancellation, will be mailed or delivered to the first Named Insured at the first Named Insured's last mailing address known to us.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

4. Notice of cancellation will state the effective date of cancellation. The policy period will end on that date.
  5. If this policy is cancelled, we will send the first Named Insured any premium refund due. If we cancel, the refund will be pro rata. If the first Named Insured cancels, the refund may be less than pro rata. The cancellation will be effective even if we have not made or offered a refund.
  6. If notice is mailed, proof of mailing will be sufficient proof of notice.
2. Paragraph **C. Concealment, Misrepresentation Or Fraud** is replaced by the following:

**C. Concealment, Misrepresentation Or Fraud**

We will not pay for any loss or damage in any case of:

1. Concealment or misrepresentation of a material fact; or
  2. Fraud;
- committed by you at any time and relating to coverage under this policy.
3. The following paragraphs are added:

**M. When We Do Not Renew**

1. We may elect not to renew this policy by mailing, by certified mail, or delivering written notice of nonrenewal to the first Named Insured's last mailing address known to us. We will mail or deliver this notice at least 45 days before the:
  - a. Expiration of the policy; or
  - b. Anniversary date of this policy if this policy has been written for a term of more than one year.

2. This provision does not apply:
  - a. If we have indicated a willingness to renew;
  - b. In case of nonpayment of premium;
  - c. If you do not pay any advance premium required by us for renewal; or
  - d. If any property covered in this policy is insured under any other insurance policy.

**N. Renewal**

1. If we:
  - a. Elect to renew this policy; and
  - b. Have the necessary information to issue a renewal policy,we will confirm in writing at least 45 days before it expires our intention to renew this policy; and the premium at which this policy will be renewed.
2. If we do not comply with the provisions of Paragraph 1., you will have renewal coverage. The renewal coverage will be at the rates:
  - a. In effect under the expiring or expired policy; or
  - b. In effect on the expiration date, that have been approved by the Commissioner,whichever are lower.

This renewal coverage will be on a pro rata basis and will continue for 45 days after we confirm renewal coverage and premium. If you accept this renewal policy, this Paragraph 2. does not apply.

- C. The following paragraph is added to the Business-owners Coverage Form:

**1. Statutory Liability**

- a. In addition to paying and satisfying judicial judgments rendered against the insured in consequence of claims to which this policy applies, we will protect the insured against the levy of executions issued on such judgments or claims against the insured.

- b. We may, without the insured's consent, continue litigation after a judgment has been rendered with respect to the insured's legal liability under this policy for damages in particular instance. In that event, no limitation of our liability will be valid where the matter of that litigation is concerned.
- c. Under Coverage Forms to which this endorsement applies any legal action against us to recover for loss under this policy must be brought within one year after amount of loss is finally established. The amount of loss can be established only by:
  - (1) Judicial judgment; or
  - (2) An agreement between the parties involved with our written consent.
- d. In the event of the insured's bankruptcy or insolvency, an injured person or claimant who has obtained a judgment against the insured may bring suit against us, provided:
  - (1) The judgment was for damages covered by this policy; and
  - (2) The suit is for damages in amounts no greater than the applicable Limits of Insurance of this policy.
- e. Payment by the insured of any judicial judgment or claim for any of our liability under this policy will not deprive the insured of the right to bring action against us.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS COVERAGE FORM

### SCHEDULE

<b>Name Of Additional Insured Person(s) Or Organization(s):</b>
City of Burlington, Clerk/Treasurer's Office, Encumbrance Application Dept 149 Church Street, Burlington, VT 05401
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph C. Who Is An Insured in Section II - Liability:

3. Any person(s) or organization(s) shown in the Schedule is also an additional insured, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf in the performance of your ongoing operations or in connection with your premises owned by or rented to you.

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AUTHORIZATION FOR BURLINGTON ELECTRIC DEPARTMENT  
ELECTRIC VEHICLE CHARGING STATION GRANT

In the year Two Thousand Fourteen.....  
Resolved by the City Council of the City of Burlington, as follows:

That, WHEREAS, the growth in the use of electric vehicles (EV’s) within the City for personal transportation is a key element in attaining the City’s sustainability and climate action goals in the area of transportation; and

WHEREAS, enhanced access to vehicle charging infrastructure has been shown to increase consumer confidence in the use of electric vehicles for personal transportation; and

WHEREAS, publicly-available charging infrastructure allows drivers to greatly expand the use and the range of their EV’s; and

WHEREAS, the State of Vermont has adopted the promotion of electric vehicles and public charging infrastructure as a key strategy within the its Comprehensive Energy Plan; and

WHEREAS, the State of Vermont has made available to Designated Downtowns competitive access to grants in an amount not to exceed \$30,000 to support such municipalities in installing publicly-owned EV charging infrastructure; and

WHEREAS, BED has been actively engaged in exploring the technology and administrative mechanisms needed to successfully host such public charging infrastructure within the City’s existing parking garages; and

WHEREAS, the State of Vermont requires that this grant application and acceptance of any award be approved by the City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the General Manager of the Burlington Electric Department or her designee to seek such funding from the State of Vermont in an amount not to exceed \$30,000, and to accept and administer such funds if awarded.

**2014 Electric Vehicle Charging Station Proposal  
City of Burlington**

**1. COVER LETTER**

December 6, 2013

Dick Valentinetti  
Director, Air Pollution Control Division  
State of Vermont  
Davis Building - 2nd Floor  
One National Life Drive  
Montpelier, VT 05620-3802

Dear Mr. Valentinetti:

This letter is to demonstrate the Burlington Electric Commission's interest in and support of the following proposal to fund electric charging station infrastructure in Burlington's downtown core. We believe the advent of vehicle charging stations in Burlington's shopping and entertainment district will not only enhance the City's economic vitality, and reduce air pollution and green house gases, but will help support the establishment of a statewide network of charging stations.

The City has identified two areas in our downtown core that we believe are the most suitable and desirable for this work: the Marketplace Garage (on Winooski Avenue between Cherry and Bank Streets) and the Lakeview Garage (on Cherry Street, off Battery Street). In order to make this work possible, the City is prepared to offer a generous match in the form of labor, staff time and assistance from Nissan Motors.

If you have questions regarding the attached proposal, or about the City's interest and commitment to this effort, please do not hesitate to contact me or Tom Buckley at BED, at 865-7339. I would be happy to send you a copy of a resolution in support of this application after it is taken up by our Commission at its December 11, 2013 meeting.

Sincerely,

*Spencer Newman*

Spencer Newman, Chair, Burlington Electric Commission  
Burlington Electric Department  
585 Pine Street, Burlington, VT 05401  
802-865-7406

cc: Mayor Miro Weinberger  
Barbara Grimes, General Manager, BED  
Tom Buckley, Manager, Customer and Energy Services, BED



## **2014 ELECTRIC VEHICLE CHARGING STATION PROPOSAL CITY OF BURLINGTON**

### **INTRODUCTION**

Burlington is well known as a community with a high quality of life and a small and vibrant downtown core -- within a spectacular setting on the shores of Lake Champlain. This reputation is due in part to the City's small size, entrepreneurial spirit, civic-minded citizens and activist government. One of the many factors that make Burlington such a great place to live, work and visit is the community's commitment to sustainability, greenhouse gas reduction, and a clean natural environment.

Burlington's commitment to environmental stewardship is well articulated in the Climate Action Plan and more recently its downtown and waterfront plan (locally known as PlanBTV, <http://www.burlingtonvt.gov/PlanBTV/>), approved by the City Council on June 10, 2013. The advent of electric charging stations is one key way to meet the goals outlined in these documents, while also providing the benefit of reducing air pollution, encouraging energy efficiency in the transportation sector, and bolstering economic development and downtown growth.

This proposal outlines Burlington's initial plans to grow its electric vehicle support infrastructure with the help of state funds and in-kind support and technical expertise from the Burlington Electric Department, the Department of Public Works, and the Community and Economic Development Office, as well as equipment pricing assistance from the Nissan Motor Corporation.

### **2. PROJECT DESCRIPTION**

BED, along with Department of Public Works, have identified two key locations in the City where the placement of electric vehicle charging stations (EVCS) can most significantly impact a reduction in air pollution and greenhouse gases, while economically stimulating the downtown core. The first site is in the Lakeview Garage, where the City proposes adding 2 - level 2 dual outlet chargers to replace (or supplement) the existing electric outlets for 3 EV parking spaces. The second site is the Marketplace Garage, one of Burlington's busiest public parking facilities, where the City proposes the installation of a level 3 charger.

**Summary:** These two sites were identified after an assessment of the user profiles of these public areas. The Marketplace Garage has a high percentage of users able to benefit from a 1/2 - 1 hour charge, particularly those shopping and dining on Burlington's Church Street, the center of our downtown core. The Lakeview Garage, located off Battery Street on Cherry Street, can service longer term parkers, including those using any of the 3 adjacent hotels. This location is most suited for a 2 – 4 hour charger.

Fees for using these services are still in the development stage, but an initial expectation will be around \$2.50 - \$4.00 for a level 2 charge, and \$4.00 for a "fast charge" (level 3), pending Public Service Board approval. Pay processing for users will be both RFID and 800-number enabled. As part of its vendor-provided network, BED will maintain the communication systems that support the chargers and will administer the fee program. BED will own and operate the chargers separately from DPW's existing electric accounts.

BED and the DPW are ready to begin construction upon funding approval, and are prepared to have the level 3 unit operational by March 31<sup>st</sup>, 2014. Work is currently underway to reserve the proposed sites for the sole purpose of EV charging. The DPW is prepared to supply appropriate signage to clearly mark and identify where these stations are located. BED and the Community and Economic Development Office staff actively serve on the marketing committee of the state-funded Drive Electric Vermont initiative managed through Efficiency Vermont, and will work to ensure that the Burlington's new infrastructure is captured and highlighted in regional, statewide, and local marketing efforts.

**Budget:** The City is requesting \$30,000 towards the total project cost of \$57,887. Burlington's match will come in part from a \$20,000 rebate provided by Nissan Motor Corp. Additional support will be in the form of administrative and technical support and installation labor, for a total match of \$27,887. A detailed budget estimate follows:

### 1. MARKET PLACE, LEVEL 3 CHARGER UNIT

Meter pedestal with breaker 200 ampere 3 phase 120/208 volt	\$2,000.00	1	\$2,000
2 inch conduit	\$1.00/ft.	200	\$200
#1THHN wire	\$2.00/ft.	800	\$1,600
Hardware & fitting	\$500.00	1	\$500
Equipment rental	\$500.00	1	\$500
Labor	5 FTE	\$100.00/hr.	40
		Contingency	\$1,200.00
		Est. install cost	Total
			\$10,000
Charging Station	Fuji charger	\$20,000.00	
	Software - ChargePoint	\$960.00	
	Activation portal setup	\$300.00	
	S & H	\$1,500.00	
	Est. station cost	\$22,760.00	Total
			\$22,760
Ad/tech support			\$2,000
		Grand total	\$34,760

**2. LAKEVIEW GARAGE: 2 DUAL LEVEL-2 CHARGER UNITS**

Meter Center with 8 two-pole 40 ampere breakers	120/208	\$1,400.00	2	\$2,800
1 inch conduit		\$0.50/ft.	200	\$100
#8THHN wire		\$0.32/ft.	1600	\$512
Hardware & fitting		\$200.00	1	\$200
Labor	2 FTE@ app. 2 days	\$100.00/hr.	32	\$3,200
Equipment rental		\$200.00	1	\$200
	Contingency	\$600.00	1	\$600
	Est. install cost		Total	\$7,612

Charging Station	CT4021	dual w/gateway	\$6,190.00	
	CT4021	dual non gateway	\$5,855.00	
	S & H each	\$375 times 2	\$750.00	
	Software - ChargePoint		\$320.00	
	Activation portal setup		\$400.00	
		Est. station cost	\$13,515.00	Total
Adm/tech support				\$2,000
			Grand total	\$23,127

**3. MAP OF THE DESIGNATED DOWNTOWN**

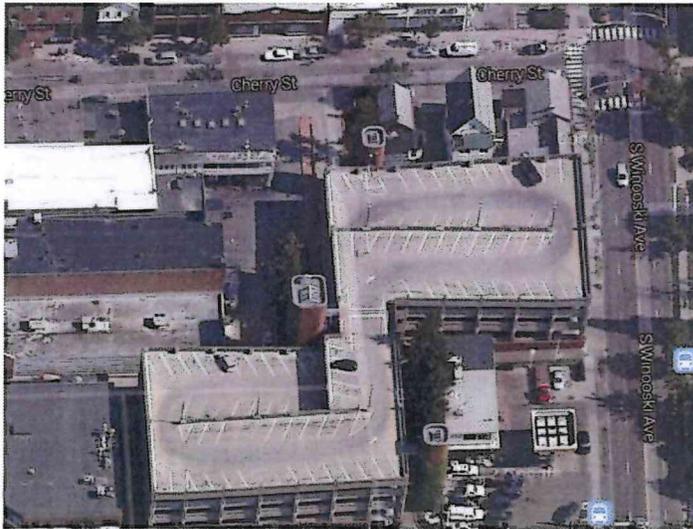
Attached please find a map that clearly illustrates Burlington’s designated downtown with the location of the proposed EVCS and related improvements.

**4. PHOTOGRAPHS**

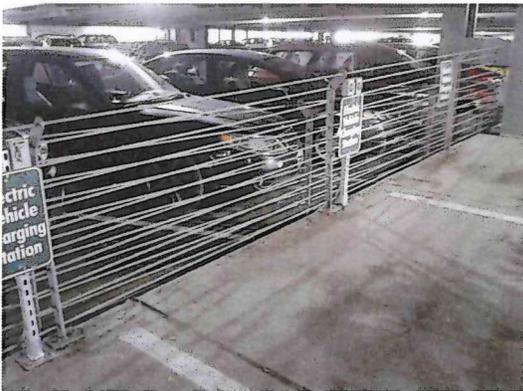
1. Proposed Marketplace Garage site for level 3 charger, looking east, ground floor, between Cherry and Bank Streets, 50’ from Church Street Market Place entrance:



2. Aerial view of the Marketplace Garage and location of Level 3 charger, off Winooski Ave., one block east of the Church Street Marketplace:



3. Lakeview Garage, proposed site of 2 dual level 2 EVCS, ground level, facing east, 30' from main garage entrance off of Cherry Street, 4 blocks from Church Street Marketplace:



4. Aerial view of the Lakeview Garage:



**5. RESPONSE TO THE “COMPETITIVE CRITERIA COMPETITIVE CRITERIA**

Responses to the competitive requirements are included in the body of this proposal, including: project effectiveness and impact; ease of implementation; visibility and convenience; community location; and ordinance work to ensure the EVCS space is reserved exclusively for electric vehicles.

**6. SIGNED COPY OF THE CONFLICT OF INTEREST NOTICE AND WAIVER FORM**

Please see attached.

# Proposed Electric Vehicle Charging Stations

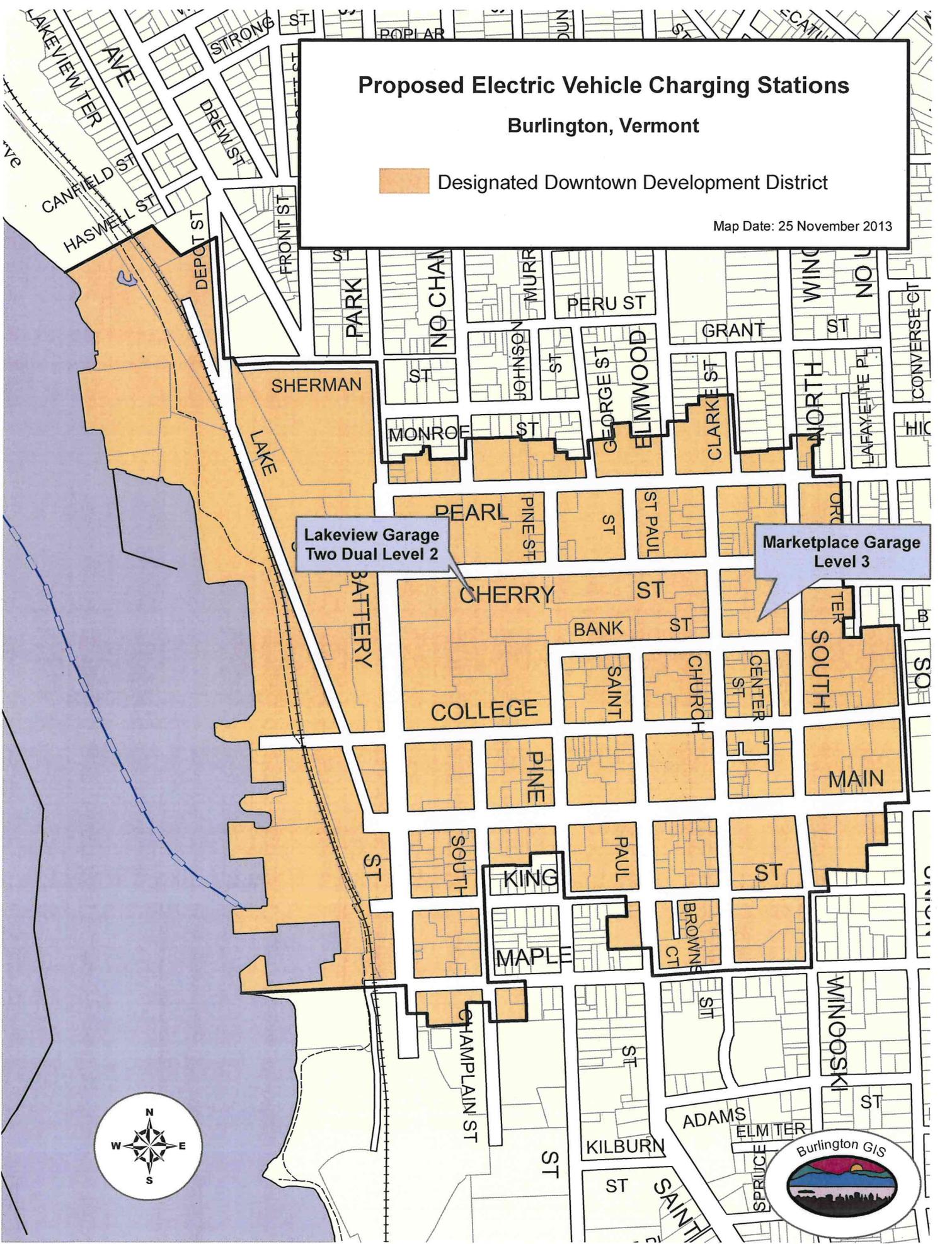
Burlington, Vermont

 Designated Downtown Development District

Map Date: 25 November 2013

Lakeview Garage  
Two Dual Level 2

Marketplace Garage  
Level 3



**DOWNTOWN DEVELOPMENT BOARD  
NOTICE AND WAIVER**

1. NOTICE. In its appearance(s) before the Vermont Downtown Development Board ("Board"), the municipality seeking designation or incentives ("Applicant") understands the following:

- (a) pursuant to statute, the 13 member Board includes three public members representative of local government, one of whom is designated by the Vermont League of Cities and Towns, and two of whom are appointed by the Governor;
- (b) such public members described in subpart (a), above, may be municipal employees or may have some other connection to, or affiliation with, municipalities appearing before the Board;
- (c) all public members who: (1) are employees of a municipality appearing before the Board, (2) have any other significant interest in the outcome of the business of such municipality before the Board, or (3) know of a significant interest of a member of his or her immediate family or household, or of a business associate, in the outcome of the business of such municipality before the Board, will recuse themselves from all scoring of, or voting directly concerning, applications from such municipality, but will vote on other applications pending at that Board meeting.

2. WAIVER. By checking the appropriate indication below and signing this form, Applicant indicates whether it agrees or disagrees that the above described processes and procedures are sufficient, in its judgment, to avoid both conflicts of interest and the appearance of conflicts of interest by any member of the Board, who may have a connection to, or affiliation with, a municipality that has submitted an application and who is present and voting during the particular meeting at which the Board is to consider such application.

**APPLICANT**

Please check one: ( X ) APPROVAL OR ( ) DISAPPROVAL of the above policy.

By: Tom Buckley

Title: Manager, Customer & Energy Services

Municipality: Burlington

Date: December 3, 2013

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6 **RECATORIZATION OF ONE LIMITED SERVICE PART TIME**  
7 **CRIMINAL JUSTICE LIAISON AND ONE LIMITED SERVICE**  
8 **PART TIME VICTIM LIASON ASSISTANT TO REGULAR FULL TIME**  
9 **AT THE COMMUNITY JUSTICE CENTER**  
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14 In the year Two Thousand Fourteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

16  
17 That WHEREAS, the Director of the Community and Economic Development Office (CEDO) has  
18 requested the re-categorization of two positions in the Community Justice Center--a Limited Service Part-  
19 Time Criminal Justice Liaison Grade 15, and a Limited Service Part-Time Victim Liaison Assistant Grade  
20 14 each to part-time regular positions; and

21 WHEREAS, these positions were initially established under City of Burlington Personnel Policy  
22 Manual Section 4.4 Limited Service Employee, which contemplates establishment of positions for a  
23 limited time period of “at least twelve (12) months but no longer than three (3) years” to accommodate  
24 funding from an outside source or task- or time-limited needs; and

25 WHEREAS, the Director of CEDO, along with the City’s Human Resources Department, have  
26 reviewed these positions and determined that the services offered by these positions are essential to the  
27 mission and success of the Community Justice Center and thus should continue as regular positions; and

28 WHEREAS, the request has been reviewed and approved by the Board of Finance on  
29 December 16, 2013;

30 NOW, THEREFORE, BE IT RESOLVED that one Limited Service Part-Time Criminal Justice  
31 Liaison Grade 15 and one Limited Service Part-Time Victim Liaison Assistant Grade 14 position within  
32 the Community Justice Center of the Community and Economic Development Office (CEDO) shall be re-  
33 categorized to full-time regular positions with the same title and grade level; and

34 BE IT FURTHER RESOLVED that the changes shall be effective as of the date of City Council  
35 approval and signing by the Mayor.



## HUMAN RESOURCES DEPARTMENT City of Burlington

179 South Winooski Avenue, Burlington, VT 05401

Voice (802) 865-7145  
Fax (802) 864-1777  
Vermont Relay: call 711  
or 800-253-0191

To: City Council

From: Julie Hulburd, HR Generalist  
Susan Leonard, Director of Human Resources

Date: January 2, 2014

Re: **Re-categorization of one Limited Service Part-Time Criminal Justice Liaison and one Limited Service Victim Services Liaison to Regular Part Time**

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We respectfully bring forward and recommend the re-categorization of the Limited Service Part-Time Criminal Justice Liaison and the Limited Service Part-Time Victim Liaison Assistant each to Regular Part-Time positions. This request was reviewed and approved by the Board of Finance on December 16, 2013.

The Criminal Justice Liaison was created as a Limited Service position in 2011 as a Grade 15, non-union, part-time position. The incumbent in this position is currently paid at Step 3 of this grade. The Victim Liaison Assistant was also created as a Limited Service position in 2011 as a Grade 14, non-union, part-time position. The incumbent in this position is currently paid at Step 3 of this grade.

The Personnel Policy States Section 4.4 Limited Service Employee states that "A Limited Service Employee is an employee who is not a regular full or part-time employee, is employed in a classified or non-classified position which is scheduled to last at least twelve (12) months but not more than (3) years"

As Ms. Vastine and Mr. Owens state in their letter the Board, these positions were classified as Limited Service at their creation. At their inception this classification was appropriate given the funding source of the position and developing role of the Community Justice Center. A review of these positions, and the services offered to the CJC and City has been conducted and it has been determined that the services offered by these positions, are essential to the mission of the Community Justice Center and it's service to the City.

These positions are currently included in the FY14 budget for the CJC. Additionally these positions are entirely funded by the DOC Safer Communities Grant, which will cover the additional cost for retirement. Our understanding is that there will be no additional cost impact to the approved CEDO and CJC budgets.

As mentioned above, upon approval, the Criminal Justice Liaison position will become eligible for retirement, which is estimated at a 14.77% of base salary for each position. The Victim Liaison Assistant position will not be eligible for retirement because the position does not meet the hour's threshold for eligibility. Below are the salaries and anticipated retirement costs for these positions.

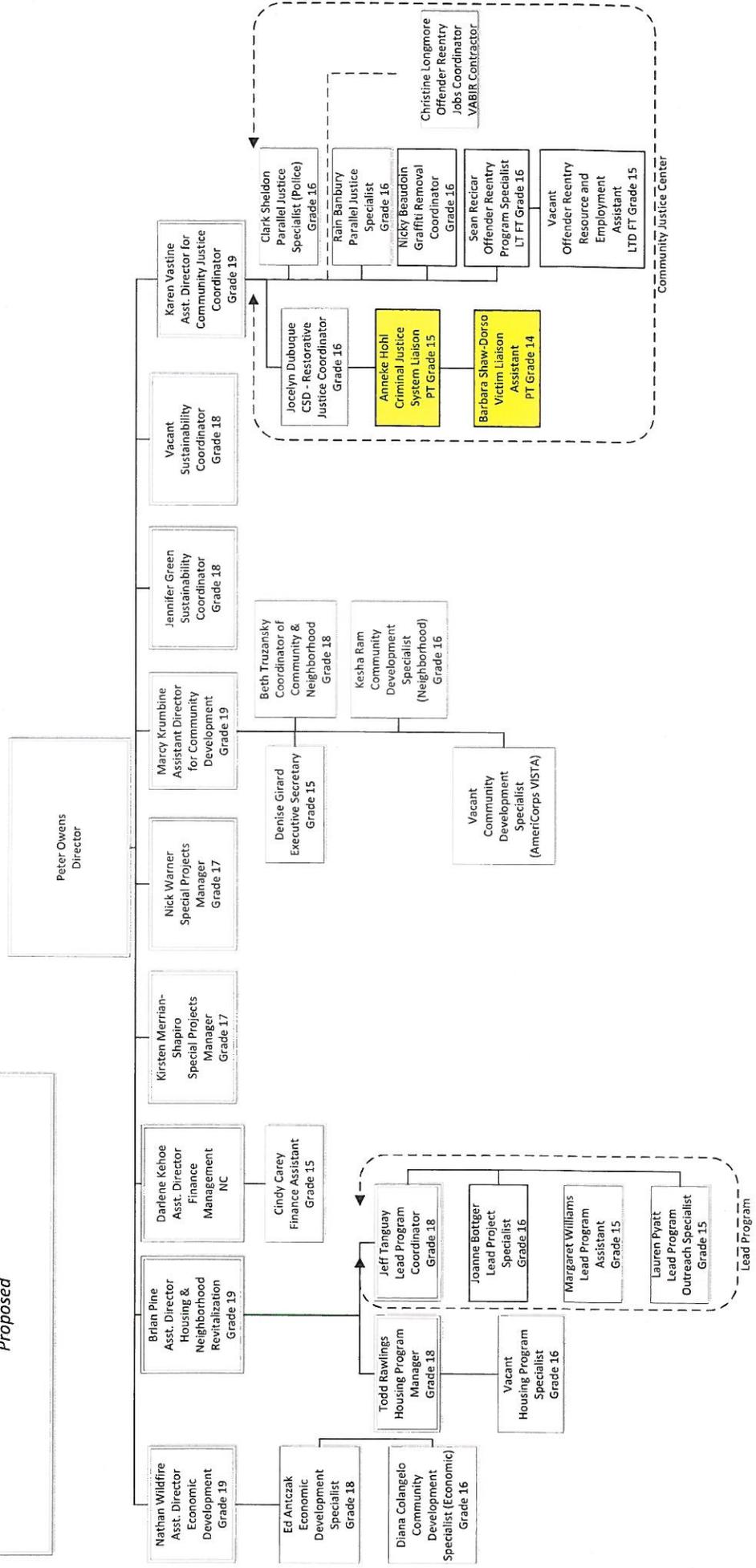
	Current Annual Salary	Salary January 1, to June 30 2014	FY14 Change to CJC Budget to include retirement cost (14.77% of salary)
Criminal Justice Liaison Grade 15, Step 3, non-union Part-time, 30 Hours/week	\$32,526	\$16,263	\$2402
Victim Liaison Assistant Grade 14, Step 3, non-union Part-time, 20 Hours	\$20,436		Not eligible
		Total Change to CJC Budget to include retirement costs	\$2402

At this time, there are no changes to the job description which would require a review or change in the grade for either position. Additionally, this change does not represent an increase to the departments head count or change in reporting structure.

Attached please find supporting documentation for the above requests including; current organizational chart, updated organizational chart, position job descriptions, the departments memo and comment on FY14 budget impact. If approved, the above changes will be effective following City Council approval and upon Mayoral signature of the resolution.

Thank you for your consideration.

**City of Burlington  
Community and Economic Development Office  
December 2013  
Proposed**



## City of Burlington Job Description

**Position Title:** Criminal Justice System Liaison  
**Department:** CEDO – Community Justice Center

**Reports to:** Restorative Justice Coordinator

**Pay Grade:** 15

**Job Code:** 1182

**Exempt/Non-exempt:** Non-Exempt

**Union:** Part-Time Non-Union

### **General Purpose:**

This position is responsible for supporting the City of Burlington's Community Justice Center and the Rapid Intervention and Community Court to assist with creating the infrastructure for the innovative restorative programming happening with each.

**Essential Job Functions:** (This section outlines the fundamental job functions that must be performed with this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment: state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of this position.)

Innovative alternative to court program development:

- Analyze alternatives to court options. Develop or enhance existing alternatives in order to streamline services.
- Assist with managing grants associated with RICC and alternatives to court.
- Solicit, collect and check for accuracy in the information submitted to grant reports by community partners.
- Monitor billing by community partners.
- File quarterly reports with CJC coordinator and when appropriate directly to granting agency.
- Research and draft grant applications in cooperation with CJC coordinator to continue funding for program.
- Create and maintain Restorative Justice Alternative Processes.
- Design and implement restorative process that reflects the needs of the CJC's caseload and the risk and needs of individuals referred.
- Draft policies for client process practices and community partner agreements.

Program Administration:

- Develop restorative justice alternatives to court with community partners.

- Assist with case-load management including: contacting program participants and partner agencies regarding referrals, updating case notes and tracking restitution requests.
- Assist with cross-referring cases.
- Facilitate and monitor RICC referrals to the Community Justice Center (CJC)
- Identify and track referrals from CJC to RICC.
- Assist programs with outreach to police, processing of referrals and screening of cases.
- Administer criminogenic risk and need assessments.

#### Civil Tickets:

- Administer civil tickets for noise violations: conduct intakes with noise ticket recipients, schedule restorative noise sessions, track community services and maintain case information.
- Maintain civil ticketing, including noise tickets, records and report to the Burlington Police Department.
- In cooperation with Burlington Police Department personnel, support and/or conduct restorative noise sessions.
- Enhance and expand community service opportunities: consult current partners about successes and challenges of current referrals, outreach to new partners and develop opportunities for community service at the CJC and other City Departments.
- Act as an “Ambassador” for the City, carry out work and interact with co-workers and the public in respectful professional manner.

#### Non-Essential Job Functions:

- Performs other duties as required.

#### Qualifications/Basic Job Requirements:

- Bachelor’s degree and two years of experience, or four years of program management experience with a focus on restorative justice, community development, or related field.
- Experience with Criminal Justice System either Corrections, Court, law enforcement or all three.
- Demonstrated knowledge and familiarity of restorative practices.
- Ability to understand and demonstrate knowledge of community impact of crime and victim issues.
- Ability to deal effectively with a wide range of individuals and groups.
- Computer literacy necessary. Knowledge of ACCESS program, or similar data management software recommended.
- Some evening availability recommended.
- Ability to work in a team environment, while also working independently as necessary.
- Strong communication skills, especially a sensitivity to people with mental health and substance abuse issues.

**Physical & Mental/Reasoning Requirements; Work Environment:**

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

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| <input checked="" type="checkbox"/> seeing                  | <input type="checkbox"/> ability to move distances      | <input type="checkbox"/> lifting (specify)                 |
| <input type="checkbox"/> color perception                   | <input type="checkbox"/> within and between             | <input type="checkbox"/> pounds                            |
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| <input checked="" type="checkbox"/> clear speech            | <input type="checkbox"/> ability to mount and           | <input type="checkbox"/> driving (local/over               |
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| <input checked="" type="checkbox"/> dexterity               | <input type="checkbox"/> pushing/pulling                |  |
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| <input type="checkbox"/> reading - basic                    | <input checked="" type="checkbox"/> math skills - basic | <input checked="" type="checkbox"/> analysis/comprehension |
| <input checked="" type="checkbox"/> reading - complex       | <input type="checkbox"/> math skills - complex          | <input checked="" type="checkbox"/> judgment/decision      |
| <input type="checkbox"/> writing - basic                    | <input checked="" type="checkbox"/> clerical            | <input type="checkbox"/> making                            |
| <input checked="" type="checkbox"/> writing - complex       |   |  |
| <input type="checkbox"/> shift work                         | <input type="checkbox"/> outside                        | <input type="checkbox"/> pressurized equipment             |
| <input checked="" type="checkbox"/> works alone             | <input type="checkbox"/> extreme heat                   | <input type="checkbox"/> moving objects                    |
| <input checked="" type="checkbox"/> works with others       | <input type="checkbox"/> extreme cold                   | <input type="checkbox"/> high places                       |
| <input checked="" type="checkbox"/> verbal contact w/others | <input type="checkbox"/> noise                          | <input type="checkbox"/> fumes/odors                       |
| <input checked="" type="checkbox"/> face-to-face contact    | <input type="checkbox"/> mechanical equipment           | <input type="checkbox"/> hazardous materials               |
| <input checked="" type="checkbox"/> inside                  | <input type="checkbox"/> electrical equipment           | <input type="checkbox"/> dirt/dust                         |

**Supervision:**

Directly Supervises: 0 Staff members

Indirectly Supervises: As many as 6-8 volunteers

**Disclaimer:**

The above statements are intended to describe the general nature and level of work being performed by employees at this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

**Approvals:**

Department Head: \_\_\_\_\_

Date: \_\_\_\_\_

Human Resources: \_\_\_\_\_

Date: \_\_\_\_\_

(BOF approval: 08-01-2011, CC approval 09-12-2011)



## City of Burlington Job Description

**Position Title:** Victim Liaison Assistant  
**Department:** CEDO – Community Justice Center

**Reports to:** Restorative Justice Coordinator  
**Pay Grade:** 14

**Job Code:** 1181

**Exempt/Non-exempt:** Non- Exempt

**Union:** Part-Time Non-Union

### **General Purpose:**

This position is responsible assisting the Restorative Justice Coordinator by ensuring that victims whose offenders are referred to the restorative justice panels are both offered support and the opportunity to participate in the process.

**Essential Job Functions:** (This section outlines the fundamental job functions that must be performed with this position. The “Qualifications/Basic Job Requirements” and the “Physical and Mental/Reasoning Requirements and Work Environment: state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of this position.)

- Establish working relationship with victims through letters, e-mail, or phone correspondence;
- Visit retailers in person to develop impact statements for business binder;
- Through out the 2 month (average) restorative justice process, follow up with victims by sending out relevant documents or projects to victims such as, apologies or other contractual amends;
- Recruit and train volunteer victim liaisons;
- Assign cases to volunteer Victim Liaisons;
- Serve as a victim liaison at restorative justice panel meetings when needed and represent the victims’ requests and/or their perspective while meeting with offenders to help them accept responsibility for their actions and repair the harm they have caused;
- Collect and evaluate feedback from victims served.
- Develop outreach materials for victims about the restorative justice process and other resources available to support them;
- Provide on-going trainings and support to volunteer victim liaisons in order to develop the skills necessary for supporting and educating the victims more fully;

- Present at public forums to educate about restorative justice paying particular attention to how the voice of the victim can and should be made stronger in our community;
- Communicate closely with the Restorative Justice Coordinator about cases and opportunities to enhance opportunities for victims' participation;
- With the CJC Coordinator, research grants and draft proposals to make the VL Program sustainable;
- Maintain records of services and delivers evaluations and service reports in a timely fashion.
- Prepare news releases, brochures, and other materials to promote the program.
- File quarterly reports with CJC coordinator and when appropriate directly to granting agency.
- Research grant opportunities in cooperation with CJC coordinator to continue funding for program.
- Perform administrative tasks such as database updates, supply ordering or general assistance to the Restorative Justice Program.
- Act as an "Ambassador" for the City, carry out work and interact with co-workers and the public in respectful professional manner.

**Non-Essential Job Functions:**

- Performs other duties as required.

**Qualifications/Basic Job Requirements:**

- Bachelor's degree or four years of experience in social service, criminal justice, or victim advocacy fields.
- Preferred to have had experience with volunteerism (served as a volunteer, recruiting or managing volunteers, etc.)
- Believes in and values a restorative response to crime and conflict
- Is sensitive to community values regarding crime
- Is discreet and maintains confidentiality regarding people and situations
- Is non-judgmental and tolerant of diverse opinions and lifestyles
- Communicates skillfully on the phone, in person, and in writing
- Working knowledge of the criminal justice system.
- Strong group facilitation skills.
- High level of comfort working with offenders and community members.
- Knowledge of grant reporting and writing preferred.
- Demonstrated knowledge of and commitment to restorative practices.
- Ability to understand and demonstrate knowledge of community impact of crime and need for victim support.
- Ability to deal effectively with a wide range of individuals and groups.
- Early evening availability a must.
- Ability to work in a team environment, while also working independently as necessary.

**Physical & Mental/Reasoning Requirements; Work Environment:**

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

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| <input checked="" type="checkbox"/> seeing                       | <input type="checkbox"/> ability to move distances                       | <input type="checkbox"/> lifting (specify)                      |
| <input type="checkbox"/> color perception<br>(red, green, amber) | <input type="checkbox"/> within and between<br>warehouses/offices        | <input type="checkbox"/> pounds                                 |
| <input checked="" type="checkbox"/> hearing/listening            | <input type="checkbox"/> climbing  | <input type="checkbox"/> carrying (specify)                     |
| <input checked="" type="checkbox"/> clear speech                 | <input type="checkbox"/> ability to mount and<br>dismount forklift/truck | <input type="checkbox"/> pounds                                 |
| <input checked="" type="checkbox"/> touching                     | <input type="checkbox"/> pushing/pulling                                 | <input type="checkbox"/> driving (local/over<br>the road)       |
| <input checked="" type="checkbox"/> dexterity                    |  |   |
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| <input type="checkbox"/> reading - basic                         | <input checked="" type="checkbox"/> math skills - basic                  | <input checked="" type="checkbox"/> analysis/comprehension      |
| <input checked="" type="checkbox"/> reading - complex            | <input type="checkbox"/> math skills - complex                           | <input checked="" type="checkbox"/> judgment/decision<br>making |
| <input type="checkbox"/> writing - basic                         | <input checked="" type="checkbox"/> clerical                             |   |
| <input checked="" type="checkbox"/> writing - complex            |  |   |
| <input type="checkbox"/> shift work                              | <input type="checkbox"/> outside   | <input type="checkbox"/> pressurized equipment                  |
| <input checked="" type="checkbox"/> works alone                  | <input type="checkbox"/> extreme heat                                    | <input type="checkbox"/> moving objects                         |
| <input checked="" type="checkbox"/> works with others            | <input type="checkbox"/> extreme cold                                    | <input type="checkbox"/> high places                            |
| <input checked="" type="checkbox"/> verbal contact w/others      | <input type="checkbox"/> noise   | <input type="checkbox"/> fumes/odors                            |
| <input checked="" type="checkbox"/> face-to-face contact         | <input type="checkbox"/> mechanical equipment                            | <input type="checkbox"/> hazardous materials                    |
| <input checked="" type="checkbox"/> inside                       | <input type="checkbox"/> electrical equipment                            | <input type="checkbox"/> dirt/dust                              |

**Supervision:**

Directly Supervises: 0 Staff members

Indirectly Supervises: 2-3 volunteers, 1 intern

**Disclaimer:**

The above statements are intended to describe the general nature and level of work being performed by employees at this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

**Approvals:**

Department Head: \_\_\_\_\_

Date: \_\_\_\_\_

Human Resources: \_\_\_\_\_

Date: \_\_\_\_\_

(BOF approval: 08-01-2011, CC approval 09-12-2011)



To: Board of Finance  
From: Peter Owens & Karen Vastine  
Date: 12.5.2013  
Re: Request for Conversion of 2 Limited Service Postions

In September of 2011, CEDO's Community Justice Center(CJC), with approval by Board of Finance and City Council, created and funded four limited service positions. Pursuant to Section 4.4 of the City of Burlington Personnel Policy, the positions were established and I am now requesting that two of those positions; Criminal Justice System Liaison and Victim Liaison Assistant; be made regular employees in the City's Classification system. In Fiscal Years 12, 13 and now 14, these positions have been funded as Part-time Limited Service; the Criminal Justice System Liaison at 30 hours/week and the Victim Liaison Assistant at 20 hours/week. Therefore, a re-categorization of these positions will not increase the number of CEDO/CJC employees and will remain at the current hours/week.

The Victim Liaison Assistant position began as a volunteer position in 2005 and by 2007 it was clear that the expanding caseload warranted much more than a volunteer could offer. For three years an AmeriCorps VISTA served in this role, then in 2010 a temporary employee position was created to respond to the still expanding need. Seeing that the position was an essential part of the community justice center's operations, a limited service position was then created in 2011. The restorative justice panels are part of the bedrock of the CJC's history and operations. With a caseload of more than 400 offenders a year, the victim liaison assistant provides crucial victim outreach and advocacy. At 20 hours/week, this change is budget neutral for the CJC as the position is not eligible for additional benefits.

In the last few years, as the state of Vermont has worked to reduce its population of incarcerated individuals, programs that prevent people from entering the criminal justice system have seen an increase in resources. The Criminal Justice System Liaison position was created to be responsive to the expanding need for alternatives to the criminal justice system, which the CJC plays a key role. The Criminal Justice System Liaison position was created to support the CJC's role in expanding the menu of options available to low-level offenders. This position is dedicated to providing 10 hours/week to the Rapid Intervention Community Court program which has quickly progressed from being a pilot project to now being a fully formed, highly effective program. The remaining 20 hours/week are focused on managing the RICC caseload going through the CJC, the restorative noise program, teaching a shoplifting prevention class, data collection and assistance with grant reporting for the CJC. This position is essential to CJC operations and the budget can absorb the additional cost associated with the retirement benefits associated with the position. This position is entirely funded by grants to the CJC and will not impact the City's General Fund.

I am happy to answer any questions and thank you for considering this request.

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**DELIBERATIVE AGENDA**

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**CITY COUNCIL PUBLIC FORUM**  
**MONDAY, SEPTEMBER 23, 2013**  
**CONTOIS AUDITORIUM, CITY HALL**  
**RE: LIVABLE WAGE ORDINANCE**  
**6:00 P.M. – 7:00 P.M.**

City Council President Shannon opened the public forum at 6:03 p.m.

<u>Name</u>	<u>Ward/Affiliation/In favor, opposed</u>
Charles Simpson	Importance of Airport
Matt McMahon	Lake Champlain Regional Chamber of Commerce/Importance of Airport
Joe Carton	Courtyard Marriott/Importance of Airport
Marigo Farr	VT Workers' Center/In favor of Livable Wage, Against Airport Carve-out
Matt McGrath	VT Workers' Center/In favor of Livable Wage, Against Airport Carve-out
Kelly Devine	Burlington Business Association/In favor of Livable Wage Ordinance, In favor of Airport Carve-out
Connie Krosney	Ward 6 Resident/In favor of Livable Wage Ordinance, Against Airport Carve-out
Alexandra Zipparo	Ward 3 Resident/Against Airport Carve-out
Jude	Ward 3 Resident/In favor of Livable Wage Ordinance
Kelly Mangan	Vermont Fair Food Campaign/In Favor of Livable Wage Ordinance, Against Airport Carve-out
Larry Davis	Willard Street Inn/In favor of Airport Carve-out
Jonathan Leavitt	Ward 2 Resident/Against Airport Carve-out
Linda Ayer	Ward 6 Resident, Peace and Justice Center/In favor of Livable Wage Ordinance, Against Airport Carve-out
Jen Berger	Ward 2 Resident/In Favor of Livable Wage Ordinance

With no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 6:30 p.m.

ADJOURNED MEETING, CITY COUNCIL  
CONTOIS AUDITORIUM, CITY HALL  
MONDAY, SEPTEMBER 23, 2013  
7:02 P.M.

PRESENT: City Council President Shannon; Councilors Bushor, Worden, Tracy, Brennan, Sigel, Aubin, Hartnett, Mason, Blais, Paul, Ayres, Decelles and Knodell (via phone)

CITY ATTORNEY'S OFFICE: Eileen Blackwood

CLERK/TREASURER'S OFFICE: Bob Rusten, Scott Schrader and Rich Goodwin

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

City Council President Shannon held a moment of silence for victims of domestic violence.

1. AGENDA

On a motion by Councilors Mason and Bushor the agenda was unanimously adopted as amended as follows: remove from the consent agenda item 4.02. RESOLUTION: Authorization for Execution of Application for 2014 Municipal Planning Grant from the Vermont Department of Economic Housing and Community Development (Councilors Mason, Paul, Shannon) and place it on the Deliberative Agenda as item 8.5; add to the agenda item 5.07. RESOLUTION: Re-districting; note the **revised version** and **title change** of agenda item 11. OFFENSES & MISCELLANEOUS PROVISIONS – ARTICLES VI. LIVABLE WAGES (Councilors Mason, Bushor, Paul: Ordinance Committee)(1<sup>st</sup> reading); note **red-lined and revised version** of agenda item 11.01. COMMUNICATION: Red-lined copy of Ordinance: Offenses & Miscellaneous Provisions – Articles VI. Livable Wage; add to the agenda item 11.02. COMMUNICATION: Jesse Bridges, Director Parks and Recreation, re: Proposed Ordinance Revision Livable Wage 21-81; add to the agenda item 11.03. COMMUNICATION: Chapin Spencer, Director of Public Works, re: Response to the Ordinance Committee's question about the effect on the budget of the proposed change as to seasonal/temporary employees; note revised version of agenda 14. RESOLUTION: Finalize A Strategic Plan for Diversity, Equity and Inclusion for the The City of Burlington (Councilors Siegel, Brennan, **Tracy**); remove item 6. COMPREHENSIVE DEVELOPMENT ORDINANCE— Residential Side/Rear Yard Setback Encroachments ZA 14-01 (Planning Commission; Planning Department)(1<sup>st</sup> reading)(Proposed action: consider 1<sup>st</sup> reading and refer to the Ordinance Committee); change agenda item 13 to item 2.5 REPORT: Yumiko Jakobcic, Executive Director, Winooski Valley Park District, re: Annual Report: July 1, 2012 – June 30, 2013.

Councilor Blais requested that they not add agenda item 5.07.

2. PUBLIC HEARING: Consolidated Annual Performance & Evaluation Report

City Council President Shannon opened the public hearing at 7:07 p.m.

Marcy Krumbine, Assistant Director, CEDO, stated that she was there to present the Consolidated Annual Performance and Evaluation Report (CAPER). This is a report to HUD on how they have expended their Community Development Block Grant and Home Investment Funds. This year they have spent over \$1 million on activities in priority order. The priorities were housing activities, economic development and suitable living environment. Highlights in the report include completing Thayer Commons which will provide an additional 30 units for seniors. They purchased South Meadow, which will result in 64 affordable units, 52 market rate units, and 32 condos for homeownership. They have 40 scattered affordable units in the area, 30 of which are in Burlington. They also purchased Wharf Lane Apartments

so they would remain affordable. The Burlington Lead Program worked on 48 housing units this year. With the Community Development Block Grant funds they helped 2,500 residents remain housed and living independently. They created 28 new full time equivalent jobs with economic development initiatives. They helped the Vermont Flight Academy receive their 501(c)(3) status and retain 8.5 full time jobs. The Intervale Center, which has a total of 10 farms with 55 workers, added another 2.5 workers. They grossed over \$1.3 million this year. Mercy Connections helps with entrepreneurial training for women. 21 women were served and 7 new businesses were started. They assisted four local agencies with early child care and education for 113 children for working families. They work with a tax service office with CVOEO. Over 1,100 low income families and taxpayers received tax credits saving over \$100,000 in fees. In the suitable living environment category, they provided service and funding for 2,200 homeless residents, groceries for over 5,200 residents, after school and summer programming, renovations at both senior centers and continued the Moran planning process. There were 24 sub-grants to community non-profits, funded 5 programs within CEDO, and completed 3 neighborhood projects. CAPER is a required report to HUD that is due at the end of the month. They will accept public comments and are seeking approval to send this to HUD.

Councilor Bushor requested that they identify which goals have been exceeded and which have not been realized. She inquired which items that they have not met their goals for are of particular importance and what the obstacles may be. Ms. Krumbine stated they have not achieved all of their objectives under the Housing category. An example is the South Meadow housing units. They were acquired this year but the 140 units will not be counted until the whole project is complete. That is the primary issue under housing with the exception of a homebuyer's assistance and homeownership. The last few years have been a difficult time for homeownership. This year, working with Champlain Housing Trust and Burlington Housing Authority, they have had their most successful year ever. The final area is in Brownfield remediation because it takes a long time. They have to count completions, so there are times when fields have been remediated and they are waiting for housing to go up. They have to wait for the housing to be built before they can count it. Councilor Bushor stated that the executive summary talked about home share and home based senior services to keep people in their houses and living independently. There was reference to a target of 2,500 people that they hoped to serve. She inquired what percent of seniors that would be. Ms. Krumbine stated that there are about 5,600 seniors in Burlington. She attended an open house for Thayer Commons, and the 36 units were rented out in 25 minutes and they have a waiting list of 900. The need is very great.

Councilor Tracy stated that these programs are incredibly effective and useful but he has concerns about their continued sustainability in light of questions about whether Community Development Block Grants will continue to exist at the federal level. He inquired if CEDO has had conversations about how to continue these services if federal dollars decline. Ms. Krumbine stated that they are looking at ways to fund internal projects in other ways so that they can take diminishing funds and push them out into the community.

City Council President Shannon closed the public hearing at 7:15 p.m.

- 2.01. REPORT: Marcy Krumbine, CEDO, re: 2012 Consolidated Annual Performance & Evaluation Report City of Burlington, Vermont *Draft*

Councilors Ayres and Worden made a motion to approve sending the report to HUD. The motion passed unanimously.

- 2.02. COMMUNICATION: Marcy Krumbine, Assistant Director for Community Development, re: Consolidated Annual Performance & Evaluation Report

Councilors Ayres and Worden made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

2.03. COMMUNICATION: Public Hearing Notice re: CAPER

Councilors Ayres and Worden made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

2.5 (was 13.) REPORT: Yumiko Jakobcic, Executive Director, Winooski Valley Park District, re: Annual Report: July 1, 2012 – June 30, 2013

Yumiko Jakobcic stated that they manage 18 parks in the Winooski River Valley including 6 in Burlington. They added two new parks this year and were able to get grant funding to do that. Six parks are located in Burlington and they are used by Burlington residents as well as residents from other member municipalities. Burlington residents have signed in at other parks as well. They are home to the Ethan Allen Homestead Museum. They are also a site for a number of community gardens. They were able to reach out to 1,400 residents with their education programs. They host monthly events. This could not be done without Burlington's support and they are grateful for it.

Councilor Bushor inquired where the Donahue Sea Caves are. Ms. Jakobcic stated that they are located across from Burlington High School and are most visible when driving on Route 127. There is a small water body with caves across them. Councilor Bushor inquired if they are large enough for people to go inside. Ms. Jakobcic stated in the winter when the water freezes you can walk to the caves. The inside of the caves do not freeze.

Councilors Siegel and Brennan made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

3. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:20 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Joshua Chasan	Ward 1 Resident	Against F-35s
Peter Cook	Ward 1 Resident	Against F-35s
Jen Berger	Ward 2 Resident	In Favor of Renewable Energy, Opposed to Fracking
Keith Brunner	Ward 2 Resident	Opposed to Fracking
Martha Lang	Ward 1 Resident	Proposed Sale of Property by School Department
Valerie Woodhouse	Ward 2 Resident	Opposed to Fracking
Emma Mulvaney-Stanak	Winooski Resident	Livable Wage Ordinance
Paul Fleckenstein	Ward 3 Resident	Against F-35s

Rosanne Greco	S. Burlington Resident	Against F-35s
Charles Simpson		Against F-35s
Christian Noll	Ward 6 Resident	Against F-35s
Jude	Ward 3 Resident	Thanks to CHT, Local Motion, NAMI
Kurt Wright	Ward 4 Resident	Redistricting

With no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 7:55 p.m.

#### 4. CONSENT AGENDA

On a motion by Councilors Bushor and Decelles 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
- 4.03. COMMUNICATION: Sandrine Thibault, AICP, Comprehensive Planner, Department of Planning and Zoning, re: Municipal Planning Grant Authorization to apply  
\*waive the reading, accept the communication and place it on file
- 4.04. COMMUNICATION: Kimberlee J. Sturtevant, Assistant City Attorney, re: Municipal Planning Grant Authorization to Apply Resolution  
\*waive the reading, accept the communication and place it on file
- 4.05. RESOLUTION: Approval of Fletcher Free Library Reorganization Plan (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.06. COMMUNICATION: Julie Hulburd, Human Resources Generalist and Susan Leonard, Human Resources Director, re: Reorganization of the Fletcher Free Library Personnel  
\*waive the reading, accept the communication and place it on file
- 4.07. RESOLUTION: Creation of Regular Full Time Customer Service Specialist Position and Elimination of Customer Service Field Representative Position – Burlington Electric Department (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.08. COMMUNICATION: Benjamin Pacy, Human Resources Generalist and Susan Leonard, Human Resources Director, re: Burlington Electric Department – Creation of Regular, Full Time Customer Service Specialist Position and Elimination of one of the two Customer Service Field Representative Positions  
\*waive the reading, accept the communication and place it on file

- 4.09. RESOLUTION: Authorization to Execute Contract with Travelers Insurance Company (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.10. COMMUNICATION: Susan Leonard, Director of Human Resources, re: Recommendation to City Council for Approval of Worker's Compensation Contract with Traveler's Insurance Company  
\*waive the reading, accept the communication and place it on file
- 4.11. RESOLUTION: Authorization to Enter into License Agreement to Maintain Table, Chairs, Awning and Lights on a Portion of the City's Right-of-way with Guild Fine Meats (Councilors Blais, Tracy, Ayres: License Committee)  
\*waive the reading and adopt the resolution
- 4.12. RESOLUTION: Creation of Limited Service Full Time Capital Improvement Program Manager Position – Department of Public Works (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.13. COMMUNICATION: Stephanie Reid, Interim Human Resources Generalist and Susan Leonard, Human Resources Director, re: Department of Public Works – Creation of Limited Service, Full Time Capital Improvement Program Manager Position  
\*waive the reading, accept the communication and place it on file
- 4.14. RESOLUTION: Acceptance of Americorps Competitive Grant for “We All Belong Americorps State Program” (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.15. COMMUNICATION: Peter Owens, CEDO Director, re: AmeriCorps Competitive Grant Agreement #03400-13ACHVT001  
\*waive the reading, accept the communication and place it on file
- 4.16. RESOLUTION: Acceptance of 2013 Victims of Crime Act (VOCA) Victim Assistance Grant: 02160-13VOCA16 (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.17. COMMUNICATION: Karen Vastine, Community Justice Center Coordinator, Burlington Community Justice Center, re: 2013 Victims of Crime Act Victim Assistance Grant: 02160-13VOCA16  
\*waive the reading, accept the communication and place it on file
- 4.18. RESOLUTION: Approval of the Act 80 Settlement of Disputes Over Amounts Identified in June 4, 2012 Report of the Office of the State Auditor (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.19. COMMUNICATION: Act 80, Tax Increment Financing Legislation  
\*waive the reading, accept the communication and place it on file

- 4.20. COMMUNICATION: Mayor Miro Weinberger, re: S.37, Tax Increment Financing Legislation  
Re: City Council Ratification  
\*waive the reading, accept the communication and place it on file
- 4.21. RESOLUTION: Appoint A Voting Delegate to Vote for the City of Burlington for the  
Vermont League of Cities and Towns Annual Meeting (Councilor  
Shannon)  
\*waive the reading and adopt the resolution
- 4.22. RESOLUTION: Final Adoption of Outstanding Internal Service and Capital Budgets  
(Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)  
\*waive the reading and adopt the resolution
- 4.23. COMMUNICATION: Martha R. Lang, Ward One Resident, re: Champlain College (9/9/13  
cc handout)  
\*waive the reading, accept the communication and place it on file
- 4.24. COMMUNICATION: Benjamin Pacy, Human Resources Generalist and Susan Leonard,  
Human Resources Director, re: Communication – Step placement for  
Jeremy Patrie, Division Manager of Technical Operations and  
Commercial Sales – Burlington Telecom  
\*waive the reading, accept the communication and place it on file
- 4.25. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/  
Boards  
\*waive the reading, accept the communication and place it on file
- 4.26. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee,  
Executive Secretary, re: Minutes, Regular City Council Meeting, June  
10, 2013, Draft  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the October 7,  
2013 City Council Meeting
- 4.27. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee,  
Executive Secretary, re: Minutes, Adjourned Meeting, City Council for  
June 24, 2013, Draft  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the October 7,  
2013 City Council Meeting
- 4.28. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee,  
Executive Secretary, re: Draft Minutes, Organization Day, April 1, 2013  
\*waive the reading, accept the communication, place it on file adopt the minutes as received at the  
September 9, 2013 City Council Meeting
- 4.29. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee,  
Executive Secretary, re: Draft Minutes, Recessed Organization Day  
Meeting, City Council, April 8, 2013  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the  
September 9, 2013 City Council Meeting
- 4.30. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee,  
Executive Secretary, re: Draft Minutes, Regular City Council Meeting,

April 15, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.31. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council Meeting, April 29, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.32. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Regular City Council Meeting, May 6, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.33. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council, May 20, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.34. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Annual City Council Meeting, June 3, 2013

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.35. COMMUNICATION: Louis Mannie Lionni, re: Redistricting public feedback

\*waive the reading, accept the communication and place it on file

4.36. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

Arts Riot, 400 Pine Street parking lot, 09/27/13, 4:30 p.m. – 9:00 p.m., Community Food Truck Stop, amplified music

\*waive the reading, accept the communication, place it on file and approve the one day only special event outdoor entertainment permit application for Arts Riot

4.37. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (October):

Arts Riot, 400 Pine Street parking lot, 10/4, 10/11, 10/18, 10/25, 4:30 p.m. – 9:00 p.m., Community Food Truck Stop, amplified music

\*waive the reading, accept the communication, place it on file and approve the four day only (Fridays in October) special event outdoor entertainment permit application for Arts Riot

4.38. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (October):

Pacific Rim, 161 Church Street, 10:00 p.m. – 2:00 a.m., DJ, dancing, amplified music, 10/2, 10/3, 10/4, 10/5, 10/9, 10/10, 10/11, 10/12, 10/16, 10/17, 10/18, 10/19, 10/23, 10/24, 10/25, 10/26, 10/30 and 10/31

\*waive the reading, accept the communication, place it on file and approve the special event indoor entertainment permit application for Pacific Rim for the above-mentioned dates in October only

4.39. COMMUNICATION: Sue Alenick, Ward Clerk, Ward One, re: Leo Yandow's Resignation  
\*waive the reading, accept the communication, place it on file, place the vacancy on the March 2014 Annual City Election ballot and send a letter of appreciation to Leo Yandow in care of Norma Yandow, his wife and an election worker as well, thanking Leo for years of service as an Inspector of Election for Ward One

4.40. COMMUNICATION: Bob Rusten, Chief Administrative Officer and Rich Goodwin, Assistant Chief Administrative Officer of Finance, re: Overview of Investment Policy and Standard Operating Procedures for Investments  
\*waive the reading, accept the communication and place it on file

Councilors Bushor and Brennan made a motion to move agenda item 12. Andy Montroll, Representative, Chittenden County RPC re: FY 2013 Annual Report to the City of Burlington to agenda item 4.5. The motion passed unanimously.

4.5. (was item 12.) REPORT: Andy Montroll, Representative, Chittenden County RPC re: FY 2013 Annual Report to the City of Burlington

Andy Montroll, CCRPC Representative, stated that the Regional Planning Commission has had some major changes. The Regional Planning Commission and the Metropolitan Planning Commission merged together. As that finished, Hurricane Irene happened and they were tasked with spearheading the cleanup, particularly in regards to transportation. They then began work on the ECOS Project which is an overall plan for the region. That is an exciting comprehensive plan that ties together the vision for our County for the next number of years. It will be updated every 5 years. It is a new way of looking at the region. It consolidates different planning processes into one document. The task is to look at the specific items and beginning to implement them. Burlington is doing well in the region and is always looked to as a leader. There are exciting projects that are coming forward such as looking at the parking plan for the City.

Councilor Bushor inquired if the new model is a more effective way of doing business. Mr. Montroll stated it is much more effective. Previously, the Regional Planning Commission was looking at broad planning and the Metropolitan Commission was looking at just transportation. It does not make sense to do those things separately. They have been able to integrate them and that enabled ECOS to happen. Councilor Bushor inquired if the large membership still works. Mr. Montroll stated that there are some people who have served long terms and others that change more frequently. It works well overall. The meetings are run loosely and there is a lot of focus on committee structure.

Councilor Siegel stated that they referred to diversity and equity training for Leadership for People of Color with Vista staff. She inquired if there will be any longevity for that program and what plans for the future are. Mr. Montroll stated that those concepts are put into the ECOS plan in an effort to make sure those efforts are continuous.

Councilor Worden stated that there are representatives on the Committee from the housing sector. There are issues with affordable housing and they are also talking about the livable wage. There is an imbalance between availability and affordability of housing. There are transportation issues because people cannot afford to live near where they work. He feels they might be a good commission to look at the disparity in housing and in the broad community. Mr. Montroll stated that there is a component in the ECOS plan that talks about housing which is a critical issue in the future of the community. They have looked at where this housing should be and there is a sense it should be in growth centers.

Councilors Bushor and Worden made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

5. RESOLUTION: Burlington Ward Redistricting Plan (Councilor Shannon)

Councilor Ayres and Decelles made a motion to waive the reading and adopt the resolution with the amendment to state they will adopt the 8 Ward, 4 Precinct, 12 City Councilor Plan.

Councilor Ayres stated that the community has worked together for the past year to forge a plan that they can all agree upon. He thanked the members of the Ward Redistricting Committee for their work. The 8 Ward, 4 Precinct, 12 Councilor plan represents a hybrid of two of the three plans that the Committee recommended. This speaks to the interests of those who want representation from 8 small wards with the ability to have neighborhood conversations with their City Councilors. It also represents the concerns for citizens who want a smaller and more deliberative City Council. The community has come together around this plan with tri-partisan support.

Councilor Blais stated simple problems have simple solutions. There has been a lot of time and effort devoted to redistricting, but the problem is simple. One part of the City, the New North End, is overrepresented. Another part of the City, the central part, is underrepresented. Those parts of the City are geographically contiguous to each other. The solution is simple- they have to blend those areas to bring representation on an equal basis. He is bringing forward a 7 ward, 14 councilor plan. This will keep the current 7 ward and 14 councilor situation while achieving the goal of redistricting by moving a few lines. The plan he has presented is a simple one. The 4/8/12 plan is confusing, convoluted and complex. It is a complicated resolution to a simple problem. He has not heard an outcry that citizens are dissatisfied with the 7 ward 14 councilor model. This model also affects the School Board and NPAs. There is no more basic civil right than the right to vote. It is already daunting to figure out where to go to vote. This will further complicate it by adding precincts. People looking at this new plan say it is mandated by the need to keep neighborhoods intact, which he feels is dangerous. In Ward 6, there are million dollar homes and neighborhoods that are all rentals. That has not caused problems, and that kind of diversity should be welcomed. He urged the Council to reject the 4/8/12 plan and choose a plan that is simple and results in little change from the current model.

Councilor Brennan stated he will support the motion that is on the floor. It is not the plan that he wanted at the beginning of this process. At the same time, they have to come to a compromise. It is a pleasure to work with people looking to compromise. Stakes are high and decisions that are made will be in play for the next decade. He believes they can maintain the integrity of their neighborhoods and voting blocks as they are now. There has been a fear that the four precinct positions will have greater power, but he does not believe that is necessarily true. He will support this plan.

Councilor Hartnett stated any plan is confusing and complicated if they do not support it. This will not be difficult to understand. It will be good for the voters and will engage more people. It will result in higher turnout and strengthen the NPAs. It will do more good than bad for the City, even though it was not his first choice. This plan is good because it was written by a citizen of Burlington, George Gamache, who was on the Redistricting Committee. City Councilors should not be drawing boundary lines. George put politics aside and put a plan forward that could be supported by all parties. It is fair, brings neighborhoods together, and strengthens the political process.

Councilor Mason stated he will not support this plan. Ward 5 was fortunate that almost every plan put forward had little impact on them. As a result, most of his constituents were silent. He is sensitive to the fact that change is hard. He had concerns about the 4 Ward 12 Councilor model in the way that would change campaigning and the cost. The combined precinct will consist of Wards 5 and 6, which is a very large area. He appreciates that would be a daunting task to engage the community at that level. He has kept an open mind to see what his constituents thought about the proposed model. The NPA had negative comments, so he does not feel he can support this plan. He and his constituents would have preferred to move the lines to keep the configuration they have always had.

Councilor Decelles stated he is not excited about the outcome. He had a different plan that he liked, but it was going nowhere. It speaks volumes that they have Democrats, Republicans, Progressives and Independents that support this plan. He feels that the Old North End and the New North End are very different and not contiguous. Changing that line to jerrymander and make sure one political party always wins does not serve democracy well. They often speak about equity, and this is the most equitable plan for the entire City. This is not confusing. Going this route keeps neighborhoods intact. He asked members of the Committee what they disliked about this plan. The issues people raised were a few streets here and there. This is the most equitable plan and his tri-partisan support.

Councilor Bushor stated she will not support this plan and that this was not George Gamache's plan. She believes that 8 wards work because that is what she has heard from the people she represents. She has asked people what they are looking for and has heard they want small wards with lots of representation. It is only around the Council table that there is opposition to having a larger Council. This plan combines NPAs, which may not be a happy marriage because they are different. There could potentially be only four voting places. People identify with the polls. She has heard from constituents that in this plan, the person who is elected at the precinct level will live within one of the wards. That gives that ward more representation than the other ward within that precinct. Another question is how four people representing larger districts and eight people representing smaller districts is equal. This should be better thought out. If she were to vote the way that the people want her to, she would support an 8 ward 16 councilor plan. She thinks the Mayor would veto it, but she feels that is anti-democratic because it is what she is hearing that the people want.

Councilor Tracy stated it is often said that the political process is the art of the possible. The same applies to redistricting and this represents a compromise. It brings together political factions across the City in a plan that represents significant interests. They heard loud and clear that the Old and New North Ends should not be combined. An advantage of this plan is that it brings the Lakeview Terrace neighborhood back into the Old North End. In his ward, there is a wide swath of people with largely student neighborhoods at one end and a mix at the other end. The student neighborhoods generate issues that get ignored by representatives who live deeper into the Old North End. Creating the 8<sup>th</sup> ward will recognize a legitimate community of interest and provide residents in that area with representation. Putting it in a precinct with Ward 1 will recognize that community of interest as well because those residents often tell him they feel more connected with the issues of Ward 1. There is some complexity to this plan, Burlington voters have shown that they are intelligent. There are still details about how this will work that will be reviewed by the Charter Change Committee. Whatever they vote on tonight will have to have process questions answered. There is a lot of room to deal with the concerns that have been expressed. Whatever is put forward will go to the voters, and they will ultimately have their say.

City Council President Shannon stated the plan that they are voting on was not drawn by George Gamache. She believes it was drawn by Robert Bristow-Johnson. She inquired if polling places are specifically outlined in the Charter. Senior Assistant City Attorney Bergman stated specific voting places are not identified. They can structure this so that they have 4 wards and 8 precincts. There are a number of changes that they will have to look at. City Council President Shannon inquired if School Board members should be addressed through the Charter Change Committee. Senior Assistant City Attorney Bergman stated that should be addressed.

City Council President Shannon requested the motion be amended to say that they will address the application to school board members at the Charter Change Committee. Councilors Ayres and Decelles accepted the amendment as friendly.

Councilor Bushor inquired if the School Board knows about this plan. Councilor Decelles stated the School Board had little involvement in any of the plans and never gave any insight. Councilor Bushor

stated she believes that whatever is passed should be forwarded to the School Board so that they have the ability to comment. City Council President Shannon stated they can forward this to the School Board and they can be invited to the Charter Change Committee meetings.

Councilor Worden stated that if they are going to consider new plans after they have asked a committee to citizens to draw a plan, they should run their new plan by the citizen committee. This is the merger of two different plans, so it is the same as if they had seen them. A lot of members of the committee were not actively advocating for one plan or another because most of the plans represented only small changes that did not impact their ward. He has not heard concerns about this issue from Ward 1. This was drawn up last minute by Councilors. He is concerned that it did not get the proper vetting and people will be subjected to a significant change in how they are represented. If this passes, it does not mean it is guaranteed, as it will have to go to a public vote. If it is not supported by voters, they will have to go back to the drawing board. He thinks that the status quo is what most people are looking for. There is a significant change in the populations in the affected wards since the census. They are acting late and under old data.

Councilor Siegel stated that she is fatigued with this process. It would be great to keep something close to what they have, but disagrees that citizens are ok with melding the Old and New North Ends. She read the surveys and the public clearly said that they should not do that. She still believes that the 6 or 7 ward, 13 councilor plan was the best, but the New North End had strong feelings against it. She does not like the 8 ward, 16 councilor model because the wards will be so small that they will likely have to redo this next census. She has also heard that the Mayor would veto that plan. She does not like any of the plans that are on the table and feels conflicted. She liked a proposed plan that had 3 at-large councilors rather than the 4 semi-at-large Councilors. She feels voters are very confused. She also noted that this will result in an even number of Councilors, which she had hoped to move away from.

Councilor Hartnett stated that Robert Bristow-Johnson drew the 8/4/12 model, but George Gamache came up with the concept. It was not concocted by City Councilors late in the game. It was brought forward by citizens.

Councilor Ayres stated that the first time he heard about this idea was from George Gamache. He used Robert Bristow-Johnson's map with his own idea.

Councilor Siegel stated that she believes the Mayor came up with the 8/4/12 plan.

Councilors Hartnett and Decelles made a motion to call to question. The motion passed unanimously.

Councilor Mason requested a roll call.

The motion passed by a vote of 8-6.

AYES: Councilors Aubin, Ayres, Blais, Brennan, Decelles, Hartnett, Knodell, Siegel and Tracy

NAYS: City Council President Shannon, Councilors Blais, Bushor, Mason, Paul and Worden

5.01. COMMUNICATION: 4 Wards, 12 City Councilors, referred by Redistricting Committee

Councilors Ayres and Decelles made a motion to waive the reading, accept the communication and place it on file. The motion passed.

5.02. COMMUNICATION: 6 Wards, 13 City Councilors, referred by Redistricting

Committee

Councilors Ayres and Decelles made a motion to waive the reading, accept the communication and place it on file. The motion passed.

- 5.03. COMMUNICATION: 8 Wards, 16 City Councilors, referred by Redistricting Committee

Councilors Ayres and Decelles made a motion to waive the reading, accept the communication and place it on file. The motion passed.

- 5.04. COMMUNICATION: 7 Wards, 14 City Councilors, submitted by Councilor Blais

Councilors Ayres and Decelles made a motion to waive the reading, accept the communication and place it on file. The motion passed.

- 5.05. COMMUNICATION: 8 Wards, 4 Precincts, 12 City Councilors, submitted by Councilors Ayres, Hartnett, Knodell, Tracy, Brennan, Decelles and Aubin

Councilors Ayres and Decelles made a motion to waive the reading, accept the communication and place it on file. The motion passed.

- 5.06. COMMUNICATION: 7 Wards, 13 City Councilors, submitted by Councilor Siegel

Councilors Ayres and Decelles made a motion to waive the reading, accept the communication and place it on file. The motion passed.

- 5.07. RESOLUTION: Re-districting (Councilor Blais)

No motion was made on this resolution.

6. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Residential Side/Rear Yard Setback Encroachments ZA 14-01 (Planning Commission; Planning Department)(1<sup>st</sup> reading)(Proposed action: consider 1<sup>st</sup> reading and refer to the Ordinance Committee)

This item was removed from the agenda.

7. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Conditional Uses in Mixed Use Districts ZA 14-03 (Planning Department; Planning Commission) (1<sup>st</sup> reading)(Proposed action: consider 1<sup>st</sup> reading and refer to the Ordinance Committee)

Councilors Mason and Bushor made a motion to consider this first reading and refer to the Ordinance Committee. The motion passed unanimously.

8. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Downtown Transition District Expansion ZA 14-04 (Planning Department; Planning Commission)(1<sup>st</sup> reading)(Proposed action: consider 1<sup>st</sup> reading and refer to the Ordinance Committee)

Councilors Mason and Bushor made a motion to consider this first reading and refer to the Ordinance Committee. The motion passed unanimously.

8.5. (was 4.02.) RESOLUTION: Authorization for Execution of Application for 2014 Municipal Planning Grant from the Vermont Department of Economic Housing and Community Development (Councilors Mason, Paul, Shannon)

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

Councilor Bushor stated she understands the timelines of this item and that it will be referred to the Board of Finance because of a matching amount. She inquired if the match amount will be \$20,000. Sandrine Thibault, Planning and Zoning, stated this only authorizes them to apply for the grant. If they do get the award for the grant, they would come to the Board of Finance and City Council to amend their department budget. Councilor Bushor stated that certain grants can move through without coming to the Board of Finance and others with a match requirement need to go through a process. It is most appropriate that they are aware of what the dollar amount could be if the grant is awarded. In the future, she would like it to be clear what the potential dollar amount would be. Ms. Thibault stated the award will be for \$20,000 and the matching amount can be in kind with the use of staff time.

The motion passed unanimously.

9. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendments

Councilors Mason and Bushor made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

10. ORDINANCE: HOUSING – Sanitation (Code Enforcement, Councilor Tracy; Councilors Mason, Bushor, Paul: Ordinance Committee)(2<sup>nd</sup> reading)

Councilors Tracy and Worden made a motion to waive the second reading and adopt the ordinance.

Councilor Tracy stated that this is the second reading of an ordinance that will require larger covered recycling totes. The Ordinance Committee reviewed this plan which is a phased implementation for requiring all rental properties to have adequate recycling facilities for their tenants. There are over 9,000 rental properties in the City which makes it complex. They have decided to start with larger complexes first and then work their way down to smaller ones. They have pushed the start date back to December to allow adequate time to order and deliver the totes. This will accomplish two goals. The first is eliminating trash in the neighborhoods. On windy days trash blows around and creates a feeling of a dingy City. Putting a cover on the totes will help to eliminate that. The current bins we brought in at a time when recycling was less common, but now that everything can be combined people recycle more. It makes sense to have larger bins at those properties. It will help diminish code violations while allowing tenants to recycle more and divert more waste from landfills.

The motion passed unanimously.

11. ORDINANCE: OFFENSES & MISCELLANEOUS PROVISIONS – ARTICLE VI. LIVABLE WAGES (Councilors Mason, Bushor, Paul: Ordinance Committee)(1<sup>st</sup> reading)

\*revised version\*

Councilors Mason and Bushor made a motion to consider this first reading and refer to the Ordinance Committee.

Councilor Mason stated they are proposing a series of amendments to the Livable Wage Ordinance. The Council originally passed the Livable Wage Ordinance in 2001. Although the law was on the books, it was not really enforced. This came to light when the Skinny Pancake requested an exemption. The Administration then instructed the City Attorney's Office to research the livable wage and make a report. The Ordinance Committee reviewed the report and began a series of hearings to solicit comment from Department Heads. They heard many comments from groups representing employers, affected employees, and the public. They heard universal support for continuation of the Livable Wage and suggestions on how to revise it. Not everyone will be happy with the amendments, but they will strengthen the ordinance and reinforce the City's commitment to the Livable Wage. It also respects the use of taxpayer dollars and the delicate financial condition of the Airport. The amendments treat the leased property at the Airport uniquely, provide a livable wage to seasonal employees who have a number of years of service, strengthen the enforcement mechanism, provide a third party monitor to educate employees as to the applicability of the ordinance, a third party monitor to pre-screens complaints, strengthen the City Attorney's Office's ability to investigate threats and require a report which is subject to appeal by the employer. It provides a private cause of action for employees who feel they were not treated appropriately with the right to collect damages and attorney's fees. They added an anti-retaliation clause to make sure that no one could be terminated for availing themselves for the benefit of the livable wage. They revamped the exemption process and have limited it to a two year period. They have changed it so that the Board of Finance will only recommend and not decide whether someone qualifies for exemption. They will also require an annual report from the City Attorney's Office which will list the number of covered employers, contracts with the required language, and the number of complaints and investigations. He requested comments to take back to the Ordinance Committee.

Councilor Tracy stated that there is still information that they need to receive in order to justify elements of the Ordinance. There was some confusion around seasonal workers and it felt like some information was being generated on the fly. He feels that the Airport exemption is particularly troubling because they had asked for information about the wages paid by the airlines and did not receive it. There was no adequate justification provided for removing the Airport.

Councilors Tracy and Siegel made a motion to reinstate language in the red lined copy so that the Airport would no longer be exempt. The motion failed by a vote of 4-10 with Councilors Tracy, Brennan, Siegel, and Knodell voting in favor.

Councilor Bushor stated that she did not feel she could support the amendment but would like Councilor Tracy's request for more information to be honored.

Councilor Paul thanked everyone involved for their work. They discussed the issue of seasonal employees at length. She had suggested that those employees who work 10 hours per week on a seasonal basis and have been employed with the City for a period of four years shall be paid under the terms of this Ordinance. Councilor Bushor proposed a different amendment, which is what is before them tonight. They agreed to that contingent upon knowing what the cost of her amendment will be. They did receive information from the Parks Department and Public Works that shows the cost of doing this is significant.

Councilors Paul and Mason made a motion to amend the ordinance to stated that seasonal employees working 10 or more hours per will receive a livable wage in the next fiscal year after reaching five years of service.

Councilor Hartnett stated that he is glad that they are discussing this but feels they need more time. It gets confusing when they are making amendments on the floor. He is glad that this is the first reading and not set in stone. He will keep an open mind going forward.

Councilors Bushor and Brennan made a motion to amend the motion to change the effective date to July 1, 2014 to anticipate the next budget year. It would give those who have worked four years and are returning for their fifth year a livable wage. Effective July 1, 2015, those going into their fourth year would be paid a livable wage. Effective July 1, 2016, those going into their third year would be paid a livable wage.

Councilor Bushor stated that this will be a phase in and will allow Departments to look at how to accomplish this. It also allows the City and community to get behind paying a livable wage. This money could come from the general fund and not by eliminating programs or raising fees. They can collectively look at how to fund this. When the School Department broadened who was going to be paid a livable wage, they approached it with a phase in. She realizes that seasonal employees piece together jobs so that they are ultimately fully employed. This is an important part of their income. They come back each year and have a skill set that is valued. Most people think that college students do not need the money but the reality is that not everyone comes from an affluent family. Just because someone is a student does not mean that they should not be paid fairly. Those who are committed and return do not need to be trained, which is a savings. She hopes they will contemplate this and understand the value. The City wanted to be a model employer and pay a livable wage. By embracing some seasonal employees they will be doing that.

Councilor Knodell requested that the Mayor explain how this would fit into his budget priorities. Mayor Weinberger stated that the City is on the edge of junk bond status and straining to meet existing financial commitments. They have not resolved their substantial unfunded pension liability issue. They have not resolved the Burlington Telecom situation. The change that they are talking about is a lot of money. It would increase the Parks and Recreation Budget between 3-15%. That is a large new commitment. Phasing it in does not diminish the size of the impact. It would be more prudent to see where they stand in 2015 and 2016 and weigh this addition against other priorities that the Council may have. Doing this now would be a leap of faith that things will be better when they get to that point. He recognizes the point that there are many people who fall into this category who they should have an ambition to compensate better. They have many things to balance, and this is one of those situations that they have to make tough choices. Councilor Paul's language is a modest expansion that they know they can accommodate. Councilor Knodell stated as much as she would like to expand the coverage, they have to be aware of their existing commitments to employees, including pension obligations. Those should be foremost in their minds at this time. She would worry about making a commitment tonight that will force their hands in future budgets. She will support Councilor Paul's amendment.

Councilor Brennan stated that he would like to see them go further than what is being presented. He respects the Mayor and Councilor Knodell's thoughts. When he was on the School Board, they did do a phase in approach. There was a lot of pressure at the time about how they would do it. It narrowly passed. Food service workers are now paid higher wages and they have longevity of workers and higher quality work. They are now hiring chefs in those positions and their food service program that is touted across the nation. Looking at seasonal workers, they have a situation where some of the workers in schools are left unemployed in the summer. They take some of the jobs that are offered by Parks and Recreation. Some people have full time year round jobs, but there are a lot of 9 month jobs too. Being paid a livable wage for only 9 months significantly reduces their wage. He urged the Council and Ordinance Committee to consider the phase in approach. He believes they will all be better off. It was a painful push for the School Board, but they have had good results. There was recently a bi-partisan vote to cut food stamps, which many seasonal workers may rely on. It is a shame that they are even contemplating this. He hopes they will all consider the phase in approach.

Councilor Siegel stated she will support this and wishes it went even further to cover first year seasonal employees.

The amendment for the phase in approach failed by a vote of 4-10 with Councilor Bushor, Siegel, Brennan and Tracy voting in favor.

The amendment to pay a livable wage during the fifth year of service passed by a vote of 11-3 with Councilors Tracy, Brennan and Siegel voting against.

Mayor Weinberger stated that this represents a balanced, responsible effort to address flaws in enforcement of the livable wage while being respectful of the City's economic interests and budget constraints. It will transform the livable wage ordinance from a hollow promise to a hard commitment for many workers covered by the ordinance. It also says that the City will not gamble with the future of the Airport. It shows that they have the strength to say no to future financial commitments while they are struggling with the ones that they have.

Councilor Knodell stated she will support the amended ordinance. She thanked those who have participated in the process. The ultimate test is if more people will benefit from the livable wage as a result of what they do tonight. She thinks that the answer is yes. They will have a more effective enforcement mechanism to allow workers to become more aware of the ordinance. They have restricted the coverage by excluding those who lease space from them, but they will benefit more people than they have in the past. She was disappointed not to receive more information about the Airport, but they do have to acknowledge that they are competing with other airports. They need more action at the federal level to increase minimum wages which are poverty wages. She hopes that they put pressure on their congressional delegations to move on this issue. This would help put them on a level playing field and not compete against fellow cities.

Councilor Tracy stated that he does not like all of the changes to the ordinance. He does like the compliance measures. He hopes they can get some of the information that they requested to provide greater clarity on some of the other issues.

Councilor Siegel stated that she likes certain parts of this a lot, such as the accountability measures and that exemptions will come to the full Council. She does not like that they are giving a blanket exemption to multi-million dollar corporation while asking small businesses to apply for exemptions. She finds that completely offensive. She displayed a poster of the U.S. wealth distribution. 1% of the population in the U.S. has 47% of the wealth. The next 19% has 44% of the wealth, which means that only 20% of people have 91% of the wealth. 40% of people have -1% of the wealth, meaning they are in debt.

Councilor Hartnett stated that if this were the final vote, he would vote against it. He is concerned that Councilors have not received information that they requested. He is uneasy about current employees at the Airport who are currently making a livable wage but will not be required to be paid one in the future. He feels better that it is the first reading. This came back to them because it was not being enforced. They will try to put the best plan forward for everyone. He will vote in favor of it.

The motion to consider this first reading and refer to the Ordinance Committee passed unanimously.

11.01. COMMUNICATION: Red-lined copy of Ordinance: Offenses & Miscellaneous Provisions – Article VI. Livable Wage

\*red-lined and revised version

Councilors Mason and Bushor made a motion to waive the reading, accept the communication, place it on file and refer to the Ordinance Committee. The motion passed unanimously.

11.02. COMMUNICATION: Jesse Bridges, Director Parks and Recreation, re: Proposed

Ordinance Revision Livable Wage 21-81

Councilors Mason and Bushor made a motion to waive the reading, accept the communication and refer to the Ordinance Committee. The motion passed unanimously.

- 11.03. COMMUNICATION: Chapin Spencer, Director of Public Works, re: Response to the Ordinance Committee's question about the effect on the budget of the proposed change as to seasonal/temp employees

Councilors Mason and Bushor made a motion to waive the reading, accept the communication and refer to the Ordinance Committee. The motion passed unanimously.

14. RESOLUTION: Finalize A Strategic Plan for Diversity, Equity and Inclusion for the The City of Burlington (Councilors Siegel, Brennan, **Tracy**)

\*revised version and added co-sponsor

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

Councilor Siegel stated that they had passed resolutions to create a Strategic Plan for Diversity and Equity in 2011 and 2012 but it did not happen. There is now some money to put into it, so they will hire someone and make it happen according to the timeline in the resolution.

Councilor Brennan stated that he has been working on this issue for a long time within the City and the Schools. It is an issue that tends to be hard at times. Everyone sitting at this table has white privilege. He appreciates the Mayor's efforts in hiring someone to put this in place. When he was on the School Board, his eyes were opened as to how white privilege affects people of color. This weekend there was a march on Church Street and there are people in the community who are not getting a fair shake. He encouraged everyone to open their eyes as to what they are facing. He worked to develop the Strategic Plan for Diversity, Equity and Inclusion. Not everyone stayed committed to seeing the recommendations come through. It is a hard issue when confronted with people saying to you that there are racial inequities. Even though it is hard, it needs to be done and he hopes they will see positive change. When there are openings for positions, he hopes there is a fully vetted search so that people of color have an opportunity to get that job. That should be true for all City Departments.

Mayor Weinberger stated that there have been efforts to do this that were not finished. A committee worked hard and gave good direction to this effort. This is in the process of happening and they will hire a professional to finish that work. It is difficult for anyone to do on their own, and this will provide us with the tool we need to finish the job. The idea is to have some items back for a decision in time for ballot items in March.

The motion passed unanimously.

- 14.01. COMMUNICATION: Office of Mayor Miro Weinberger, City of Burlington, re: Strategic Planning Services for Diversity & Equity Plan Completion

Councilors Siegel and Bushor made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

15. RESOLUTION: In Favor of Renewable Energy Sources and Opposed to Fracking (Councilors Siegel, Tracy, Brennan)

Councilor Siegel stated that there are seven things that this resolution seeks to do. It says that they prefer renewable energy, oppose transporting fracked gas through Vermont, oppose the project that the Public Service Board is considering, discourage the State and Vermont Gas from buying from companies that do fracked drilling, will ask the Transportation, Utilities, and Energy Committee and the Electric Commission to look into buying from companies that do not frack, they will have the Retirement Board look at divesting from companies that frack, and encourages Vermont Gas Systems to invest in renewable energy. She has a sense there is more support for the things that look at what the City can do to rather than telling the Public Service Board not to do something. She has heard that it would be hypocritical for us in Chittenden County who have the option to use natural gas to tell them that they cannot have that option. She does not want them to have what we have. Natural gas is not a great option, environmentally, especially because they cannot separate fracked gas from non-fracked gas. It is worse now that they have moved on to fracking. The people do not want this, it is the big companies. She feels Vermont Gas Systems has been deceptive about putting certain things on their website and not others. If they allow this expansion to happen, they will allow more infrastructure to be put into fossil fuels. As they continue to grow that infrastructure, there will be less of a move towards renewables.

Councilor Decelles made a motion to call to question. There was no second.

Councilor Aubin stated that he is in favor of renewable energy and not in favor of fracking. He has trouble with this resolution because he feels they will be telling a different county what they can and cannot have. He is not sure of the cost of heating a home. There has been a reduction in lye heat and the State has not been able to make up for that reduction. He has personal experience with people in his family struggling to pay for heating oil and propane. Burlington is a place with financial privilege, and he finds it funny that they would tell the people of Addison County that they should have to pay double the amount per BTU while renewable energy is still being figured out. They were just presented with information about the distribution of wealth that showed the bottom 40% of the U.S. is in debt. The cost of heating is one of the reasons that is the case. He cannot support this resolution. There is a feeling outside of this area that Chittenden County dictates what will happen in the rest of the state. This will just perpetuate another problem that the rest of the State should not have to suffer.

Councilor Brennan stated they have a Climate Action Plan and he believes this lives within the spirit of that plan. There are certain fossil fuels that they should just leave in the ground. Trying to exploit natural gas by fracking just prolongs what will be inevitable for all of us. They need to truly combat climate change and not push it off to the next generation. He encouraged them to think about this. The renewables that they have at the McNeil Plant still create CO<sub>2</sub> and they should think about reducing that in any way possible. Renewables are easier to harvest and do not require them to exploit natural toxins under the ground. They were under the ground for a reason. Now that they have been exploited, they are harmful.

Councilor Tracy that he appreciates what Councilor Aubin said and he had not thought about it in that light. He does still support the resolution. Vermont was the first state to ban fracking, but people do want cheap energy. He does not want them to generate or use it, as this is the most consistent approach.

Councilor Knodell stated this is an important issue for the City of Burlington. Burlington has a very forward looking energy policy which promotes renewable energy and conservation. The resolution makes claims about the impact of the proposed pipeline on emissions which she believes are complex to judge. There is some evidence that the pipeline could actually reduce emissions. There are a lot of people in Burlington who are very smart about energy policy. She would think it wise to get their views.

Councilors Knodell and Siegel made a motion to refer the resolution to the Burlington Electric Department, Burlington Electric Commission and the Transportation, Energy and Utilities Committee.

Mayor Weinberger stated he agrees that there are elements of this resolution that are worthy of further consideration. He would support having a policy about fracking and would be willing to discuss it further. He feels it is very important that they vote down this resolution. He does not want Burlington to consider a resolution that is as hypocritical as this is. They cannot be in a position of using and enjoying the benefits of natural gas while opposing the extension of that to communities with less means. It could have implications on other issues when they attempt to work with other communities in Montpelier. Burlington and Chittenden County have image issues when dealing with the Legislature. This could seriously worsen those image issues.

Councilor Worden stated that he appreciates the intent of Councilor Knodell's motion and agrees with the Mayor's statement. He would support continuing the discussion of fracking and natural gas. He believes that the solution is not mentioned in this resolution – conservation. In Germany they have made a move towards renewable energy, but they still have high emissions at high costs. They have not talked enough about conservation. Heating with wood or a gas is not the solution. They need to do more with less.

Councilors Worden and Decelles made a motion to call the amendment to question. The motion passed unanimously.

The motion to refer the resolution to the Burlington Electric Department, Burlington Electric Commission and the Transportation, Energy and Utilities Committee failed by a vote of 5-9 with Councilors Knodell, Bushor, Brennan, Siegel and Tracy voting in favor.

The motion to adopt the resolution failed by a vote of 3-11 with Councilors Siegel, Tracy and Brennan voting in favor.

#### 16. COMMITTEE REPORTS (5 mins.)

Councilor Blais stated that the License Committee will be holding a second hearing to address the issue of the distinction between cabarets and restaurants. They have invited all first class liquor license holders to attend. Anyone who may wish to consume alcoholic beverages or dance in the future may want to attend to see how their decision may impact those activities.

Councilor Tracy stated that the Transportation, Energy and Utilities Committee met to discuss the summer paving program. Most of that work will be completed in the next 1-2 weeks. They appreciate the patience of residents of streets that were paved. They have paved a lot of main arterial streets, and they will be shifting their attention to more neighborhood streets in the coming years. They also discussed stormwater and wastewater backups. Massive storm events are happening with greater frequency within a system that was not designed to handle them. They will be dealing with the added flow of these stormwater events. The Department has reached out to those who have been impacted by these events to help them know how to install valves in their basements to prevent backups. When there are backups, they have provided pumps for people to use. They discussed the issue of parking and no parking in bike lanes. No parking signs have gone in next to bike lanes. Enforcement has been spotty, but the directive is not to park in bike lanes. They also have looked at several corridor studies that are still in process.

Councilor Paul stated that the Parks Arts and Culture Committee will be meeting. They have been discussing the Parks Master Plan. There will be a public forum on this. They also discussed Imagine City Hall Park. That has been put on hiatus and will be addressed in the next budget year because of the number of items that are already being addressed this year. They talked about smoking on beaches. There were areas that were specifically for no-smoking. They will be discussing further no smoking on the beaches at all. They will be discussing the Public Investment Action Plan. That is largely revolving around available TIF money. The deadline for the RFP submissions is coming up. That issue will come

before the Council to vote on putting a ballot item on the ballot for March. There is up to \$7 million of TIF available and those are the projects that will advance.

Councilor Mason stated that the Ordinance Committee will be holding a hearing on the no parking downtown proposal. He assumes they will be taking up the livable wage at that time.

Councilor Worden stated that the Institutions and Human Resources Committee will be meeting. The Community Development and Neighborhood Revitalization Committee will be meeting. They will continue their discussion on bringing balance to their neighborhoods and housing around downtown. They will also hear an update on U.S. Ignite.

City Council President Shannon stated that the new system for public forum went well. She is expecting a larger turnout at their next two meetings. She plans to hold public forums from 6:00 p.m. -7:00 p.m. before their next meetings to discuss F-35s and Gun Control.

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

Councilor Bushor stated that the Mayor's discretionary funds are no longer in the budget. That was a surprise for her. She thinks that the New World computer system has been challenging. She is continuously surprised by what is and is not in the budget. She learned this because there was a small item that was hoping to make it through that process. She will try to find another way to see if they would support a budget amendment or the use of Council funds. She thinks that the budget process with New World is not there yet and she is disappointed. There is a new investment policy that was on the consent agenda. People should note that the Administration and Council have worked hard on budgets. The cash balance is the highest it has been in over 7 years. They need to weigh how using caution with how they manage their money. When they have excess money, there is an opportunity to invest some of it to collect interest.

Councilor Blais congratulated Judge Geoffrey Crawford on his appointment to the Vermont Supreme Court. He has lived in Ward 6 and has been an active community member. He has had a distinguished tenure on the trial bench and will bring his intelligence, hard work, and devotion to the Supreme Court. He is the first Burlington resident to be appointed in about 20 years.

Councilor Hartnett stated that they talked about childhood hunger in the past Mayor's race. He was reminded of that when a member of the Burlington High School Cross Country Team walked in and told him she had not had breakfast and had a meet. She asked for something to eat and he gave it to her. That is a problem in Burlington that they can and should fix. The Burlington Schools have done an outstanding job in this area, but they need to do more. There are homes where children do not have food on days that they do not attend school. It is something that they need to think about year round.

18. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)

Mayor Weinberger stated that he supports the toter roll out with the action they took tonight. They are committed to ensuring that the first phase of that implementation works well.

The monthly financial reporting is now available on the Clerk/Treasurer's Office website.

The City has taken a step that the Climate Action Plan called for by joining the Campus Area Transportation Management Association (CATMA). They offer City employees alternative transportation options and incentives. It is an exciting new benefit for employees that costs the City very little.

They had an event at the First Congregational Church to commemorate the 50<sup>th</sup> anniversary of the Birmingham Sixteenth Street Baptist Church bombings. It was an opportunity for them to report out on progress on race and diversity issues. There are three additional events coming up. The first will be a teach-in at UVM on race and diversity issues. The City will be convening an event at ECHO called "Working Together we can do Better" to have a broad discussion of race issues in the City. Champlain College is hosting Tim Wise, a national spokesperson on race and diversity issues.

They began the first stages of the Waterfront Access North project. They are building stormwater outfalls and clearing some areas. They are beginning environmental cleanup. The serious work will begin next spring.

CEDO celebrated its 30<sup>th</sup> anniversary. It was an opportunity to reflect and show pride for the progress the community has made in the past 30 years. The most interesting part was speeches made by Senator Sanders and John Davis, an early member of CEDO. They talked about the atmosphere of energy and commitment that marked the early years of the Sanders Administration and the CEDO Office.

He will be looking into the issue the Councilor Bushor raised in her comments.

19. COMMUNICATION: Eileen Blackwood, City Attorney, re: Burlington Telecom update (oral)

City Attorney Blackwood stated that she would also like to discuss the status of collective bargaining and the status of pending or threatened litigation.

On a motion by Councilors Brennan and Paul the Council went into executive session to discuss pending and threatened litigation and collective bargaining. Premature disclosure would place the City at a substantial disadvantage. Present were: see above, Mayor Weinberger, Mike Kanarick, Mayor's Office and Brian Lowe, Mayor's Office; ACAO Goodwin, ACAO Schrader and City Attorney Blackwood.

**\*\*\* EXPECTED EXECUTIVE SESSION \*\*\***

On a motion by Councilors Decelles and Bushor the Council went out of executive session at 11:05 p.m.

20. ADJOURNMENT

On a motion by Councilors Decelles and Bushor the Adjourned City Council Meeting unanimously adjourned at 11:05 p.m.

Attest:

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

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DELIBERATIVE AGENDA  
LOCAL CONTROL COMMISSION  
CONTOIS AUDITORIUM, CITY HALL  
MONDAY, OCTOBER 7, 2013  
7:04 P.M.

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PRESENT: City Council President Shannon; Commissioners Bushor, Worden, Knodell, Tracy, Brennan, Siegel, Aubin, Hartnett, Mason, Blais, Paul, Ayres and Decelles

CITY ATTORNEY'S OFFICE: Eileen Blackwood

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

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

On a motion by Commissioners Blais and Ayres the agenda was adopted as is.

2. CONSENT AGENDA

On a motion by Commissioners Blais and Ayres the consent agenda was unanimously adopted thus taking the following actions as indicated:

2.01. EXPANSION OF THE LIQUOR LICENSE SPACE (2013-2014):

Trattoria Delia Wine Bar/Waiting Space: Sotto enoteca  
\*waive the reading, accept the communication, place it on file and approve the expansion of the liquor license space for Trattoria Delia Wine Bar/Waiting Space: Sotto enoteca contingent upon Fire Marshal and Zoning approval; DLC will conduct a site visit and approve the expansion once approved by the Local Control Commission

3. ADJOURNMENT

Without objection, City Council President Shannon adjourned the Local Control Commission meeting at 7:05 p.m.

Attest:

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

REGULAR MEETING, CITY COUNCIL  
MONDAY, OCTOBER 7, 2013  
7:05 P.M.

PRESENT: see above

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

On a motion by Councilors Mason and the agenda was unanimously adopted as amended as follows: note **revised** version for agenda item 2. RESOLUTION: Vermont Italian Club – Authorization to Accept Gift – “Little Italy” Wayside Exhibit Interpretive Panels (Councilor Paul); note **signature page** for agenda item 3. REPORT: David Casey, Vice Chair, Board of Health, re: FY13 Year End Report for Burlington Board of Health; remove from the consent agenda item 5.13. RESOLUTION: Proposed Champlain College Purchase of 436 Maple Street Property (Councilors Paul, Blais) and place it on the Deliberative Agenda as item 3.01.; remove from the consent agenda item 5.14. COMMUNICATION: Brian Pine, Assistant Director for Housing & Neighborhood Revitalization, re: Authorization for Champlain College acquisition of 436 Maple Street and place it on the Deliberative Agenda as item 3.02. ; remove from the consent agenda item 5.15. COMMUNICATION: David J. Provost, re: Seeking City Council approval for Champlain College to buy 436 Maple Street and place it on the Deliberative Agenda as item 3.03.; add to the consent agenda item 5.25. COMMUNICATION: Elisabeth Mickenberg, Chair, Board for the Registration of Voters to The Honorable James C. Condos, re: 2013 Biennial Checklist Purge with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.26. COMMUNICATION: Jeffrey Kaufman, M.D. to Amber Thibeault, Burlington Telecom, re: My Resignation from the CAC with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.27. COMMUNICATION: Michael F. McGarghan, Jr. to Amber Thibeault, Burlington Telecom, re: My Resignation from the CAC with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.28. COMMUNICATION: JCL, re: Keep F 35 Basing with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.29. COMMUNICATION: George Gamache, Ward 4 NPA Redistricting Member to Kurt Wright, re: Redistricting Plan with the consent action to “waive the reading, accept the communication and place it on file;” remove from the consent agenda item 5.17. COMMUNICATION: Mayor Miro Weinberger, re: Pension Summit extension request and place it on the Deliberative Agenda as item 6.5.; remove from the consent agenda item 2.06 REQUEST FOR ABATEMENT OF TAXES: Michael F. McGarghan, Jr., 111 Birch Court, 024-4-133-000 and place it on the Deliberative Agenda as item 4.5.

2. RESOLUTION: Vermont Italian Club – Authorization to Accept Gift – “Little Italy” Wayside Exhibit Interpretive Panels (Councilor Paul)

Councilors Paul and Tracy made a motion to waive the reading and adopt the resolution.

Councilor Paul stated that this resolution will authorize the City to accept a gift from the Vermont Italian Club. The gift is a set of three interpretive panels that honor and commemorate the lives and contributions of the Italian American Community. Years ago, the City undertook an urban renewal project in the South Champlain Street area of Burlington. This acknowledges the many residents from many backgrounds that experienced the urban renewal project. The panels will grace the sides of three intersections and will celebrate the contributions of this community. Members of the Vermont Italian Club are here to present a mockup of the panels.

Adele Dienno, President of the Vermont Italian Club, thanked everyone for their help in making these panels a reality. The Vermont Italian Club was formed 30 years ago by people who were transplants from other states and knew nothing about an Italian Community here. The Club has added to its mission to educate the community about the old Italian Community. By accepting the panels, this will be a giant step in making that happen.

John Varricchione, Vermont Italian Club Member, stated his grandparents and parents lost a home. This is very near and dear to him. It has been in the works for 2 ½ years and they are appreciative. He read the resolution aloud.

The motion passed unanimously.

2.01. COMMUNICATION: Nathan Wildfire, Assistant Director of Economic Development, CEDO, re: Vermont Italian Club Interpretive Panels

Councilors Paul and Tracy made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

3. REPORT: David Casey, Vice Chair, Board of Health, re: FY13 Year End Report for Burlington Board of Health

David Casey, Vice Chair for the Board of Health, stated that he will answer any questions about the report or provide more detail on the issues they are working on.

Councilor Siegel thanked him for the report. She liked how they have strategically outlined their priorities for the next 18 months. She inquired what the Board decided about the health impacts of the F-35s. Mr. Casey stated that they held some public hearings where they invited the public and experts to provide testimony. Based on the data that they gathered, they concluded that it would be difficult to make a definitive statement that everyone could agree to. They requested further information from the National Guard about how they came up with their data. They had an expert from Montpelier looking at this who did not feel he could draw conclusions without understanding how they got their data. Councilor Siegel inquired if they requested information that they did not receive. Mr. Casey stated that is correct. Councilor Siegel inquired if the Board has reviewed the final Environmental Impact Statement. Mr. Casey stated the Board has not discussed it in a collaborative fashion, only the preliminary EIS.

Councilor Bushor stated that she was surprised not to see pesticides on the agenda for the next 18 months. There has been controversy around the existing ordinance. There was a desire to expand that to make it healthier and safer. There was a legal opinion about waiting for the State to move forward, but sometimes that never happens. She inquired if they had discussed this issue and what their thoughts are. Mr. Casey stated that was omitted from the report. Their efforts regarding cosmetic pesticide use continues in an expanded fashion. They have renamed themselves “healthy lawns healthy lives.” They continue to have ambassador lawn owners who are guinea pigs for not using pesticides. They have done tabling and have had a presence at several different conferences; that effort continues. Councilor Bushor stated that it can be difficult for people that move in to be aware of all of the laws. The pesticide ordinance is an important piece of the community. She requested the Board of Health consider ways to make that more visible. Many businesses would do the right thing if they knew about this; Mr. Casey stated that he agrees. That has been one of their big focuses. As the effort has evolved, they have seen that the ordinance is not something that people know about. One big concern is lawn maintenance companies and commercial lawn owners who do not have that understanding. These are people who either take care of many parcels of land or commercial owners with large pieces of land. Educating them would be magnifying.

Mr. Casey stated that they passed a resolution regarding Urban Agriculture in November 2012 regarding animal husbandry and slaughter. They had requested a draft ordinance from the Board of Health. They have not yet completed that work. They put together an ordinance. The Board of Health then decided to reconsider where they were headed with that issue. They have stepped back to do more serious thinking. They created a special work group to take on this work. They have met with a variety of experts and agencies to collect information. They are preparing to finalize their thinking on this ordinance. They want

everyone to be on board. The goal of the working group is to get the background work done so that when it is presented the Council will not see backlash.

Councilors Ayres and Worden made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

3.01. (was 5.13.) RESOLUTION: Proposed Champlain College Purchase of 436 Maple Street Property (Councilors Paul, Blais)

Councilors Worden and Ayres made a motion to waive the reading and adopt the resolution.

Councilor Bushor stated that this involves the sale of property to an institution. She feels this is notable and should not be on the consent agenda. She does not take it lightly when property outside of the main area of an institution is assimilated into an institutional map. This particular property was a topic of discussion during the zoning rewrite and she will support this. She feels the community should know about this. The Memorandum of Understanding that is associated with this ward written in 1994 will be expiring in 2014. She inquired if this will remain in effect until they adopt a new Memorandum of Understanding. Much of the information is based on this. Brian Pine, CEDO, stated the agreement was signed in October of 1994 and will remain in effect until October of 2014. Beyond that, it is a subject that the Administration and the Council will need to have a discussion about. There is no agreement that is currently being discussed in relation to Champlain and the acquisition of property. Councilor Bushor stated that she understands that there is a year left, but that time goes very quickly. They are talking about acquisition of property outside of that area and she will support that. She feels that they should reaffirm that this will continue to go forward this way until a new agreement is reached. She feels that they should begin talking now. Mayor Weinberger stated that this is not a sale of City property to Champlain College. It is a private sale to the college, which is guided by this agreement. He agrees that they should start conversations about that agreement.

The motion passed unanimously.

3.02. (was 5.14.) COMMUNICATION: Brian Pine, Assistant Director for Housing & Neighborhood Revitalization, re: Authorization for Champlain College acquisition of 436 Maple Street

Councilors Worden and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

3.03. (was 5.15.) COMMUNICATION: David J. Provost, re: Seeking City Council approval for Champlain College to buy 436 Maple Street

Councilors Worden and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

4. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:37 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Martha Lang	Ward 1 Resident	Vote on Sale of St. Joseph's School
Joanne Hunt	Ward 4 Resident	F-35 Health Concerns

Stuart Paton	Ward 1 Resident	F-35
Louise Brill	Ward 3 Resident	Opposed to F-35
Ashley Smith	Ward 7 Resident	Opposed to F-35
Charles Simpson	Ward 6 Resident	F-35/Insurance Coverage/Risks
Jim Podrasky	Ward 3 Resident	In Favor of F-35
Kurt Wright	Ward 4 Resident	George Gamache Redistricting Plan
Paul Fleckenstein	Ward 3 Resident	Opposed to F-35
Martha Abbot	Burlington Business Owner	Opposed to F-35
Michael Mahoney	Winooski Resident	Opposed to F-35
Kylie Silliman-Smith	Ward 3 Resident/ Peace and Justice Center	Opposed to F-35/Livable Wage Impact
Megan Emery	S. Burlington Resident	Opposed to F-35
Jean Chaulot	S. Burlington Resident	Opposed to F-35
Raymond Gonda	S. Burlington Resident/ VT Natural Resources Council	Opposed to F-35
Katie Kirby	Winooski Resident	Opposed to F-35
Michael Thomas-Adam	Colchester Resident	Opposed to F-35

There being no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 8:07 p.m.

#### 5. CONSENT AGENDA

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

5.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:  
Accountability List

\*waive the reading, accept the communication and place it on file

5.02. RESOLUTION: Adopt FY 2014 Bike Path Maintenance and Improvement Budget and Amending The FY 2014 General Fund Budget Accordingly (Councilors Shannon, Bushor, Aubin: Board of Finance)

\*waive the reading and adopt the resolution

5.03. RESOLUTION: Adoption of FY 2014 Impact Fees Budget (Councilors Shannon, Bushor, Aubin: Board of Finance)

\*waive the reading and adopt the resolution

- 5.04. COMMUNICATION: Bob Rusten, Chief Administrative Officer and Rich Goodwin, Asst. Chief Administrative Officer – Finance, re: Impact Fees  
\*waive the reading, accept the communication and place it on file
- 5.05. RESOLUTION: Authorization for City Council Expense Accounts (Councilors Shannon, Bushor, Aubin: Board of Finance)  
\*waive the reading and adopt the resolution
- 5.06. COMMUNICATION: City Council –Reimbursement Account  
\*waive the reading, accept the communication and place it on file
- 5.07. RESOLUTION: Authorization to Burlington Electric Department to Enter into Stipulation Concerning Renewable Energy Certificate Sharing Arrangement (Councilors Shannon, Bushor, Aubin: Board of Finance)  
\*waive the reading and adopt the resolution
- 5.08. COMMUNICATION: Ken Nolan, Manager of Power Resources, Burlington Electric Department, re: Ryegate Associates RSCR Stipulation  
\*waive the reading, accept the communication and place it on file
- 5.09. RESOLUTION: Authorization for City Investment Policy (Councilors Shannon, Bushor, Aubin: Board of Finance)  
\*waive the reading and adopt the resolution
- 5.10. COMMUNICATION: Bob Rusten, Chief Administrative Officer & Rich Goodwin, ACAO for Finance, re: Investment Policy  
\*waive the reading, accept the communication and place it on file
- 5.11. RESOLUTION: Creation of Limited Service Full Time Telecom Support Specialist Position and Elimination of Customer Service Representative Position – Burlington Telecom (Councilors Shannon, Bushor, Aubin: Board of Finance)  
\*waive the reading and adopt the resolution
- 5.12. COMMUNICATION: Benjamin Pacy, Human Resources Generalist and Susan Leonard, Human Resources Director, re: Burlington Telecom – Creation of Limited Service, Full Time Telecom Support Specialist Position and Elimination of one of the three Customer Service Representative Positions  
\*waive the reading, accept the communication and place it on file
- 5.16. COMMUNICATION: Michael L. Rowley, re: Message from Contact Us  
\*waive the reading, accept the communication and place it on file
- 5.18. COMMUNICATION: Scott Schrader, ACAO, re: March 4, 2014 Annual City Election Calendar  
\*waive the reading, accept the communication and place it on file
- 5.19. COMMUNICATION: Clerk/Treasurer’s Office, re: Review of Monthly Financials  
\*waive the reading, accept the communication and place it on file
- 5.20. COMMUNICATION: Katherine Kirby, re: Winooski F-35 Resolution

\*waive the reading, accept the communication and place it on file

5.21. COMMUNICATION: Bob Rusten, Chief Administrative Officer, re: Notice of Employee Contribution toward Health Insurance – Non-Bargaining

\*waive the reading, accept the communication and place it on file

5.22. COMMUNICATION: Martha R. Lang, re: Burlington School District's proposal to sell 150 Colchester Avenue

\*waive the reading, accept the communication and place it on file

5.23. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Minutes, Regular City Council Meeting, June 10, 2013, Draft

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 23, 2013 City Council Meeting

5.24. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Minutes, Adjourned Meeting, City Council for June 24, 2013, Draft

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 23, 2013 City Council Meeting

5.25. COMMUNICATION: Elisabeth Mickenberg, Chair, Board for the Registration of Voters to The Honorable James C. Condos, re: 2013 Biennial Checklist Purge

\*waive the reading, accept the communication and place it on file

5.26. COMMUNICATION: Jeffrey Kaufman, M.D. to Amber Thibeault, Burlington Telecom, re: My Resignation from the CAC

\*waive the reading, accept the communication and place it on file

5.27. COMMUNICATION: Michael F. McGarghan, Jr. to Amber Thibeault, Burlington Telecom, re: My Resignation from the CAC

\*waive the reading, accept the communication and place it on file

5.28. COMMUNICATION: JCL, re: Keep F 35 Basing

\*waive the reading, accept the communication and place it on file

5.29. COMMUNICATION: George Gamache, Ward 4 NPA Redistricting Member to Kurt Wright, re: Redistricting Plan

\*waive the reading, accept the communication and place it on file

5.5. (was 5.17.) COMMUNICATION: Mayor Miro Weinberger, re: Pension Summit extension request

Councilors Knodell and Blais made a motion to waive the reading, accept the communication and place it on file.

Councilor Bushor stated that she supports giving more time to this important topic. She was disappointed in the makeup of the committee. She understands that the Councilors who brought the resolution forward would be part of the committee, but she was looking for more diversity. She suggested including a Republican or Progressive in the makeup. This is an issue that anyone who ran for Council noted as an important topic. The Council and the City need to work on this issue collectively.

The motion passed unanimously.

6. COMMITTEE REPORTS (5 mins.)

Councilor Siegel stated that the Charter Change Committee will be meeting. They will be bringing a series of resolutions related to gun safety and regulation to the full Council. She will make an effort to ensure that people from the hunting community know about this meeting and that they are welcome to come.

City Council President Shannon stated that it is helpful if Councilors communicate items that they would like to remove from the consent agenda to her. People ask her why things have been moved and it is helpful to have that information. In the upcoming meetings, they will be addressing complex and controversial issues. She encouraged Councilors to submit amendments to the Clerk's Office in advance.

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

Councilor Knodell stated that they had teams out in the Old and New North Ends to conduct the Neighborhood Safety Survey. Residents appreciate the opportunity to share insights about how they feel in their neighborhoods, how safe they feel, and concerns they have. They want to get this out City-wide to get good representation across the City. They hope to complete this work by the end of October.

Councilor Bushor stated that Ward 1 is having an NPA meeting at Fletcher Allen Healthcare. They will be discussing Redistricting. They will also discuss Accessibility.

Councilor Aubin stated that there will be a dance troupe of women from Nicaragua at Rock Point School. They will be doing traditional dance and it is a lot of fun.

Councilor Hartnett stated that BHS Homecoming is on Friday. It is a lot of fun and it would be great to have City Councilors in the crowd.

Councilor Decelles stated that they have talked to many residents in South Burlington and Winooski to understand their feelings around the F-35. He suggested that they do the same with the gun issue. He has stopped by some local gun shops to talk to them. It is nice that local businesses step up when there is a tragedy in the community. The owners of Waggy's are donating \$1 per deli purchase to the family of the victim of the Blodgett Street incident.

Councilor Siegel stated that the Ward 2/3 NPA will be meeting. She stated that there also is a fund to support the family of Colleen Bray.

City Council President Shannon stated that a number of Councilors have gone to the South Burlington neighborhoods to meet with neighbors. It was lovely and the neighbors were engaged in the conversation. They have many issues around the Airport, including the lack of communication from the Airport and the Guard. They have the ability to move some of those issues forward and to have a process in place going forward. When they started buying the homes in that area, it was viewed as a voluntary program. They did not take into account that those who were left in the neighborhood did not want to be in an area with vacant homes. They can do more to improve that relationship and the neighborhood.

8. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)

Mayor Weinberger stated that he also visited neighbors in South Burlington and believes it is time to resolve issues that surround the home buyout program. There has been progress, but more needs to be done.

He noted that the Pension Summit committee is focusing only on drafting an educational summit. They have sent drafts of the programs to Union Representatives. It will return to the full Council for further input.

There was a showing of Hungry Heart at the Flynn. It touched on the growing prescription pill problem in Vermont. He has worked in the field that deals with addiction issues, but he learned an enormous amount watching that film. Those in the film are touring with it and it will be showing at a number of locations in the next few weeks. Their intent is to start a conversation about addiction issues in Vermont.

There was a successful Path to Parks Bike Ride this past Saturday. It was well attended and an exciting event. He got a sense that the efforts going on throughout the City are building on each other. They will have an exciting future on these efforts. One great way to follow these issues is to go to [BTVbikepath.com](http://BTVbikepath.com).

There was an item on the consent agenda which created a City Investment Policy. He thanked the CAO's Office for their work on this. It will allow them to earn a return on cash balances when they have them. They are more liquid as a result of the Fiscal Stability Bond, which will allow them to invest funds.

The City has signed a contract with a company called Socrata. This will create an open data portal to allow them to upload documents to the web of important City data. The hope is that it will increase transparency and give everyone a better view of what is going on. It also creates the possibility for new applications to be created, which would allow people outside of City government to contribute to solving municipal problems.

The National Plug In Day was observed in front of City Hall. There was a strong showing of suppliers of electrical vehicles. There was also an announcement from the State about new grant and low interest loan programs which will allow municipalities to upgrade their electrical charging infrastructure. The City of Burlington is pursuing these opportunities and exploring upgrading 4-6 Level 1 charging stations to Level 2 charging stations. They are also considering installing one or more Level 3 stations. With each step up the ladder, there is an increased charging speed. This is consistent with the Climate Action Plan and the Smarter Cities Report.

There was a Home Energy Challenge Team event. Over 100 people visited 8 homes to learn about different energy efficiency options. There will be an ongoing team of volunteers working to expand awareness of opportunities and have more homes go through energy audits.

They will be having a multi-generational anti-racism event at ECHO. The program is being finalized and it will be an important interactive evening.

Tech Jam is coming up and he encouraged people to attend. He will be involved in the opening event and will be discussing ways to make the City more tech-friendly. They are interested in the Maker's Movement that has been discussed in recent months.

City Council President Shannon recessed the meeting at 8:43 p.m. and convened the Full Board of Abatement of Taxes.

City Council President Shannon reconvened the meeting at 9:17 p.m.

9. COMMUNICATION: Eileen Blackwood, City Attorney, re: Update on Insurance Issues

City Attorney Blackwood stated that the Council had resolutions pertaining to the F-35s on the agenda. They had been expecting a legal opinion from her office before deciding on that issue. In preparing their

opinion, they discovered that the City has a general liability policy related to the Airport, but it does not have a policy that would cover the City Council for certain matters that are not covered by general liability insurance. They do have a public officials' liability policy for the rest of the City, but it does not cover the Airport and BED. BED has its own coverage for that, but the Airport does not. To ensure that taxpayers are protected from risk, it made sense to put off that issue until they are able to obtain coverage. The City is working to obtain it now.

Councilor Knodell inquired if the purchasing of insurance fits into the category of putting the City at substantial disadvantage. City Attorney Blackwood stated it is not the purchasing of insurance, but the consequences surrounding it, especially since litigation has been threatened.

On a motion by Councilors Mason and Blais, the Council voted unanimously to go into executive session at 9:21 p.m., as premature disclosure would put the City at a substantial disadvantage and because of the consequences of potential litigation.

Present were: see above; ACAO Schrader and Mike Kanarick, Mayor's Office

On a motion by Councilors Decelles and Bushor, the Council voted unanimously to go out of executive session at 9:42 p.m.

#### 10. ADJOURNMENT

On a motion by Councilors Decelles and Bushor the Regular City Council Meeting unanimously adjourned at 9:42 p.m.

Attest:

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

#### BOARD OF ABATEMENT OF TAXES

MONDAY, OCTOBER 7, 2013

8:43 P.M.

PRESENT: see above

#### CITY COUNCIL PRESIDENT SHANNON PRESIDING:

#### 1. AGENDA

On a motion by Councilors Bushor and Hartnett the agenda was unanimously adopted as amended as follows: remove from the consent agenda item 2.06. BOARD OF ABATEMENT OF TAXES: Michael F. McGarghan, Jr., 111 Birch Court, 024-4-133-000 and place it on the Deliberative Agenda as agenda item 4.5.

Councilor Mason stated that consent agenda item 2.06. incorrectly noted that he recused himself from discussion of that issue which he did not. He will recuse himself of consent agenda item 2.11. as they are clients of his firm and long-time personal friends.

#### 2. CONSENT AGENDA

Councilor Mason recused himself from voting on consent agenda item 2.11.

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

2.01. COMMUNICATION: Clerk/Treasurer's Office, re: BOTA Publication Notice (7 Days)  
\*waive the reading, accept the communication and place it on file

2.02. REQUEST FOR ABATEMENT OF TAXES: Brenda Gail Bergman  
33 North Cove Road  
024-1-004-000

\*waive the reading and abate all taxes, penalties and interest

2.03. REQUEST FOR ABATEMENT OF TAXES: Christine Bridges  
111 Rivers Edge Drive  
024-1-159-111

\*waive the reading and abate the penalties and interest

2.04. REQUEST FOR ABATEMENT OF TAXES: CIT Technology Financing Services, Inc  
Leased business assets  
PPP018433

\*waive the reading and abate the overpayment of taxes paid from FY2013 and FY2014

2.05. REQUEST FOR ABATEMENT OF TAXES: Samuel Gardner  
37 Intervale Avenue  
044-3-044-000

\*waive the reading and deny the request for abatement of taxes

2.07. REQUEST FOR ABATEMENT OF TAXES: Kirstin Minton  
22 Valade Street  
024-1-078-022

\*waive the reading and abate the penalties and interest; required to pay delinquent taxes

2.08. REQUEST FOR ABATEMENT OF TAXES: Dante and Christine Napolitano  
64 Pleasant Avenue  
027-3-114-000

\*waive the reading and deny the request for abatement of taxes

2.09. REQUEST FOR ABATEMENT OF TAXES: McKenzie House Associates  
43 Elmwood Avenue  
044-4-047-000

\*waive the reading and grant the request for abatement of taxes

2.10. REQUEST FOR ABATEMENT OF TAXES: Aaron Reiter  
15 South Cove Road  
056-2-003-000

\*waive the reading and deny the request for abatement of taxes

2.11. REQUEST FOR ABATEMENT OF TAXES: Clare and Joseph S. Wool  
153 Summit Street  
050-2-052-000

\*waive the reading and deny the request for abatement of taxes

3. REQUEST FOR ABATEMENT OF TAXES: Lee C. Melanson, 23 Avenue B, 029-2-052-009

John Vickery, City Assessor, stated that this person asked for abatement because of a hardship. He demonstrated a hardship and lives in a mobile home in Farrington's Park. His income is very modest. He asked for abatement and was willing to enter a payment plan to pay the principal; they felt that was fair.

Councilor Shannon stated that this was unanimous at the board. She inquired why it was not on the consent agenda. Mr. Vickery stated he believed that Mr. Melanson was going to speak although he is not present.

Councilors Bushor and Hartnett made a motion to waive the penalties and interest because it is manifestly unjust and enter into a payment plan for the principal. The motion passed unanimously.

4. REQUEST FOR ABATEMENT OF TAXES: Jennifer Muncil, 19 Hoover Street, 054-2-062-000

Mr. Vickery stated that the subcommittee meets to determine if taxes are illegal, manifestly unjust, or uncollectable. In this case, they understood that there was a hardship in the past, but the committee felt that this person had some resources- a job, a house, a tenant/roommate, and some assets. Because of this, they decided unanimously to deny the abatement.

Jennifer Muncil stated that the subcommittee denied her request for abatement and wanted to address these items in detail. She has lived in her home for 22 years. She took care of her mother when she was diagnosed with dementia and walked away from her job to do so. She could not find a full time job and is currently working part time with no possibility of full time work. She has four employers. She cleans houses, does supermarket demos and is a caregiver. She has been to two financial institutions. She has \$35,100 left on her mortgage. They cannot work with her to refinance so that she can pay the City because her income is from self-employment. Lending rules do not allow her to touch the equity in her home unless she is working full time for one employer. She has no control over the situation. She is on the title of two vehicles, which the committee considered assets. One vehicle is her mother's. She is on the title because the asset passes to her as her power of attorney. She cannot sell the vehicle. She also co-owns a vehicle with her roommate. The roommate goes to see her significant other in Maine every other weekend. She uses the vehicle for work during the week. She is not at liberty to sell that vehicle either. She does have rental income of \$600/month. Her mortgage is \$813.81. She also has a lot of credit card debt because she needed it to survive and make home repairs. She would refinance her home if she could.

Councilor Shannon inquired if there has been discussion of a payment plan. Ms. Muncil stated that was not mentioned to her. Councilor Shannon stated that this bothers her because there is normally income sensitivity. She is collecting rent at a reasonable rate and her roommate's income is really not relevant. However, the roommate's income affects her tax rate. She wonders if the City could provide a payment plan that would help address that issue. Mr. Vickery stated payment plans are usually conducted by the Clerk/Treasurer's Office. They can decide if they would like to abate or not abate these taxes. The Clerk/Treasurer's Office would then work out a payment plan. Ms. Muncil stated she did ask for a payment plan from the Clerk/Treasurer's Office.

Councilor Siegel inquired if there was discussion about abating the penalty and interest. Mr. Vickery stated that he does not vote at the subcommittee meetings, but he does provide information and votes at the full meeting. The question is whether this is manifestly unjust. The property owner did not propose a payment plan or whether they would consider waiving a portion of this. She was asking for the full amount. The committee talked about what was presented and felt that her hardship was not enough of a hardship. Ms. Muncil stated she did not ask for payment of a portion because she did not know it was an option. She had tried to work something out with the Clerk/Treasurer's Office and was told that nothing could be offered. She assumed that full tax abatement was the only option. Councilor Siegel inquired if there is a breakdown of tax, penalty, and interest. Mr. Vickery stated the committee just makes a

recommendation to the full board and they can make a different decision. The interest and penalty is \$280 and the rest is principal.

Councilor Hartnett stated that they are a compassionate City. They have always worked out payments plans for people who have asked because people do fall into hardships. They were not brought that option, and would have recommended one. What they were asked for was full abatement, and they did not feel it met that requirement.

Councilor Bushor stated that she agreed with the Committee's findings. Because there was no request for a payment plan, the Committee did not explore that. She would like to make that happen. She would also like to entertain stopping the interest from accruing to allow her to pay it off through a payment plan.

Councilor Mason stated that these are all difficult decisions. People are asked to reveal difficult things. There is significant equity locked in the house. Ms. Muncil is paying some debts but not others. He understands why the interest is being paid but this is a subsidization. They did not explore a payment plan because they were not asked to. He is amenable to considering a payment plan. He believes that entering a payment plan is up to the Administration.

Councilors Decelles and Shannon made a motion to refer this request to the Clerk/Treasurer's Office to work out a payment plan that is amenable to both parties and have a report back to the Tax Abatement Committee.

Councilor Siegel stated that she is still interested in exploring the idea of stopping the interest from accruing. Councilor Hartnett stated that he believes they can work that out as part of the payment plan. Councilor Mason stated that is a part of the payment plan. If a person makes their payments, they are not in default and interest does not continue to accrue. CAO Rusten stated he would like to see what past practice has been and whether there is any Ordinance or State Statute related to this. They would base a payment plan on whatever is referred back to them.

City Council President Shannon stated that the Council has the authority to abate the taxes and stop the interest from accruing.

City Council President Shannon and Councilor Bushor made a motion to amend the motion to prevent interest from accruing as long as a payment plan is agreed to.

Councilor Bushor stated that past practice has been to have that in place as long as payments are made in accordance with the plan. If payments are not made, interest starts accruing again.

Ms. Muncil thanked them and stated that if she had known more about the process, she would have asked for a payment plan.

The motion to amend the motion passed by a vote of 14-1 with Councilor Hartnett voting against.

The motion passed unanimously.

4.5. (was 2.06.) REQUEST FOR ABATEMENT OF TAXES: Michael F. McGarghan, Jr., 111 Birch Court, 024-4-133-000

John Vickery, City Assessor, stated that Mr. McGarghan made a late payment within an hour of City Hall closing. The City used to stay open until 7:00 p.m. but the policy changed. This person was not aware of the change and made his payment late. He was charged \$10.70 and he requested that be abated.

Councilor Bushor stated that she asked for this to be removed from the consent agenda because she did not agree with the recommendation. She came in to pay her taxes right at 4:30 p.m. to make her payment. The Clerk/Treasurer's Office was closed and she thought it was open until 7:00 p.m., as did a few other taxpayers. Someone in the office was nice enough to take her payment. She talked to the CAO about the fact that it was changed. Staff told her that it was changed because there is not much activity later in the day. It has always been open until 7:00 p.m. on the day that taxes are due. She does not think it was well advertised and felt that there should be a drop box for people to put payments in. It was very convenient when it was open later. She does not want to vote to deny this request when she was saved from the same issue by a nice staff person who was about to lock the door. She is concerned about this and thinks it was a nice thing that they used to do and she does not know why it stopped. It should be on the tax bill that they are no longer open until 7:00 p.m.

Councilor Hartnett stated that Burlington does a lot of nice things for people, but they have to be consistent. What is fair for this taxpayer is fair for everyone. There are probably people who did pay the late fee who tried to pay that evening. The Committee voted on this unanimously and he hopes they do not open this door.

Councilor Decelles inquired if the hours are on the tax bill. Mr. Vickery stated the back side of the bill lists the penalties and the dates payments are due. He is not sure if it lists the hours. Councilor Decelles stated that if they open the door for a City Councilor a few minutes after hours, that is not a good message to send to others.

Councilor Decelles and City Council President Shannon made a motion to abate the late fees. Councilor Decelles withdrew his motion.

Councilor Mason stated that this is the fourth payment that has been due since the closing time changed. They were sympathetic the first time, but this individual has made three payments timely.

Councilors Mason and Hartnett made a motion to deny the request for abatement.

Councilor Siegel stated that she will vote against the motion. The idea that he should have known because this was the fourth payment does not hold water for her. He may have been able to put it in the mail for the previous quarters or come earlier in the day. They should not just assume that he knew the time had changed. This was the time he learned that the time had changed.

Councilor Blais inquired what the nature of the advertising has been. He inquired if the times were on the tax bill and how it was made known to the public. Mr. Vickery stated that the City advertised in the Burlington Free Press. He does not think that the time is on the tax bills.

The motion passed by a vote of 12-3 with Councilors Siegel, Bushor and Decelles voting against.

## 5. ADJOURNMENT

Without objection, City Council President Shannon adjourned the Full Board of Abatement of Taxes at 9:17 p.m.

Attest:

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

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DELIBERATIVE AGENDA

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CITY COUNCIL PUBLIC FORUM  
MONDAY, OCTOBER 21, 2013  
CONTOIS AUDITORIUM, CITY HALL  
RE: GUN-RELATED CHARTER CHANGES  
6:00 P.M. – 7:00 P.M.

PRESENT: City Council President Shannon, Councilors Bushor, Knodell, Tracy, Brennan, Siegel, Aubin, Hartnett, Mason, Blais, Paul, and Ayres and Councilor Decelles (arrived at 6:42 p.m.)

ABSENT: Councilor Worden

CITY ATTORNEY'S OFFICE: Eileen Blackwood

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

City Council President Shannon opened the public forum at 6:06 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Eva Edwards-Stoll	Ward 5 Resident/ EMS Student	In Favor of Gun Control
Miriam Stoll	Ward 5 Resident	In Favor of Gun Control
A. C. Zirbriskie	Ward 4 Resident	In Favor of Gun Control
Meg Klepack	Ward 2 Resident	In Favor of Gun Control
Don McDonald	Ward 1 Resident	In Favor of Gun Control
Margy Zabriskie	Ward 4 Resident	In Favor of Gun Control
Mary Sullivan	Ward 5 Resident	In Favor of Gun Control
Erik Bailey	Jericho Resident	Opposed to Gun Control
Jean O'Sullivan	Ward 7 Resident/ State Representative	In Favor of Gun Control
Carolyn Bates	Ward 5 Resident	In Favor of Gun Control
Claude Trahan	Ward 2 Resident	Opposed to Gun Control
Arthur Vento	Ward 6 Resident	Opposed to Gun Control
Anna Niemiec	Ward 4 Resident	In Favor of Domestic Violence Charter Change/Gun Control
Ian Galbraith	Ward 2 Resident	Opposed to Gun Control

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Ron Ruloff	Ward 3 Resident	Character of Councilors Sponsoring Gun Control Charter Changes
Jean Markey-Duncan	Ward 4 Resident	In Favor of Gun Control
Martin Wagner	Ward 1 Resident	Opposed to Gun Control/ In Favor of Education
Jim Robert	Ward 7 Resident	Opposed to Gun Control
Tony Redington	Ward 3 Resident	In Favor of Gun Control
Jude	Ward 3 Resident	In Favor of Gun Control
Morgan Lamphere	Ward 2 Resident	Opposed to Gun Control
Greg Roy	Ward 4 Resident	Gun Control Should Be Addressed at State Level
Bob Duncan	Ward 4 Resident	In Favor of Gun Control
Connie Krosney	Ward 6 Resident	In Favor of Gun Control
Dylan Corrigan	Old North End Resident	Opposed to Gun Control
Bill Sprano	Huntington Resident	Opposed to Gun Control
William Moore	Johnson Resident/ VT Traditions Coalition	Opposed to Gun Control
Chris Bradley	Northfield Resident/VT State Rifle and Pistol Association	Opposed to Gun Control/Open Meeting Laws/Mental Health Issues
Marie Adams	Shelburne Resident	In Favor of Gun Control
Valerie Harriss	Wells Resident	Opposed to Gun Control
Ed Garcia	St. Johnsbury Resident	Opposed to Gun Control
Christian Matthews	Ward 2 Resident	Opposed to Gun Control
Scot Shumski	Ward 4 Resident	Opposed to Gun Control

City Council President Shannon closed the public forum at 7:10 p.m.

Attest:

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

ADJOURNED MEETING, CITY COUNCIL  
MONDAY, OCTOBER 21, 2013  
7:18 P.M.

PRESENT: see above

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

On a motion by Councilors Mason and Bushor the agenda was unanimously amended as follows: note **revised** version for consent agenda item 6.10. RESOLUTION: Delegation of Authority for Budget-Neutral Amendments That Reappropriate Grant Funds and/or Program Fund Balance Within CEDO Entitlement and Assistance Programs (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance; add to the consent agenda item 6.40. COMMUNICATION: Amanda Paulger-Foran, re: Complaint re: Rasputin's with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.41. COMMUNICATION: Mary Gray, re: Burlington City Council, vote NO on any Burlington Gun Control with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.42. COMMUNICATION: Sam Guarnaccia, re: Thank you for voting against the F-35!! with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.43. COMMUNICATION: Peter Schmidtler, Winooski, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.44. COMMUNICATION: Courtney Fleisher, Winooski, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.45. COMMUNICATION: Robyn Biryissin, South Burlington, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.46. COMMUNICATION: Ann Burke, Burlington, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.47. COMMUNICATION: Emily Merrill, Burlington, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.48. COMMUNICATION: Lily Chau, Burlington, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.49. COMMUNICATION: SaveOurSkiesvt.org, re: StopTheF35.com with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.50. COMMUNICATION: Bruce Hatrail, South Burlington, re: Vote for the resolution to stop the F-35 basing with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.51. COMMUNICATION: Bruce Plumley, Burlington, VT, re: City Council measure on gun 'control' with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.52. COMMUNICATION: Rich Goodwin, ACAO, re: Draft of the opinion letter for the Standby Letter of Credit (SLOC) for the Workers' comp program with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 6.53. COMMUNICATION: Randall Bishop, re: VT Sportsman's Bill of Rights & Gun Control with the consent action to "waive the reading, accept the communication and place it on file;" note **revised** version for agenda item 10. ORDINANCE: OFFENSES AND MISCELLANEOUS PROVISIONS—ARTICLE VI - Livable Wages (Councilors Mason, Bushor, Paul: Ordinance Committee) (2<sup>nd</sup> reading); note **proposed** amendments for agenda item 11. RESOLUTION: Charter Changes Concerning Police Seizure of Firearms During Domestic Abuse Incident (Councilors Siegel, Ayres, Blais); note **proposed** amendment for agenda item 12. RESOLUTION: Charter Changes Concerning Safe Storage of Firearms (Councilors Siegel, Ayres, Blais); note **proposed** amendment for agenda item 13. RESOLUTION: Charter Changes Concerning Ban on Firearms in any Establishment with a Liquor License (Councilors

Siegel, Ayres, Blais); note **proposed** amendment for agenda item 14. RESOLUTION: Charter Changes Concerning Concealed Firearm Permits (Councilors Siegel, Blais); remove from the consent agenda item 6.28. COMMUNICATION: Mayor Miro Weinberger, re: Pension Summit Draft Proposal and place it on the Deliberative Agenda as agenda item 14.1; note it is a revised version; remove from the consent agenda item 6.30. COMMUNICATION: Mayor Miro Weinberger, re: Proposed Maker Space in Memorial Auditorium and place it on the Deliberative Agenda as agenda item 14.2.

2. REPORT: Kirstin Daigle, Chair, re: Housing Board of Review

Kirstin Daigle, Housing Board of Review Chair, stated that each member has met with the City Attorney's Office. The Board now has a better understanding of quasi-judicial boards and has been taking a very literal interpretation of the City Ordinances. They learned that some of their decisions had been overturned. Burlington's Ordinance requires that landlords are required to notify tenants of security deposits being withheld by hand delivery or certified mail. They had allowed variances based on the Vermont Statute, which requires notification within 14 days. They recommend a change for the ordinance to allow for more updated forms of communications, such as email or text message. The Housing Board term is currently 5 years, but they would recommend 3 year terms. They will be putting forward recommended changes to the Ordinance Committee. They have heard from landlords who have been upset not to have their side of the story heard when facts have shown that there was significant damage to their property. They have had to award tenants their security deposits based on technicalities in the ordinance. They are functioning much better now that they have had a clarification about their rules and responsibilities.

Councilors Ayres and Mason made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

3. REPORT: Nancy Kaplan, Chair and Chris Pearson, Vice-chair, Parks and Recreation Commission, re: Annual Report

Nancy Kaplan, Parks and Recreation Commission Chair, stated that they are a week past Jesse Bridges one year anniversary as the Parks and Recreation Director. This has been a strong year and they have done a lot. They included a chart of everything Penny for Parks has paid for in the last year. Staff morale is strong and they have embarked on a Parks Master Plan. Things are coming together.

Councilor Bushor stated that this was an informative report, which shows that people are documenting the things that are being done. She inquired about teen efforts in recreation programs. She also inquired about the storage of the trolleys for the Historic Trolley Tours at the Waterfront. With parking at a premium, that raised a red flag. Jesse Bridges, Parks and Recreation Director, stated that Parks and Recreation has historically focused on youth programming such as after school and summer camp programs. Teen outreach has been limited, but they just hired a new site coordinator at Memorial Auditorium to work with 242 Main. It has been tough to get teens to come out. For athletics, they have historically offered youth sports and then allowed older students to participate in school sports. There is a deficiency, but they do offer 242 as an opportunity for students who are not participating in school activities. Councilor Bushor stated 242 was created as an opportunity for students who did not participate in clubs and sports and often fell through the cracks. This was a way to engage them to help them make more positive choices in their lives. She looks forward to seeing what the new coordinator does. Mr. Bridges stated they are looking to delve more into technology to engage kids. He also stated that the trolleys are paying to park. Councilor Bushor inquired how much space they take up. Mr. Bridges stated that they take about two parking spots by Perkins Pier where there is plenty of room.

Councilors Ayres and Mason made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

4. REPORT: Yves Bradley, Chair, Burlington Planning Commission, re: Annual Report of the Burlington Planning Commission, Fiscal Year 2013 (July 1, 2012 – June 30, 2013)

Bruce Baker, Planning Commission Vice-Chair, stated that he has submitted his report and will answer any questions.

Councilors Ayres and Mason made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

5. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:36 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Sandy Wynne	Ward 1 Resident	Fair Trade
Kyle Silliman-Smith	Ward 3 Resident/ Peace and Justice Center	Livable Wage
Tom Papp	Ward 4 Resident/ Strathmore Homeowners Assoc.	Against South Forty Solar Project
Kelli Brooks	Ward 4 Resident	Against South Forty Solar Project
Alan Matson	School Board/Ward 6 Resident	School Real Estate Transactions
Eric Bradford	Ward 4 Resident	Against South Forty Solar Project
George Webb	Ward 4 Resident	Against South Forty Solar Project
Marcia Hemley	Ward 4 Resident	In Favor of Screening of Solar Project
Seth Bowden	Ward 3 Resident	In Favor of F-35 Basing
Scott Baldwin	Ward 1 Resident	In Favor of F-35 Basing
Cecile Reuge	Ward 2 Resident	Livable Wage
Corey Mallon	Ward 7 Resident	School Real Estate Transactions
Chelsea Clark	Ward 7 Resident	In Favor of F-35 Basing
Jeff Schulman	Ward 5 Resident	In Favor of F-35 Basing
Luke Ahmann	Ward 7 Resident	In Favor of F-35 Basing
Rich Price	Ward 1 Resident	In Favor of F-35 Basing
Dan Feely	Ward 1 Resident	In Favor of F-35 Basing

John Rahill

Ward 5 Resident

In Favor of F-35 Basing

Councilors Brennan and Bushor made a motion to extend the public forum for 30 minutes.

Councilor Decelles inquired how many more speakers there were. City Council President Shannon stated that there were 9 more speakers.

Councilors Brennan and Bushor amended the motion to state they will extend the public forum to hear from the 9 remaining speakers.

Councilor Knodell inquired how many people did not speak on the gun charter changes. City Council President Shannon stated that they will have a half hour of public comment before they take up the gun issues. There are more than 9 speakers who want to speak on gun issues. Councilor Knodell stated that she will vote against the motion to extend the meeting.

Councilor Bushor withdrew her second.

Councilor Decelles seconded the motion to extend the public forum.

The motion to extend the public forum failed by a vote of 10-3 with Councilors Brennan, Decelles and Hartnett voting in favor.

There being no one further coming forward and no objection from the remaining Council, City Council President closed the public forum at 8:18 p.m.

City Council President Shannon re-opened the public forum at 9:30 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Ed Cutler	President of Gun Owners of Vermont	Opposed to Gun Control
Evan Hughes	VP of VT Federation of Sportsmen's Clubs	Opposed to Gun Control
Ryan Sanderson	St. Albans Resident	Opposed to Gun Control/ Mental Health and Drug Issues
Paul DeCausemacker	Colchester Resident	Opposed to Gun Control
Clint Gray	Pres. of VT Federation of Sportsmen's Clubs	Opposed to Gun Control
Jamie Winton	Vermont Resident	Opposed to Gun Control
David Weijtna	Vermont Resident	Opposed to Gun Control

City Council President Shannon closed the public forum at 9:46 p.m.

## 6. CONSENT AGENDA

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

6.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:

Accountability List

\*waive the reading, accept the communication and place it on file

6.02. RESOLUTION: Authorization to Enter into License Agreement re: Robert Campbell Photographs (Councilor Shannon)

\*waive the reading and adopt the resolution

6.03. COMMUNICATION: Eileen M. Blackwood, City Attorney, re: Licensing of Robert James Campbell Photos

\*waive the reading, accept the communication and place it on file

6.04. RESOLUTION: Authorization for Standby Letter of Credit to Cover Certain Worker's Compensation Claims (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

\*waive the reading and adopt the resolution

6.05. RESOLUTION: Reclassification of One Regular Full-Time Marketing Assistant for the Church Street Marketplace (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

\*waive the reading and adopt the resolution

6.06. COMMUNICATION: Ron Redmond, Church Street Marketplace, re: Request to Approve Reclassification of Church Street Marketplace's Marketing Assistant Position from Grade 14 to Grade 16, funded by reducing contractual services budget in public relations

\*waive the reading, accept the communication and place it on file

6.07. COMMUNICATION: Julie Hulburd, HR Generalist and Susan Leonard, Director of Human Resources, re: Reclassification of the Church Street Marketplace Marketing Assistant

\*waive the reading, accept the communication and place it on file

6.08. RESOLUTION: Construction Contract for the Waterfront Access North Phase 1 (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance) **(pending BOF approval on 10/21/13)**

\*waive the reading and adopt the resolution

6.09. COMMUNICATION: Erin Demers, Project Manager, DPW, re: Waterfront Access North – Outfall & Coal Tunnel Modification Apparent Low Bid Results for Construction

\*waive the reading, accept the communication and place it on file

6.10. RESOLUTION: Delegation of Authority for Budget-Neutral Amendments That Re-Appropriate Grant Funds and/or Program Fund Balance Within CEDO Entitlement and Assistance Programs (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

\*waive the reading and adopt the resolution

6.11. RESOLUTION: Removal of Parking Requirements for Cafes in the Shared Use Parking Districts (Councilors Shannon, Mason)

\*waive the reading and adopt the resolution

- 6.12. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Removal of Café Parking Requirements in Shared Use Districts ZA 14-06 (Councilors Shannon, Mason)(1<sup>st</sup> reading)  
\*consider this 1<sup>st</sup> reading and refer to the Ordinance Committee
- 6.13. COMMUNICATION: Steve Goodkind, re: CSWD Resignation  
\*waive the reading, accept the communication, place it on file and send a letter of appreciation to Steve Goodkind thanking him for his years of service as the CSWD Representative for the City of Burlington
- 6.14. COMMUNICATION: S. Chapin Spencer's CSWD application, term expires 5/31/14  
\*waive the reading, accept the communication, place it on file and appoint S. Chapin Spencer as the CSWD Representative for the City of Burlington
- 6.15. COMMUNICATION: William E. Johnson, Director, Property Valuation and Review Division to DK Burlington Town Center, c/o General Growth Properties, P. Michael Majury, Property Tax Manager, re: DK Burlington Town Center v. City of Burlington (PVR #2012-140)  
\*waive the reading, accept the communication and place it on file
- 6.16. COMMUNICATION: Laura Standard, 22 Wilson Street, Burlington, re: F-35 Opposition  
\*waive the reading, accept the communication and place it on file
- 6.17. COMMUNICATION: Wendy Rice, 101 Hildred Drive, Burlington, re: F-35 Opposition  
\*waive the reading, accept the communication and place it on file
- 6.18. COMMUNICATION: Ron Manganiello, 78 Central Avenue, South Burlington, re: F-35 Opposition  
\*waive the reading, accept the communication and place it on file
- 6.19. COMMUNICATION: Kurt Peters, 197 Starr Farm Road, Burlington, re: F-35 Opposition  
\*waive the reading, accept the communication and place it on file
- 6.20. COMMUNICATION: Kate McInnis, 197 Starr Farm Road, Burlington, re: F-35 Opposition  
\*waive the reading, accept the communication and place it on file
- 6.21. COMMUNICATION: Louis Siegel, 267 Pearl St B-2, Burlington, re: F-35 Opposition  
\*waive the reading, accept the communication and place it on file
- 6.22. COMMUNICATION: Martha R. Lang, Ph.D., 138 Colchester Avenue, re: St. Joseph's School (10/7/13 cc handout public forum)  
\*waive the reading, accept the communication and place it on file
- 6.23. COMMUNICATION: National Priorities Project, re: F-35 and Burlington, VT: What's the total cost?  
\*waive the reading, accept the communication and place it on file
- 6.24. COMMUNICATION: Jeffrey Haslett, re: F-35=Lockheed Martin not National Guard or We the People  
\*waive the reading, accept the communication and place it on file
- 6.25. COMMUNICATION: Sr. Joanne LaFreniere, RSM and others, 100 Mansfield Avenue, re: Five Articles re: Gun Laws

\*waive the reading, accept the communication and place it on file

6.26. COMMUNICATION: Laura Babcock, Board of Electric Commissioners, Burlington Electric Department, re: Electric Commission Attendance Record

\*waive the reading, accept the communication and place it on file

6.27. COMMUNICATION: Kevin Dorn, Interim City Manager, South Burlington, re: Status of a Municipal Planning Grant application

\*waive the reading, accept the communication and place it on file

6.28. COMMUNICATION: Mayor Miro Weinberger, re: Pension Summit Draft Proposal

\*waive the reading, accept the communication and place it on file

6.29. COMMUNICATION: Nathan Wildfire, CEDO, re: Public Investment Action Plan (PIAP) Check-in

\*waive the reading, accept the communication and place it on file

6.30. COMMUNICATION: Mayor Miro Weinberger, re: Proposed Maker Space in Memorial Auditorium

\*waive the reading, accept the communication and place it on file

6.31. COMMUNICATION: Michael Metz, on behalf of The Generator Team, re: Maker Space: Annex of Memorial Auditorium

\*waive the reading, accept the communication and place it on file

6.32. COMMUNICATION: Peter Owens, CEDO and Jesse Bridges, Parks and Recreation to the Burlington Planning Commission, re: Zoning amendment request

\*waive the reading, accept the communication and place it on file

6.33. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes for September 3, 2013

\*waive the reading, accept the communication and place it on file

6.34. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes for September 11, 2013

\*waive the reading, accept the communication and place it on file

6.35. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes for September 16, 2013

\*waive the reading, accept the communication and place it on file

6.36. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes for September 30, 2013

\*waive the reading, accept the communication and place it on file

6.37. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

El Gato Cantina, 169 Church Street, Friday, November 1, 2013, 11 p.m. – 1 a.m., Dancing, Amplified music, “Day of the Dead” Salsa Night

\*waive the reading, accept the communication, place it on file and approve the one day special event indoor entertainment permit application for El Gato Cantina for Friday, November 1, 2013

6.38. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (November only):

Pacific Rim, 161 Church Street, Dancing, Amplified music, 10 p.m. – 2 a.m., 11/1, 11/2, 11/6, 11/7, 11/8, 11/9, 11/13, 11/14, 11/15, 11/16, 11/20, 11/21, 11/22, 11/23, 11/27, 11/28, 11/29 and 11/30

\*waive the reading, accept the communication, place it on file and approve the special event indoor entertainment permit application for Pacific Rim for the above-mentioned dates only

6.39. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

Skinny Pancake, 60 Lake Street, Suite 1A, October 31, 2013, 8 p.m. – 2 a.m., Halloween Show, Dancing, Amplified music

\*waive the reading, accept the communication, place it on file and approve the one day only special event indoor entertainment permit application for Skinny Pancake

6.40. COMMUNICATION: Amanda Paulger-Foran, re: Complaint re: Rasputin's

\*waive the reading, accept the communication and place it on file

6.41. COMMUNICATION: Mary Gray, re: Burlington City Council, vote NO on any Burlington Gun Control

\*waive the reading, accept the communication and place it on file

6.42. COMMUNICATION: Sam Guarnaccia, re: Thank you for voting against the F-35!!

\*waive the reading, accept the communication and place it on file

6.43. COMMUNICATION: Peter Schmittler, Winooski, re: Vote for the resolution to stop the F-35 Basing

\*waive the reading, accept the communication and place it on file

6.44. COMMUNICATION: Courtney Fleisher, Winooski, re: Vote for the resolution to stop the F-35 Basing

\*waive the reading, accept the communication and place it on file

6.45. COMMUNICATION: Robyn Biryissin, South Burlington, re: Vote for the resolution to stop the F-35 basing

\*waive the reading, accept the communication and place it on file

6.46. COMMUNICATION: Ann Burke, Burlington, re: Vote for the resolution to stop the F-35 basing

\*waive the reading, accept the communication and place it on file

6.47. COMMUNICATION: Emily Merrill, Burlington, re: Vote for the resolution to stop the F-35 Basing

\*waive the reading, accept the communication and place it on file

6.48. COMMUNICATION: Lily Chau, Burlington, re: Vote for the resolution to stop the F-35 basing

\*waive the reading, accept the communication and place it on file

6.49. COMMUNICATION: SaveOurSkiesvt.org, re: StopTheF35.com

\*waive the reading, accept the communication and place it on file

6.50. COMMUNICATION: Bruce Hatrail, South Burlington, re: Vote for the resolution to stop the F-35 basing

\*waive the reading, accept the communication and place it on file

6.51. COMMUNICATION: Bruce Plumley, Burlington, VT, re: City Council measure on gun 'control'

\*waive the reading, accept the communication and place it on file

6.52. COMMUNICATION: Rich Goodwin, ACAO, re: Draft of the opinion letter for the Standby Letter of Credit (SLOC) for the Workers' comp program

\*waive the reading, accept the communication and place it on file

6.53. COMMUNICATION: Randall Bishop, re: VT Sportsman's Bill of Rights & Gun Control

\*waive the reading, accept the communication and place it on file

7. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/ Boards

Councilors Knodell and Siegel made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

7.01. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/15)

Councilor Knodell nominated James Lockridge to the Church Street Marketplace Commission.

Councilor Knodell stated that James Lockridge is a Ward 5 Resident who founded Big Heavy World. He works closely with young people and the artist community. There are two very strong candidates, but she believes Mr. Lockridge would be a good choice.

Councilor Ayres nominated Jed Davis to the Church Street Marketplace Commission.

Councilor Ayres stated that Jed Davis is the president of the Farmhouse Group which operates a number of restaurants in the proximity of the Marketplace. He would bring a significant downtown business perspective to the Marketplace Commission.

James Lockridge received 5 votes from Councilors Bushor, Knodell, Tracy, Brennan and Siegel.

Jed Davis received 8 votes from City Council President Shannon, Councilors, Aubin, Hartnett, Mason, Blais, Paul, Ayres and Decelles.

Jed Davis was appointed to the Church Street Marketplace Commission.

7.02. APPOINTMENT Fence Viewer (Term expires 6/30/14)

Councilor Bushor nominated Ralph Montefusco. Ralph Montefusco was unanimously appointed as a Fence Viewer.

7.03. APPOINTMENT: Public Works Commission (Term expires 6/30/15)

City Council President Shannon stated that agenda item 7.03. should be on an agenda of City Council with Mayor Presiding.

City Council President Shannon recessed the City Council Meeting at 8:25 p.m.

Mayor Weinberger convened the City Council with Mayor Presiding meeting at 8:25 p.m.

Dan Bradley stated that he has applied for the seat on the Public Works Commission. He retired 3 years ago from the Department of Public Works after working there for 20 years. He worked in every neighborhood of the City, staffed the Transportation, Energy and Utilities Committee and chaired the CCMPO Technical Advisory Committee. He also managed construction projects and planning initiatives. He hopes to continue to work with the City and feels his experience would bring value.

Councilor Tracy nominated Dan Bradley.

Councilor Mason nominated Jeff Padgett.

City Council President Shannon stated that she would happily cast two votes tonight because both candidates were very qualified.

Councilor Paul agreed with City Council President Shannon's comments. She was the chair of TEUC when Dan Bradley was the staff person and he did a phenomenal job. She will support Jeff Padgett, but she hopes that Dan will reapply when there is another opening.

Councilor Mason stated that he nominated Jeff Padgett who is a Ward 5 resident and an engineer with 6 years prior experience with Public Works. He is voting for him based on his experience as an engineer. That is an area of expertise that will lend itself to the issues they are facing at DPW.

Councilor Bushor stated that she supports appointees who do not necessarily have expertise to run the department because they are residents bringing forth issues that department looks at. They provide advice on how to set priorities. This is a hard choice for her and she has a long history of working with DPW. She has worked with both candidates and feels that both would be good choices.

Councilor Tracy stated that he served on the Public Works Commission and feels they could benefit from the knowledge of both applicants. Given the challenges that the Public Works Department faces and because of the transition they are undergoing, he felt that it would be valuable to have the voice of someone with experience in that area. He has worked with the members of that department and is intimately familiar with the inter-workings of the broad prevue of that department would be beneficial to the commission.

Dan Bradley received 6 votes from Councilors Siegel, Brennan, Tracy, Knodell, Bushor and Decelles.

Jeff Padgett received 8 votes from Mayor Weinberger, Councilors Shannon, Mason, Ayres, Blais, Paul, Aubin and Hartnett.

Without objection, Mayor Weinberger adjourned the City Council with Mayor Presiding Meeting at 8:31p.m.

City Council President Shannon reconvened the City Council meeting at 8:31p.m.

8. RESOLUTION: Approval of Purchase Power Agreement Between South Forty Solar, LLC and Burlington Electric Department (Councilors Bushor, Aubin – Board of Finance)

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

Councilor Bushor stated that the Board of Finance did not take action on this item and sent it to the Council to hear from the public. It does not go through the normal regulatory process. She is not an expert

in the Public Service Board but knows that they do due diligence. They will often investigate neighbors' concerns. She does not want to discount their role in the review process. Many are aware of the scenarios that have come forward in the past that were not supported by the neighbors. She has heard that they may support this, but do not have enough details to ask the questions they need answered. She has heard they would like to have a concrete plan come forward before they say yes or no. The Council could then decide what to do. They are considering the contract with BED which would allow them to purchase the power and not whether the project itself should move forward, but the two are married together.

City Council President Shannon stated that public forum comments requested more information on stormwater, the screening issue and the process with the Public Service Board. She requested an explanation of those issues. Ken Nolan, BED, stated that the Electric Commission had similar concerns when approving this agreement. They reviewed the agreement on an economic basis from a ratepayer perspective. They agreed that this project would be in BED's interest based on the pricing and terms of the contract. When approving the contract, they instructed BED to remain neutral on land use aspects. The Board of Finance asked them to notify the public, which they have done. The land use component will take a separate track. The Power Purchase Agreement is the trigger that sends this to the State level for review.

Brian Dunkiel, Esq., Dunkiel, Saunders, Elliott, Raubvogel & Hand, stated that they are at the beginning of the lifecycle of a solar project. The Power Purchase Agreement represents the ability for the developer to sell its electricity. Without this, there is no project and it does not make economic sense for a developer to invest in detailed, engineering designs about visual aspects, wetlands, and stormwater. Those studies cost tens of thousands of dollars. The developer has prepared a conceptual plan, which is referenced in the Power Purchase Agreement, but it is subject to change. As they begin to do their studies, they will make changes as needed. After the Power Purchase Agreement is approved, the studies will be conducted and there will be a 45 day notice letter. That is sent to the City, Regional Planning Commission, City Planning Commission, the Conservation Board and the neighbors. This leaves the project open for public comment. The developer has agreed to meet with the Conservation Board and address their concerns directly. These projects cannot afford expensive litigation, so they will make reasonable accommodations. Someone raised concerns about a project of this size in a neighborhood, but South Burlington is hosting two similarly sized projects in even more dense neighborhoods. One of these projects did make modifications to help the City and neighborhood support it. After the 45 day letter is filed, comments are assessed. At that point, they can file a Certificate of Public Good Petition with the Public Service Board to begin the process. The Public Service Board approves all of the environmental Act 250 criteria and others. These projects need to comply with all State environmental rules. If they require a Stormwater or Wetlands Permit, they still need to go through the process to get those permits.

Councilor Hartnett stated that he has spoken with both sides. Residents believed that after this was approved, it would go to the Public Service Board. He spoke with the developer and was assured that he will work with the neighbors to make sure this project is good. He has heard that the residents are not looking to kill the project. There are some who want nothing there, but many have said they can embrace this project if it is done right. He hopes the 45 day comment period will allow input and neighbors' concerns to be heard. He will support the agreement.

Councilor Brennan stated that he understands the residents' concerns, but the City has made a lot of efforts with the Climate Action Plan. This is a positive move. The world is in dire straits and they need to make small moves in this nature. His support is for renewables.

Councilors Bushor and Knodell made a motion to amend the resolution to read that the applicant has committed to meet with the Conservation Board and address the stormwater runoff and wetland buffer zones in compliance with applicable State rules prior to submitting their petition for a Certificate of Public Good.

Councilor Bushor stated she wanted to capture the commitment to meet with the Conservation Board to discuss the environmental issues.

The Council took a 5 minute recess.

Frank Von Turkovich, South Forty Solar LLC, stated that he was satisfied with the proposed language.

The motion to amend the resolution passed unanimously.

Mr. Von Turkovich stated that they have had a lot of communication with the neighbors. They have all been open to talking to him and he has committed to continue talking to them throughout the process. Sunset Cliff Road runs through the parcel that would be developed, and they have specifically agreed that they would address their issues concerning screening and landscaping.

The motion to adopt the resolution as amended passed unanimously.

- 8.01. COMMUNICATION: Ken Nolan, Manager of Power Resources, Burlington Electric Department, re: South Forty Solar LLC Purchase Power Agreement

Councilors Bushor and Tracy made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

9. RESOLUTION: Acquisition of 150 Shelburne Street in the Event a Bid Not Equal to the Delinquent Tax and Costs is Made at Tax Sale (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

Councilors Knodell and Bushor made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

10. ORDINANCE: OFFENSES AND MISCELLANEOUS PROVISIONS—ARTICLE VI – Livable Wages (Councilors Mason, Bushor, Paul: Ordinance Committee)(2<sup>nd</sup> reading)

Councilors Mason and Paul made a motion to waive the second reading and adopt the ordinance.

Councilor Mason stated that they have made amendments to the Livable Wage Ordinance as a result of their last Livable Wage hearing. The first amendment relates to the definition of an employee. It makes clear that a person completing a mandated clerkship as part of their requirement for admission to the bar is not an employee subject to a livable wage. This clarification is consistent with the other carve outs in the definition of employee. The second change was to change the effective date, which will be January 1, 2014. There were some statements admonishing the Ordinance Committee for having a lack of data. They cannot force the airlines to provide that data. They passed that request on to the Administration. The Airport Administration stated that the airlines told them they would have to move that up the chain and the information would probably not be forthcoming. There are four airlines. U.S. Air is unionized and therefore exempt under the current ordinance. They got anecdotal information that Delta and United subcontract their operations. They believe that there are 33 affected Delta employees. They are not currently being paid the livable wage, and a recent posting for a baggage handler was listed a \$9/hour. They did not receive information about United Airlines, but received information that baggage handlers are paid \$9/hour. The amendments that were consistent with what they put forward as a whole. He is optimistic that this will be enforced by the Administration. This is a big improvement over what was on the books before that was not enforced. He hopes the Council will support this.

Mayor Weinberger stated that after a year of hard work, the Council has an ordinance that represents a balanced and responsible effort to address deep flaws in the existing Livable Wage Ordinance, while also being mindful of the City's economic interests and budget constraints. This will be a hard commitment for many workers covered by the ordinance. It is also a commitment to the people of Burlington that they will not gamble with the future of the Airport. The main change at the Airport is to remove an unusual provision of the Burlington ordinance that applies local wage regulations to Airport leaseholders. Very few livable wage requirements across the country apply the requirement to leaseholders. They have heard that they lack sufficient data to act. He disagrees because it is clear that the current ordinance is negatively impacting Airport finances. They have been unable to fill 15,000 square feet of space within the terminal at least in part because of the requirements. The ordinance nearly cost them the Skinny Pancake lease that has dramatically improved food services and airport revenue. Applying the Livable Wage Ordinance to the airlines would risk service losses and have a far greater financial impact. They know that requiring the Airport to pay a livable wage has little precedent. This element was never enforced. They know that enforcement would materially increase costs at the Airport, as the livable wage is not being paid to all airline workers. The airline industry is extremely cost sensitive and deploys planes to the most profitable routes. They have lost routes and seats in the recent past and they cannot afford to take any action that risks this. They have made considerable progress, but their credit rating is at a historical low, they have to work to build cash reserves, and they are just now seeing enplanements increase. They are in no position to gamble with the Airport's finances. The overall impacts will dramatically strengthen the Livable Wage Ordinance. They will finally make good on the ideals that motivated the creation of the ordinance decades ago. He urged the Council to pass the ordinance.

Councilor Bushor stated that she was here when this was adopted and it has now gone through another generation of consideration and modification. In many ways, it is a better ordinance, but in some ways it is diminished in terms of who it encompasses. The Committee did the community a good service because they had debate and compromise. She wanted to incorporate some of what they lost at the Airport, but she failed. There may be ways to accomplish this, but it will take a lot more time to figure out. She was enlightened on broadening the coverage for seasonal employees. She is glad there is something in the ordinance, but feels that it does not go far enough. She reached out to the Administration to see if they would support a phase-in to provide a livable wage after three years rather than four. She based that on the fact that the Director of Parks and Recreation told them that the 5+ year category encompassed 15% of his employees, while the 4+ year employees encompassed 25%, and 3+ years encompassed 50%. She thought that the community could afford that difference. There are a lot of people who piece together employment from season to season. There are people who work for the schools and then work for Parks. They receive a livable wage at one portion of their job but not in another. She does not believe in age discrimination and the idea that young people should be paid a lower wage. Many college students work to put themselves through school. She is disappointed that they have not broadened that, because having reliable people coming back to do the job saves money. She thought it was very telling that many of their programs are successful because of the continuity of having familiar faces from year to year. She will support the ordinance because she feels it is an improvement, but she is disappointed.

Councilor Tracy stated that he believes that they did great work, especially on the compliance measures. He sincerely appreciates their efforts to seek out the information that he requested. He does feel that the information was anecdotal, which is not surprising considering that they are dealing with huge corporations. That does not sit well with him. He understands the notion of precedents, but does not feel they are in a position to gamble with the basic needs of workers on the community.

Councilors Tracy and Brennan made a motion to reinstate the struck language in section 21-81 item a) that would require those leasing Airport property to pay a livable wage.

Councilor Brennan stated that he is in full agreement that the individuals at the Airport have sufficient funds to run airlines. It makes sense that those individuals should be leaders in supporting the livable

wage. The concept behind the livable wage is to make individuals more self-sufficient. If the City is a leader, it will force others to take on that role and increase wages. He respects what the Mayor said about the Airport's need to sustain itself, but he disagrees.

Councilor Knodell stated that the Mayor made a number of strong arguments, but it is hard to see a large group of employees removed from coverage under the Livable Wage Ordinance. There is a view that the Airport is fragile, and she can see that. The work of the Airport Strategic Planning Committee identified a number of strengths of the Airport and they should appreciate that Burlington is a dynamic and attractive community. They have a strength of attracting airlines to Burlington. It is hard not to try to protect those who will have this provision removed.

Councilor Siegel stated that she does not understand this threat of losing roots. If they accept the amendment and apply the Livable Wage Ordinance to the airlines, they can still apply for an exemption. They have formalized that process and they can use it. They now have a compliance check, but it is irrelevant if they are exempting almost everyone who would need the enforcement. They will not need to enforce it within City Departments because it is already being complied with there. She feels terrible that they are giving a blanket exemption to the multimillion dollar corporations who can afford it the most. She does not understand the threat.

Mayor Weinberger stated every department in the City has contracts with outside vendors. Very few were in compliance with the Ordinance when the City Attorney conducted their review. There are hundreds of contracts that will be impacted and workers will benefit from compliance measures that they are putting in place. They have lost routes at the Airport in the recent past. These losses are not abstract and enplanements are down. Anyone who has looked carefully at the Airport finances can see that there is much work to do to repair the damage that has been done. The Airport is at junk bond status and other areas of the City are at the edge. This is not the time to take action that will make that work even harder.

Councilor Mason stated that it is not just the multimillion dollar airlines but the entire Airport. In the City Attorney's report, practically no one was in compliance. They have heard testimony that the airlines were not amenable to discussing the livable wage. Given the precarious situation at the Airport, he is not willing to call their bluff. If they put this provision back in, they will have to return to all of these contracts where they put in a fixed rate for a 20 year period. This goes beyond the airlines. They will soon be renewing hangar space and have received little interest if this provision were to be put back in.

Councilor Bushor stated that this is hard because she wants to support the proposed amendment, but she does not feel that is right either. She does not feel that this is over. They need further study and focus at the Airport and on seasonal employees. They can adopt this and improve upon it. She will not support the amendment because she does not feel it properly deals with the complex issue at the Airport.

The motion to amend the ordinance failed by a vote of 9-4 with Councilors Siegel, Brennan, Knodell, and Tracy voting in favor.

The motion to adopt the ordinance passed unanimously.

11. RESOLUTION: Charter Changes Concerning Police Seizure of Firearms During Domestic Abuse Incident (Councilors Siegel, Ayres, Blais)

Councilors Siegel and Ayres made a motion to waive the reading and adopt the resolution.

Councilor Siegel stated that she has heard that a lot of people feel threatened by these proposed Charter Changes and they have a fear of losing rights. Her goal and intent is not to infringe on rights or persecute anyone. She agrees that these measures are a very small part of what needs to happen to prevent violence

and create safety. They need to address mental health, economic justice, poverty relief measures, addiction prevention and recovery, as well as legislative measures. From where she is sitting, she can address legislative measures but cannot do much about mental health issues. If an officer is called and has probable cause that the victim has been subject to domestic violence, the officer may confiscate any firearm in the control of the alleged abuser. Currently, the police are able to confiscate firearms if there is a relief from abuse order. What they know is that often the person being abused will try to placate the situation. The police may arrive and the woman will say everything is ok and under control. Later, when the police leave, things may escalate. Leaving a weapon there is extremely dangerous. They can take the weapon for 5 days. It is similar to a DUI when there is a temporary sentence coming before a charge. The Police Chief has said he is in favor of this. He does not believe it would be used very often, but when used it would be extremely useful.

Councilor Blais commended Councilor Siegel for her work in addressing these issues. Any suggestion that she conducted proceedings behind closed doors is untrue. There was nothing about the process that should be called into question. People have suggested that this will violate State Statute, but it is in harmony with State Statute. If these resolutions pass, the voters will have to weigh in on whether they approve. If they do approve, they will be sent to the Legislature where the General Assembly will consider if what has been done trumps general legislation. Claims that this is unconstitutional are also wrong. There is not a single constitutional right that is unfettered. They are all subject to reasonable regulation by government entities. He does not think that this is unreasonable regulation. These resolutions will meet constitutional muster. If people are threatening to sue them, he welcomes the opportunity. Communities and states will begin to enact comparable legislation and he believes there will be a wealth of litigation. He is confident that the measures being proposed will be seen as reasonable measures to protect citizens. The reason that there is opposition to this is that there is a fear that other Vermont towns will follow suit. From his perspective, that is a hope. He hopes Burlington takes the lead in passing measures that will make citizens safe. Once it is proven to be legal, he hopes that other communities follow suit.

Deputy Police Chief Bruce Bovat stated that the Police Chief is in support of the safe storage, seizure of firearms during a domestic dispute and the liquor license resolutions. He feels those are three measures that promote public safety and will help further hopes for public safety. He thinks that safe storage is the right move to keep guns out of unintended hands. There are times during domestic assault incidents that people are taken into custody and released shortly after. During that period of time, there may not be a relief from abuse order in effect. The individual could return to the residence where there are still firearms while they are still heated. That is the time where this would come into play. There have been increases in disturbances in bars and places with liquor licenses and they have found out afterwards that some of the individuals had firearms on their person/or themselves. His concern is that they have a closed, dark, crowded, and loud area with people under the influence of alcohol. Adding a firearm into that can create some serious havoc. He does not support the permitting resolution. With their current infrastructure, the Police Department would not have the ability to establish this administrative task.

Councilor Brennan inquired if they have any indications of how much this might be applied. Deputy Chief Bovat stated his understanding is that they would need probable cause that there was a victim of domestic assault. He would not want to foster a guess.

Councilor Bushor stated that they would get called to a site to investigate. She inquired if they would then have to find out if there were firearms in the home. Deputy Chief Bovat stated that there is no cookie cutter domestic abuse situation, so it is hard to give a single answer. It would depend on who called them and the dynamics. Councilor Bushor stated that the language made her think that they would have to have their gun visible. If it were not visible, she does not know how they would know there was a gun in the house. City Attorney Blackwood stated that generally, when a domestic abuse incident occurs they do inquire about the presence of weapons for the safety of everyone there. Dispatch will often ask that

question before officers arrive. They also contemplated that there would be additional training for officers to ensure that they ask and follow up about the weapons. Deputy Chief Bovat stated that the first thing an officer does when responding to an incident is ask them if there are weapons involved. They may just ask if there are weapons in the house and the officer has to determine if they are a threat. Councilor Siegel stated that in conversations with Chief Schirling, he indicated that officers often ask people if they will voluntarily hand over their weapons during the questioning period and they often do. Deputy Chief Bovat stated that was correct. They do not want to leave a situation that is volatile with weapons.

Councilor Brennan stated that he will support the resolution. As City Councilors, this is what they do. They create rules and regulation to protect safety and health. He does not think that they do enough to address domestic violence. This could prevent an unfortunate situation in a heated moment. It seems like a small price to pay for those who are supportive of gun rights if it might save a life.

Councilor Hartnett stated that he will be supporting two of the resolutions. He does not believe that it is fair to always be blaming guns. There are mental health and drug epidemics in this country. They will never be satisfied with the gun issue until they address those issues. Some have stated that these issues are above their pay grade, and he does not disagree. However, this resolution is not. When an officer goes into a situation like this and sees a gun lying on the table or on the floor, they should pick it up and get it out of there. Anyone would want that to happen. They have five days, and they can learn a lot about a person in that time. If there is no harm, the gun is returned. It is common sense. He will also support the liquor license resolution. He hopes they will look at drug issues as another way to address public safety.

Councilor Decelles stated that everyone in this room wants to give the Police Department the best tools to protect them. He does not think that standing on a soapbox here is the best way to do that. Governor Shumlin stated that Vermont law is fine and they need to tackle this on a national level. He feels that is a veto in waiting. He feels these resolutions should be sent to Montpelier as advisory questions. He does not know if they talked to their State Representatives and Lobbyists during this process to see if they will support this issue. He does not know if they can be sued by enacting this. If they were advisory only, there would be no risk of being sued. The conversation would still happen. The threat of litigation concerns him.

Councilor Decelles made a motion to revise the resolution to state they will prepare an advisory question. There was no second to the amendment.

The motion to adopt the resolution passed by a vote of 12-1 with Councilor Decelles voting against.

12. RESOLUTION: Charter Changes Concerning Safe Storage of Firearms (Councilors Siegel, Ayres, Blais)

Councilors Siegel and Ayres made a motion to waive the reading and adopt the resolution.

Councilor Siegel stated that the main motivation for the safe storage to her is to protect youth and teens from accidents and suicide. There was no language specific to the resolution to indicate that.

Councilors Siegel and Ayres made a motion to amend the resolution to add three additional whereas clauses and strike the word interpretation of on line 21 and add ruling on.

Councilor Knodell stated that they had proposed amendments for several items and would like clarification as to whether they are adopting the proposed amendments. City Council President Shannon stated that the agenda noted that they were proposed amendments and will have to be moved to take effect.

City Council President Shannon recessed the meeting.

Councilor Siegel clarified her amendments.

The motion to amend the resolution passed by a vote of 12-1 with Councilor Hartnett voting against.

Councilor Hartnett stated that he will not be supporting this resolution.

Councilor Bushor stated that she got a lot of input from people about the safe storage depository and very little about rendering a firearm incapable of being fired by using a gun locking device. This gives the owner choices. One member of the public recommended that they give gun locking devices out for free. Others said when they buy a gun that device comes with it. If a gun is safely stored and a person feared for their life, there would be a delay in accessing it. She does not know how long it would take to turn off a gun locking device. Deputy Chief Bovat stated it will vary from person to person. It depends on how someone handles stress. Councilor Bushor inquired how long it would take in a non-stressful situation. Deputy Chief Bovat stated if there is a key and a lock it would depend on where they key is. Councilor Siegel stated the Police Department does have locks available for free. The resolution states if it is outside of a person's immediate possession or control it needs to be locked. If it is on a bedside table or being carried on you personally, it does not need to be locked. It also states that in determination of a penalty, the court should take in all relative factors, especially the presence of minors. If the Police came into the house and the gun was unlocked but there were no children present, there could be no penalty. The goal is to keep guns out of kids' hands. Councilor Bushor stated that she is hearing that it could be on her bedside table unlocked. When she was a young mom someone broke into her house and she had two young children. She was terrified and wished she had a gun, though realized she would not know what to do with it. If her young children could access the gun in her bedside table, she would not be keeping them safe. She supports keeping kids safe and guns out of the hands of people who could do themselves harm, but she is not sure if they are achieving that.

Councilors Tracy and Hartnett made a motion to extend the meeting to address the remaining charter change resolutions and accept the communication regarding the pension summit. The motion passed by a vote of 9-4 with Councilors Hartnett, Bushor, Decelles and Knodell voting against.

Councilor Knodell stated that she appreciates the work that the Charter Change Committee did. She is growing increasingly uncomfortable voting on these major policies on the same night that the full Council first heard public testimony on these issues. It would help her if she could get a sense from Committee members about the kind of issues they grappled with and how they arrived at these items.

Councilor Decelles stated he agrees with Councilor Knodell's comments.

Councilors Decelles made a motion to amend the resolution to make this an advisory question. The motion was not seconded.

Councilor Blais stated that Councilor Knodell raised a good point. They had half a dozen issues on this issue and it has been fully vetted, both by those favoring gun rights and those favoring regulation of guns. They had two rounds of voting on these provisions. One included an assault weapons and high capacity ammo clip provision. That was voted down 2-1 by the Charter Change Committee. This matter has been reviewed extensively by the Committee and the public.

City Council President Shannon stated that this issue came forward with the previous Council, although the proposal was very different. They heard a tremendous amount of testimony when the original proposals came forward. This is the result of extensive public input.

Councilor Ayres echoed Councilor Blais' comments and noted they were not in anonymity on the assault weapons issue or on the concealed firearms permit issue. These four issues were considered very deliberatively and they heard from all sides. Part of the process moving forward will be substantive public hearings on each issue. All of these issues will be thoroughly vetted.

Councilor Siegel stated that there was a program through the Harvard School of Public Health called Means Matters which talks about suicide risks. The way that people try to kill themselves has an impact. Many suicide attempts occur with little planning during a short term crisis. Intent was not what determines whether a person lives or dies, the means also matter. 90% of attempters who survive do not go on to die by suicide later. 99% of suicide attempts with a firearm were fatal. Access to firearms was a huge risk factor for suicide. Firearms used in youth suicide often belong to a parent, so reducing access saves lives. In the news today there was a kid who took his parents' handguns and went on a shooting spree at his school. If it had been in a box or with a trigger lock, he presumably would not have gotten it. This measure is especially important to her as a member of the GLBT Community and knowing that the rate of suicide in the queer community is devastatingly high. They need to keep those most vulnerable safe from themselves.

Councilor Ayres stated that they had a discussion about having an unlocked weapon in the bedside table next to you. He would hold that if they were lying in the bed next to the table, it would constitute it being in their possession. If they were to be in the living room watching television and it remained outside of their immediate possession that would be different. He added that there have been significant reports that accidental deaths of children under the age of 15 have been significantly underreported because of the way medical examiners categorize death by firearm. That adds to his feeling that they need to protect children who were playing with their parents' guns and inadvertently kill another child. The statistics that were typically cited significantly underreport the number of those kinds of deaths that occur.

The motion to adopt the resolution passed by a vote of 11-2 with Councilors Hartnett and Decelles voting against.

13. RESOLUTION: Charter Changes Concerning Ban on Firearms in any Establishment with a Liquor License (Councilors Siegel, Ayres, Blais)

Councilors Siegel and Brennan made a motion to waive the reading and adopt the resolution.

Councilor Siegel stated that this sought to ban firearms from bars. The way that liquor licensing goes, it would ban firearms from restaurants with liquor license as well. The current threat has more to do with knives and other lethal weapons. There have been people who flash guns at each other in bars as a threat. They hope the Public Safety Committee and Ordinance Committee will look at banning other lethal weapons from establishments with liquor licenses. Knowing that there have been knife fights in bars and now there are people flashing guns in bars, she would like to nip this in the bud and keep it from escalating.

Councilor Tracy stated that he serves on the License Committee and they see all manners of craziness that happens in downtown bars. On Thursday, Friday and Saturday nights they dedicate 6 or more officers in the downtown area at bar closing. It is a basic common sense thing based on what they have seen and heard in the bars.

Councilor Bushor stated that the resolution talks about the building, real property or parking area under the ownership or control of an establishment licensed to serve alcohol. She understood bars, but does not know if she wants to go beyond that. She inquired what parking area was being referred to since the bars are downtown. She does not understand building or real property.

Councilor Blais stated that it was well settled in the liquor laws that when controlling patrons in an establishment with a liquor license, their responsibility extends to the sidewalk outside, parking lot and things of that nature. All they have done is replicate the responsibility that licensees have to control what is happening in and around their establishment. There are not many first and third class licensed establishments with parking lots in Burlington. It is important for a licensee to control what happens if they happen to own one. They are mirroring the language of the liquor control laws. Councilor Bushor stated that it was logical to extend this to the sidewalk, but she does not know about parking lots. Councilor Blais stated that they limit it to the areas that are under ownership or control of the licensed establishment. City Council President Shannon stated that some areas outside of the downtown have an adjacent parking lot. Councilor Bushor stated that there were times that there is a building owned by the same person who owns a parking lot, but the parking lot may not be in close proximity. It is illogical to her.

Councilor Knodell inquired if the enforcement of this would lie with the Police Department and not the licensees. Deputy Chief Bovat stated that they would respond and look for violations if they were there. He wonders what hours this would apply to. There could be a time in the day that no one is drinking and someone could be in the parking lot with a gun. They could be called and a person who is totally sober and in lawful possession of a firearm would be in violation of this because they were on the property of an establishment with a liquor license. Someone with a legal firearm could also just be passing by an establishment with a liquor license on the sidewalk and would be in violation. Councilor Blais stated it applies to any property that is owned by or controlled by the establishment with the liquor license.

Councilor Mason stated that they could come up with a number of hypotheticals, but it will not come to that. They could put in hours of operation, but not all bars are on the same schedule. The Police Department understands the objective and he believes it will be enforced in accordance with that objective.

Councilor Brennan stated that he will be supporting the resolution. It is not a good thing to mix alcohol with firearms. It is common sense. Those who have watched Western movies will remember that people would check their weapons in order to have a drink. This is a modernization of something that was historically well established.

Councilor Decelles inquired what action the Police Department would use if they were called to an establishment where two individuals having a fight and one or both pulled their firearm. Deputy Chief Bovat stated it will depend on the situation. Their training is to determine if someone's life is at risk and take the appropriate actions. It could result in someone discharging their weapon, but they need to articulate a fear for themselves or others resulting from those firearms. Councilor Decelles stated that the proposed Charter Change states that any violation of this article should be considered a criminal offense. He inquired if it would already be a criminal offense. Deputy Chief Bovat stated that they would separate the people, check for any warrants, warrants or criminal histories, take the weapon, run the weapon and conduct an investigation. It would likely result in a disorderly conduct charge, at minimum. Councilor Decelles stated that the proposed Charter Change states that it shall also be considered a civil violation resulting in a fine and forfeiture of the weapon. He inquired if they would already do this. Deputy Chief Bovat stated that they could keep the weapons as evidence of the crime. They would at least be kept for that night. They would not hand weapons back to someone who was in a heated argument and had pulled a weapon.

Mayor Weinberger thanked the Charter Change Committee for their work and stated the conversation tonight shows how they have grappled with these issues in a way that will have meaningful results to improve safety. He fears that the media will not realize that they have worked hard to create reforms that will meaningfully impact public safety. He is supportive of the resolutions that they have addressed tonight. He particularly supports this resolution. Every time that he has gone out on ride-a-longs with

Police Officers, they have raised this issue. They have seen firearms fall out onto dance floors and have been on the scene in dangerous situations and have felt that this was an area that needed to be addressed. This body has been responsive to the concerns raised about the Sportsmen's Bill of Rights. There is a concern about a patchwork of regulation that would impact responsible gun owners. There has been a change with respect to an assault weapons ban and large magazine ban as a result of those concerns. There has been listening and understanding to the questions that have been raised about the concealed carry permit. He does not believe the other three resolutions raise the same concerns. These measures deal with Burlington Police responding to Burlington homes and bars. They will protect Burlington children in their homes. There may be minor questions of jurisdiction, but they do not present the obstacles that they would face with patchwork regulation in other areas. He does not see these as undermining the rights of responsible sportsmen.

Councilors Siegel and Ayres amended the resolution to strike line 23 and replace it with "court's ruling on the 2<sup>nd</sup> Amendment in 2008 in *District of Columbia v. Heller*."

The motion to adopt the resolution as amended passed by a vote of 12-1 with Councilor Decelles voting against.

14. RESOLUTION: Charter Changes Concerning Concealed Firearm Permits  
(Councilors Siegel, Blais)

Councilors Siegel and Blais made a motion to waive the reading and adopt the resolution with an amendment to lines 23-26.

Councilor Siegel stated that the presence of unpermitted concealed weapons was a concern for public health and safety, especially in a densely populated area. She was now concerned because at one point they had included a provision that these registrations would not be subject to public inquiry. That needs to be included. City Attorney Blackwood stated that she does not know when or how it got removed. She does not have the language in front of her.

Councilors Ayres and Blais made a motion to postpone action until the next meeting in order to clarify the language.

Councilor Decelles stated that they have had recesses and amendments all night. They agreed to continue the meeting and many people have travelled from far away. He wants to address this now.

Mayor Weinberger stated that he would urge the Council to find a way through this rather than delay it. He does not believe this provision will pass. There was time before the ballot language needed to be finalized. If there was need for revision of detail, there would be time to amend it. City Attorney Blackwood stated that they could go ahead with a sense that a provision should be put in to address the privacy concerns of the permit holders because they would be bringing the actual ballot language back to the Council.

Councilor Ayres withdrew his motion to postpone.

Councilor Ayres stated that there was a possibility that this resolution might not pass so they should vote on it and get it done.

Councilors Siegel and Brennan made a motion to add a resolved clause that stated that the Charter Change Committee shall address privacy issues.

The motion to amend the resolution passed by a vote of 12-1 with Councilor Hartnett voting against.

Councilors Hartnett and Knodell made a motion to call to question. The motion passed by a vote of 10-3 with Councilors Blais, Brennan and Siegel voting against.

The motion to adopt the resolution as amended failed by a vote of 9-4 with Councilors Siegel, Brennan, Tracy and Blais voting in favor.

14.1 (was 6.28.) COMMUNICATION: Mayor Miro Weinberger, re: Pension Summit Draft Proposal

Councilors Bushor and Knodell made a motion to waive the reading, accept the communication and place it on file.

Councilor Bushor stated that this was the final draft for the Retirement System Summit. She was disappointed that there was little diversity in who was conducting each session. She was hopeful that the outcome and the proposals that come forward will engage the full Council because this was a City issue and full Council issue.

Mayor Weinberger stated that there has been extensive outreach to the Board of Finance and others with alternative ideas about who would be leading and conducting the session. Major changes have been made and he is disappointed to hear disappointment expressed.

Councilor Knodell stated that she is pleased to see that the panel includes leadership from the City Unions. She feels that will be positive.

The motion passed unanimously.

14.2 (was 6.30) COMMUNICATION: Mayor Miro Weinberger, re: Proposed Maker Space in Memorial Auditorium

This item was not addressed at this meeting.

15. COMMITTEE REPORTS (5 mins.)

This item was not addressed at this meeting.

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

This item was not addressed at this meeting.

17. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)

This item was not addressed at this meeting.

18. ADJOURNMENT

Without objection, City Council President Shannon adjourned the Adjourned City Council Meeting at 11:16 p.m.

Attest:

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

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**DELIBERATIVE AGENDA**  
**SPECIAL CITY COUNCIL PUBLIC FORUM**  
**MONDAY, OCTOBER 28, 2013**  
**CONTOIS AUDITORIUM, CITY HALL**  
**RE: F-35s**  
**6:00 P.M. – 7:00 P.M.**

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PRESENT: City Council President Shannon, Councilors Bushor, Worden, Knodell, Tracy, Brennan, Siegel, Aubin, Hartnett, Mason, Blais, Paul, Ayres and Decelles

CITY ATTORNEY'S OFFICE: Eileen Blackwood

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

City Council President Shannon opened the public forum at 6:00 p.m.

<b><u>Name</u></b>	<b><u>Ward/Affiliation</u></b>	<b><u>In Favor/Opposed</u></b>
Ken Forguites	Ward 4 Resident	In Favor of F-35
Laura Caputo	Ward 4 Resident	In Favor of F-35
Travis Leno	Georgia Resident	In Favor of F-35
Dave Shechik	Essex Resident	In Favor of F-35
Dwight Rolston	Colchester Resident	In Favor of F-35
Barbara Wynroth	Ward 3 Resident	Opposed to F-35
Doug Dunbebin	Ward 5 Resident	Opposed to F-35
Trina Magi	Ward 5 Resident	Opposed to F-35
Connie Krosney	Ward 6 Resident	Opposed to F-35
Helen Scott	Ward 7 Resident	Opposed to F-35
John Godfrey	Ward 1 Resident	Opposed to F-35
Dale Rocheleau	Friends of VTANG/GBIC	In Favor of F-35
Frank Cioffi	GBIC	In Favor of F-35
Bill Keogh, Andy Montroll, and Kurt Wright	Burlington Residents	In Favor of F-35s
Claude Trahan	Ward 2 Resident	In Favor of F-35s
Mark Porter	Ward 1 Resident	In Favor of F-35s
Cathy Rahill	Ward 5 Resident	In Favor of F-35s

Clay Shaner	Ward 1 Resident	In Favor of F-35s
Martin Wagner	Ward 1 Resident	In Favor of F-35s
Brandon Sullivan	Ward 5 Resident	In Favor of F-35s
Chris Caputo	Ward 4 Resident	In Favor of F-35s
Nick Hinge	Ward 5 Resident	In Favor of F-35s
Paul O'Brian	Ward 5 Resident	In Favor of F-35s
Art Dusablon	Ward 4 Resident	In Favor of F-35s
Ethan Baldwin	Ward 1 Resident	In Favor of F-35s
Tim Watson	Ward 4 Resident	In Favor of F-35s

City Council President Shannon closed the public forum at 7:08 p.m.

SPECIAL MEETING, CITY COUNCIL  
MONDAY, OCTOBER 28, 2013  
7:08 P.M.

1. AGENDA

On a motion by Councilors Mason and Bushor the agenda was unanimously adopted as amended as follows: add to the consent agenda item 5.19. COMMUNICATION: Jane Kramer, Burlington, re: Opposes F-35 basing at the Burlington Airport with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.20. COMMUNICATION: Robin Lloyd, Burlington, re: Opposes F-35 basing at the Burlington Airport with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.21. COMMUNICATION: Mary Twitchell and Diane Gayer, Burlington, re: Opposes F-35 basing at the Burlington Airport with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.22. COMMUNICATION: Eileen Fraga, re: Support of the F35’s being based at the Burlington airport with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.23. COMMUNICATION: Dianne Laroche, re: full support of the F-35’s with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.24. COMMUNICATION: Ray Gonda, South Burlington, re: Fwd: Oct 28, 2013 Burlington City Council meeting official record with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.25. COMMUNICATION: Pat McKittrick, re: Against F35s coming to Burlington with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 5.26. COMMUNICATION: Jason Horwitz, Burlington, re: Opposes F-35 basing at the Burlington Airport with the consent action to “waive the reading, accept the communication and place it on file.”

2. CONTINUATION OF PUBLIC FORUM: **(Time Certain: 7:00 p.m. – 8:00 p.m. unless extended by the Council President per Council Rules)**

City Council President Shannon opened the public forum at 7:12 p.m.

Minutes, Special City Council Meeting, October 28, 2013

<u>Name</u>	<u>Ward/Affiliation</u>	<u>In Favor/Opposed</u>
Charles Guthrie	Ward 4 Resident	In Favor of F-35s
Juan Coleman	Ward 3 Resident	In Favor of F-35s
Jeanne Keller	Ward 1 Resident	Opposed to F-35s
Ed Wilbur	Ward 4 Resident	In Favor of F-35s
Ali Zipparo	Ward 3 Resident	Opposed to F-35s
Greg Roy	Ward 4 Resident	In Favor of F-35s
Rep. Joanna Cole	VT State Rep.	Opposed to F-35s
Ian Galbraith	Ward 2 Resident	In Favor of F-35s
Ann Burke	Ward 4 Resident	Opposed to F-35s
Greg Epler-Wood	Ward 6 Resident	Opposed to F-35s
July Sanders	Ward 3 Resident	Opposed to F-35s
Robert Jean	Ward 5 Resident	In Favor of F-35s
Paul Hood	Ward 3 Resident	Opposed to F-35s
Stella Penzer	Ward 3 Resident	Opposed to F-35s
Barbara McGrew	Ward 3 Resident	Opposed to F-35s
Bill LaPointe	Williston Resident	In Favor of F-35s
Scot Shumski	Ward 4 Resident	In Favor of F-35s
Kelly Divine	Burlington Business Association	In Favor of F-35s
Dave Maher	Ward 4 Resident	In Favor of F-35s
Monica Sargent	Ward 7 Resident	Opposed to F-35s
Stephen Lefkowitz	Ward 3 Resident	Opposed to F-35s
Greg Delanty	Ward 2 Resident	Opposed to F-35s
James Ramey	Ward 5 Resident	Opposed to F-35s
Richard Hillyard	Ward 1 Resident	In Favor of F-35s
Vince Dober	Ward 7 Resident	In Favor of F-35s

Sasha Scott	Ward 3 Resident	Opposed to F-35s
Carolyn Bates	Ward 5 Resident	In Favor of F-35s
Gary Dion	Ward 7 Resident	In Favor of F-35s
Ranjit Singh	Ward 4 Resident	In Favor of F-35s
Tristan Adie	Ward 5 Resident	Opposed to F-35s
Hannah Loso	Ward 1 Resident	Opposed to F-35s
Alex Buckingham	Ward 3 Resident	Opposed to F-35s
Heather Lawton	Ward 6 Resident	Opposed to F-35s

Councilors Brennan and Siegel made a motion to extend the public forum for 45 minutes.

Councilor Brennan stated that there was choice housing in the Burlington area where the noise level has minimal impact. There are a lot of people who came out here to talk about this issue and they should have the opportunity to speak.

Councilor Mason inquired how many people are in the queue. City Council President Shannon stated that there were approximately 60 people who have not yet spoken to the Council on this issue.

Councilors Blais and Decelles made a motion to amend the motion to state they will continue the public forum for 15 more minutes. The amendment to the motion passed by a vote of 8-6 with City Council President Shannon, Councilors Hartnett, Aubin, Blais, Ayres, Worden, Mason and Decelles voting in favor.

The motion to extend the public forum for 15 minutes passed by a vote of 12-2 with Councilors Siegel and Brennan voting against.

Sister Miriam Ward	Ward 1 Resident	Opposed to F-35s
Adjutant General Steven Cray	VT National Guard	In Favor of F-35s
Peter Spitzform	Essex Junction Resident	Opposed to F-35s
Samuel Hartley	Charlotte Resident	Opposed to F-35s
Arthur Trezise	Fayston Resident	Opposed to F-35s
Rick Hubbard	S. Burlington Resident	Opposed to F-35s
Jerry Tarrant	My Web Grocer	In Favor of F-35s
Brock Richardson	Winooski Resident	Opposed to F-35s
Kay Frances Schepp	S. Burlington Resident	Opposed to F-35s

Judy Cohen	S. Burlington Resident	Opposed to F-35s
Patricia Caouette	Winooski Resident	Opposed to F-35s

Councilors Siegel and Brennan made a motion to extend the public forum until 9:00 p.m.

Councilor Ayres stated that over the course of the last several months each of them have heard from hundreds of residents from Burlington and neighboring towns and heard from dozens of people at previous meetings. He felt that they had enough information before them to being their deliberations. He will oppose the motion to extend the public forum.

Councilor Brennan stated that many people have come out to talk to the Council before they make an important decision. He felt it was important to hear from them. He encouraged those who were not heard to write to the Council so their comments can be noted for the record.

Councilor Siegel stated that she felt honored and privileged to hear from so many people. While she does not want to stay up late, she does want to hear from people.

City Council President Shannon noted that if they have not voted by 10:30 p.m., extending the meeting will require a 2/3 vote.

The motion to extend the public forum failed by a vote of 6-8 with Councilors Bushor, Knodell, Tracy, Brennan, Siegel and Paul voting in favor.

Councilor Bushor requested a 5 minute recess. City Council President Shannon denied the request.

City Council President Shannon closed the public forum at 8:00 p.m.

**\*\*8:00 P.M. DELIBERATION OF RESOLUTIONS\*\***

3. RESOLUTION: Burlington Respectfully Tells Its Tenant That F-35 Basing Will Not Be Permitted at Burlington International Airport (Councilors Siegel, Brennan, Tracy)

Councilors Brennan and Tracy made a motion to waive the reading and adopt the resolution.

Councilor Brennan stated that there were many people who were divided over this issue across the community and the country. A prominent Senator recently commented on this acquisition stating the expenditure of trillions of taxpayer dollars was more than a disgrace. They have gone way off the beaten path of what they were intended to do. Many comments were made that this was for national defense. Their defense uses have been used in an offensive manner. They have gone beyond their original mission of protecting the United States. He is reminded of that because he has neighbors from Iraq. They came here because strike fighters bombed their homes. They have been grateful to live here, but they mourn family members that they lost. Many have talked about a sense of pride while hearing the jets fly overhead, but others have lost family members as a result. It is a double edged sword. He sides with those who are not here tonight. He respects the women and men in uniform, but there are many who did not sign up for this. They bought their homes to build a family life in this community. Many people have a special job, which is being a jet fighter. They have chosen to do that. If the F-35s are not here, he is sure that those individuals will go where their profession wants them to go. It will be a loss, but they will be able to leave whole. They will be able to sell their homes at market value. If the F-35s come here, individuals will lose value on their property and they did not sign up for that. There were comments that this has not affected children. There are many instances where kids that are having cognitive problems in

today's world. There are studies about noise in and around airports and how they affect hypertension and cardiovascular disease. He requested a chance to ask the Airport Director some questions.

Councilor Siegel stated that there was a resolution passed by the South Burlington City Council that stated the UVM Faculty Senate urged the City Council to give due consideration to resolutions barring to the basing of F-35s and to act to protect the public health and welfare of residents of neighboring communities. There were so many people she agreed with during public forum. She agreed that the Air Guard does great things for their economy and through their mission. They heard about a guard member working during Hurricane Irene. That is how they provide value to the community. First strike planes will not help their community. Some have said that if they do not get the F-35s the Air Guard will close and the Airport will close. She does not believe that. There is evidence that the mission of the Air Guard would change. Every state has an Air Guard and Army Guard. Vermont will keep ours, as this is the only one. There are other bases that have had recent mission changes that have stayed open when the needs of the Air Force changed. There is an idea that there will be a budget shortfall because they are dependent on the Department of Defense to pay for fire services. There are FAA Grants available, which is how other Airports do it. They pay for the services in lieu of rent. They could apply for grants and then charge rent for that space. They would not have to have landing fees for people, and more people could come, and they would be able to pay a livable wage.

Councilor Mason stated that there are multiple resolutions on the table. This resolution seeks affirmative action on the part of the City as the landowner to preclude the F-35 from being based in Burlington. He read a memo from the City Attorney that cited a litany of potential negative consequences that could result from taking affirmative action as a landowner to preclude the F-35s. They would be in breach of their lease agreement, in violation of the joint-use agreement, in violation of the FAA Grant Assurances including \$2.4 million for taxi improvements, precluding them from receiving any FAA Grant money in the future, and potentially not receiving reimbursement for expenses from the FAA. That memo convinced him that there is no way that he will put the City at risk in that manner.

Councilor Worden stated that this has been a great debate in their community. He has heard from hundreds of people, met with the National Guard, met with Airport neighbors, and sat with community and religious leaders to discuss the F-35s. It is good and bad having an Airport close to the City. The City has grown closer to the Airport, but it has recently retreated as homes have been abandoned. The question is the economy versus the environment. Many Cities were gutted in the name of economic development, and still struggle today. Those spared from urban renewal are whole and vibrant. They recently heard about the Italian neighborhoods that were lost in Burlington when they were leveled to build the mall. They have been successful in finding creative ways for the City to flourish despite this. He believes that the people of Burlington and Vermont will find a positive way forward, regardless of the outcome tonight.

City Council President Shannon requested a roll call.

The motion to adopt the resolution failed by a vote of 4-10.

AYES: Councilors Brennan, Siegel, Tracy and Worden

NAYS: City Council President Shannon, Councilors Aubin, Ayres, Blais, Bushor, Decelles, Hartnett, Knodell, Mason and Paul

3.01. COMMUNICATION: Memorandum Burlington respectfully tells its tenants that F-35 basing will not be permitted at Burlington airport

Councilors Brennan and Tracy made a motion to waive the reading, accept the communication and place it on file. The motion failed by a vote of 4-10.

4. RESOLUTION: Burlington Respectfully Opposes F-35 Basing at Burlington International Airport During First F-35 Basing Round (Councilors Siegel, Brennan, Tracy)

Councilors Tracy and Brennan made a motion to waive the reading and adopt the resolution.

Councilor Tracy stated that he was happy that they have had a respectful discourse while addressing this issue. This resolution tries to weigh the interaction between the planes themselves and the people that they will impact. There is a need to gather facts and look at information. They have been doing that for the past three years and have gathered a lot of information. He is trying to base his decision on who will be impacted the most and what those impacts are. This resolution references the 770 Vermonters who will face credible loss of hearing and the 7,000 who will be placed within a 65 decibel zone that is not suitable for residential use. This information comes from the Air Force's Environmental Impact Statement. The resolution also questions the safety of the plane itself. They stated that the F-35s will only have had 1/10 the flying hours that the F-16 had when it arrived here. This makes it unsafe and increases the crash risk in a highly residential area. It asks them to forego the first round of basing of the F-35s. They have also found out from the City Attorney that they cannot discriminate against a particular airplane. They have learned that they can set reasonable noise standards in regards to public health and safety. The current Airport uses are within the decibel levels set by this resolution and will be allowed to continue. However, the F-35s are four times louder than anything that is currently at the Airport. This would prevent the arrival of the F-35s. It addresses the concerns that were raised by the previous resolution. This will stand up for the working families that live around the airport and the people who will lose value in their homes.

City Attorney Blackwood stated that the resolution has two parts from a legal perspective. It directs the Airport Director to develop a health and safety measure that would affect all airplanes. Her opinion is that is within their legal authority to do. They can then submit that to the FAA. They will review it and tell the City if that is something that they can enact without violating their grant assurances. The second piece is that they oppose the F-35 basing. Stating an opinion or position is something that the City Council can do. Nothing about that changes the legal opinion that states a municipal ordinance cannot interfere with or restrict military operations. There is a question about a case where a City looked to prohibit a defense contractor from operating within City limits. That case made it clear that it was a different situation because it was a defense contractor rather than the military itself. If an ordinance or action were presented to the FAA for approval, it would take a lot of evidence including scientific, technical data to back up the need for the regulation. It would take a fair amount of work and money to do that. The language alone would probably not be sufficient to convince the FAA that it is an adequate regulation and within the non-discriminatory requirement of the grant assurances. They would need to do a lot of work to put that forward.

Councilor Knodell stated that the language within the resolution that opposes the basing of the F-35s in the first round states that Burlington would use its authority as landowner to oppose the basing. She inquired why the issues raised in the legal opinion do not apply to this clause. City Attorney Blackwood stated that it does not specifically say it will block, prevent or deny it. She saw the word opposed as them taking a verbal position that as landowners they do not want that here. She does not believe that violates any of their agreements. Councilor Knodell stated that the use of the word authority seems to indicate that they would have a binding effect on the outcome. City Attorney Blackwood stated that she did not believe it is within their authority to tell someone that they cannot come here.

Councilor Mason inquired if what is proposed is considered non-discriminatory. He heard her express some reservations that without a full record supporting the reason that the noise level was picked that it would probably not pass the FAA's non-discriminatory guidelines. City Attorney Blackwood stated that appears to be a concern. Councilor Mason stated that the resolution sets noise and safety standards that

apply to both military and commercial planes. He inquired if the memo stated that both could be pre-empted under federal law. City Attorney Blackwood stated that she does not know how they could effectively impose the requirement on a military aircraft. They can pass the ordinance and set the standards, but whether they apply to a military aircraft is a different question. Councilor Mason stated that he saw the citation that allowed a municipality to adopt noise provisions, but saw that they ruled against the municipality for the safety standards. He inquired if they have authority to impose safety standards. City Attorney Blackwood stated that her review looked to see if they can say they want to oppose it and submit that to the FAA. That is within their authority. What the FAA will do with it is a different question.

Gene Richards, Airport Director, stated that he had sent an email with his views and vision of the harm passing this resolution may have on the Airport.

Councilor Brennan stated that he was struck by some of the comments in the email about expansion over the next 10-15 years and putting limits on the noise that the F-35s creates. He requested more information about the Airport expansion. They have been talking about the EIS and the noise lines outlined there. It seems his comments went beyond that issue. Mr. Richards stated that at the Airport, they have a diverse mixture of aircrafts. The aircrafts that they get affect the DNL zone. He was indicating that they do not want to limit what airlines could come to Burlington because they would exceed their noise expectations. This puts a cap on any potential noise that the Airport may have. Councilor Brennan inquired if there are plans to expand flight routes coming in and out of the Airport in the next 10-15 years. Mr. Richards stated that they work on that every day. The people in Burlington are looking for more, less expensive routes. They talk to many airlines to improve flights for the public in Burlington. It cannot be both ways. Councilor Brennan stated that he is looking to minimize the sound and the amount of people who are impacted by the Airport. There are many neighborhoods that have been devastated. The Mayor has committed to do a better job communicating. It seems that the Airport is expanding beyond what is actually here. He inquired if there are additional neighborhoods that will be affected by the assertion that there will be an expansion. Bob McEwing, Airport, stated that they have done two noise studies and are about to begin a third. The purpose is to determine what a noise exposure maps show with emphasis on determining where that 65 DNL line is located. That has been a landmark in terms of impacts. They have a consultant who does that. They look at military operations, the platform on which they operate, commercial flights, and what they are predicted to be in the future. The noise changes often and the study only shows what is happening at one point in time. If this resolution is passed, it will send a message to the airlines and they may not want to come here. Councilor Brennan stated that they have put profitability and proficiency over safety. The resolution is talking about safety and sounds. He inquired where they are coming from. Mr. Richards stated that safety is #1. Councilor Brennan inquired if it would be okay for them to have a plane that is less safe and with less flight hours. Mr. Richards stated that he believes that is one opinion. The Airport will always make sure that they are as safe as they can be. Staff works very hard to ensure this. Councilor Brennan stated that is his opinion and he strongly disagrees with some of the assertions in the memo.

Councilor Siegel inquired if they are expecting any commercial planes to be four times louder than the F-16. Mr. Richards stated that he hoped not. Councilor Siegel stated that she also hoped not, which was why she believed in the resolution. She was concerned that they have already destroyed 200 homes because of the F-16. If they oppose this resolution, she thinks that they must be planning to bring in louder commercial planes. If so, that would destroy even more homes at a time when they are working with South Burlington to mitigate these problems.

Councilor Decelles raised a point of order and stated that Mr. Richards and the Airport staff are here to answer questions not be berated by Councilors. City Council President Shannon stated she understands the point and they are here to answer questions. She requested Councilors frame their comments in questions.

Councilor Siegel inquired if they are expecting things to get louder. Mr. Richards stated that he would like the opportunity to be able to expand as needed and not have limitations. They do not always have the luxury to pick and choose what they want. What they are hoping for is more efficient commercial airlines. They met with many CEOs of airlines and they are making quieter and more efficient aircrafts. They do not know what will happen, and they do not want to lose the ability to come to the City. Councilor Siegel inquired if they had seen a map of areas where there could be in-fill in South Burlington and inquired how many of those areas are in the expanded noise zone if the F-35s come. There are hundreds of potential homes that could be built in South Burlington that will not be able to be built if the F-35s come. She offered Airport staff a copy. Mr. McEwing stated he has a copy of it. Councilor Siegel inquired if they will take responsibility for this loss of in-fill if they move forward with the F-35s. City Council President Shannon stated that question relates to policies dictated by the South Burlington City Council.

Councilor Knodell stated that this proposes new Airport regulations. The City would be saying that no commercial or government airplane using the Airport could exceed the current noise levels. This is a type of regulation that the City is not currently engaged in. The FAA requires the Airport to manage noise impacts. It is important for them to understand how that regulation would play out in terms of airlines choosing which airports to fly to. Mr. Richards stated the airlines have to have a profitable model to come to Burlington. They have to be able to use their aircrafts and fly on their own schedules. When they start implementing regulations, they do not have the ability to get that service. They have been working with airports and courting them to come to Burlington for additional service. They were fortunate to get Atlanta earlier this year, but it did not come easy. They know that they need more airlines serving Burlington to bring the price down. Many people are not able to fly out of the Airport because flights are more expensive. This would hurt their ability to be flexible. He understands where this came from, but he worries that it will hurt the future of the Airport. They have spent a lot of time talking about the finances of the Airport. They are barely making it right now. They work very hard to balance the budget. Saying no to an airline that would bring additional revenue is irresponsible.

Councilor Tracy inquired if there are any current commercial airlines that he believes they would have to say no to because of this. Mr. Richards stated that they have not yet studied this. Mr. McEwing stated that the NEMs are based on a lot of factors including the airline mix, the number of aircrafts coming in and the types of aircrafts that come in. This information is put into a computer to create the noise exposure map numbers. Adding five more flights a day of a particular type of aircraft could have an impact, but he does not know exactly what it would be. Mr. Richards stated that they do not know until it comes here and it has a cumulative effect. Saying no to an airline would be a disaster for the Airport. Councilor Tracy inquired if he supports the F-35 basing. Mr. Richards stated he absolutely supports it.

Councilor Brennan inquired if the EIS states the dominant factor in the 65 DNL is the F-16s. Mr. Richards stated that it does. Councilor Brennan inquired if they would be able to maintain current noise levels if they kept the F-16s. Mr. Richards stated he does not know that.

Councilor Siegel inquired if the FAA mandated that commercial airplanes needed to be quieter. Mr. Richards stated that is correct. Councilor Siegel inquired why new planes would be allowed to be noisier if the FAA has already passed this requirement. Mr. Richards stated that it is a cumulative effect and it is not that simple. They do not know what they will get at Burlington and there are a lot of planes out there. They will not necessarily get the newest planes on the market. Councilor Siegel inquired if he was aware that the F-16s account for 95% of the sound currently. Mr. Richards stated that he would not agree with that.

Councilor Paul stated that she has never encountered such an outpouring of expression on a single issue while she has been on the Council. This issue has galvanized many in the community and region. She is all for responsible discourse, and it saddens her that this issue has been so divisive and there has been no venue for meaningful debate. She believes that Democracy means listening to one another and engaging

in open dialogue. She has tried to work hard to reach out beyond her ward and the City of Burlington. She accepted invitations to engage with elected officials and neighbors from surrounding towns and has gathered as much information as possible and feels she is better educated in this debate. She did not rely on the State's political leaders when making her decision. She has tried to look into the assertions about real estate values. She has considered the noise issue, flight hours, crash rates, and composite materials in planes. She noted that there has been an increase in composite materials in both commercial and military aircrafts. In order to maintain their good standing with the FAA and their good standing in the region as an Airport that always puts safety first, they need the personnel and equipment to do that. She looked into the claim that without the F-35 their future is uncertain. The Air Force hopes to upgrade approximately 300 F-16s until the F-35 comes on line. The Aircraft will undergo structural upgrades. She asked the guard what the current planes are. They are an older model. It appears that they do not plan to upgrade the F-16s at the Airport. It is possible that without the F-35 coming to Vermont at some point, the Vermont Air National Guard's future will be uncertain. The F-35 is important to their continued mission in Vermont and they are integral to the Airport. The Airport is a hub of commerce and its impact on the region cannot be understated. It is one of the most important economic assets they have in Chittenden County. She has not heard one person dispute that fact. The Airport is digging out from significant financial challenges. They are gradually regaining their financial stability and are working to build more relationships to add more airlines to the Airport. She must keep in mind her oath of office and fiduciary responsibilities to the City. The region needs a financially healthy and economically sustainable Airport. It is not the time to place restrictions that could negatively impact the Airport. Throughout this debate, she has heard the word "reckless" from both sides of the debate. She hopes that after tonight, that type of behavior will stop. It divides the community and is disrespectful discourse. She is not happy with the level of military spending in this country. She believes that humanity is harmed by their inability to find peaceful means of resolving their differences. At the same time, she is very happy to live in the United States. She cannot appreciate the freedom that they have to sit in this room and debate this issue as much as people that serve in the military do. She believes that everyone is patriotic and are doing what they believe is best. She hopes the Guard will reach out into the community and engage with those who are against the F-35. She hopes they can move forward together because underneath it all they are neighbors.

Councilor Bushor stated that this started for her a long time ago. She attended several meetings before the EIS came out. Neighbors have received cooperation from the Guard about what they can control. They were accommodating to try to deal with the times that they took off and landed. She lives in Burlington and is affected by the noise, but is more concerned with Winooski, South Burlington, and her neighboring Burlington residents that will be impacted. Noise does impact everyone. The EIS was produced by the government and it contained many damaging statements that made people more concerned and fearful of what the planes may do. She was initially in support of the F-35s but then changed her opinion. The EIS was so overwhelmingly negative. She did vote in opposition to the first resolution. One reason was because of the liability issue. She is interested in supporting this resolution. There is a clause that regulates decibel levels for both military and commercial flights that she cannot support. That goes beyond what she hopes to accomplish. The City Council in Winooski requested that they remove this Guard Base from consideration for the first round of F-35 basing. She would support that resolution. She values the Airport, and some of the impacts are not just from the military planes. One resident spoke about the FedEx plane also being incredibly noisy. Living close to an Airport has an impact on all of them and noise occurs. Some of it depends on the weather. She would like the F-35 to have more time to be finessed. It is not always great to be first because there are bugs in the systems. They would be better served if they could be in a different round. Different people have used different information to make their case. Both sides have made their case. She hopes they can move forward once they make a decision on this resolution.

Councilors Bushor and Brennan made a motion to amend the resolution to strike the first and third resolved clauses.

Councilor Hartnett stated that he would have liked to have heard about this sooner so he could have had time to make a decision. It is difficult for him to vote on an amendment under these circumstances. City Council President Shannon noted she sent out an email in advance of this meeting requesting proposed amendments in advance and she did not receive any. Councilor Worden requested this be displayed on the screen. Councilor Bushor clarified her amendment.

The motion to amend the resolution failed by a vote of 10-4 with Councilors Siegel, Brennan, Tracy and Bushor in favor.

Councilor Worden stated that he has been clear that he supports the National Guard, he does not support bringing the F-35 here, and that he cannot vote for anything that would duly encumber the City. The first resolution specifically said that the City would work against the F-35 being based here and they would use their authority to prevent it. They have heard tonight from the City Attorney that they have limited authority to do this. This resolution does a few things that he is concerned with. It is unclear and speaks to delaying past the first round. That minces words when they are really trying to defeat it. Delaying it past the first round is equivocal to preventing it from being based here. It also wades into specific manners in which the City would need to restrict the basing of the F-35s. This is beyond the purview of his interests, since it would affect commercial airlines. He will not support the resolution.

Councilor Ayres stated that it has been an honor and a privilege to meet men and women from across the community and hear a wide range of opinions on the F-35. This decision is going to be one of the most difficult he will make as a City Councilor. He will not be voting in favor of the F-35, or for or against the National Guard. He is troubled that F-35s supporters have taken the stance of vilifying the critics of F-35s by criticizing their patriotism and suggesting that they do not support the military. They have also misled the community by contending that the failure to base the F-35s here would mean the end of VTANG and all they bring to the community. This is untrue. There are a number of places where the mission has changed without closing the base. He will not be voting for or against those who have contended that the F-35 poses serious threats to the health, welfare, housing values and environment of the community. The jury is still out on those issues and will be for a long time. They do not have sufficient information to base their decision on those grounds. He is deeply conflicted, but he will vote against the resolution. Military basing decisions and the terms of usage of the Airport are not the purview of the City Council. They have little or no control over the Secretary of the Air Force's final decision regarding the basis. This is at heart little more than a symbolic gesture. The resolution references health and safety concerns, but he believes its proponents would like to see no military presence at their Airport at all. The resolution ignores and invalidates the peace time services and the fire and safety services that VTANG brings to the community. It is an ill-conceived resolution that poses dire economic consequences to the Airport in regard to commercial air operations. The reality is that the Air Force could decide as soon as next week to propose F-35 basing at another Air Guard and the mission of VTANG would change. He is adamantly opposed to development, procurement or testing of the F-35s. It is not a weapons system that should be based in Burlington or anywhere in the United States. They are at the mercy of a Federal Bureaucracy that is bedded down with the military industrial complex insuring that \$1.5 trillion of taxpayer money will be spent on the military industry. They should be talking about their infrastructure, education, health, public safety, national security and creating jobs. He is appalled by the F-35, but it is time that they take it back to the Federal Government. The Air Force suggests that upgrading the current F-16s could be an option. They have talked about noise in the community, but the loudest noise that the F-35 makes is the sound of pork slapping the side of a barrel labelled Lockheed Martin. He shared three quotes from military leader and U.S. President, Dwight Eisenhower. He hopes they will have a positive dialogue going forward. He hopes that security and liberty will prosper through peaceful means.

Councilor Knodell stated that the first resolution failed because the majority of Councilors believed the City Attorney's opinion that they do not have the authority to block the basing of the F-35 at the Airport. There was a lack of understanding in the community about what they were voting on. They lack the

authority to block the basing. They also learned that there is a window in which localities can operate to regulate noise at Airports if they own the Airport. This resolution is written from that point of view. They would use regulatory authority to block the F-35. She questions if it would be able to prevail. In order to do that, they would have to adopt noise standards that would apply equally to commercial and military aircraft. They would create a new regulatory system to dictate the airplanes that could come in and out of the Airport based on whether they exceed present noise levels. She believes this would make it impossible for Burlington to have a successful Airport. The Airport is an essential aspect of the economy. Some question whether there is a connection between household incomes and their quality of life. She believes that there is a connection. As an economist, she cares a lot about the economy. As a Progressive, she believes that in order to achieve economic and social justice, they require a strong economy. Burlington is a small place that is located far away from other major population areas. That is much of what they love about Burlington. It is a challenge for the economy and makes air connections essential. Even if you do not work or use the Airport, the standard of living is higher because of it. The Economic history has a long list of communities that have failed to thrive because they did not get a railroad, highway or an airport. They should not take the Airport for granted. The regulations set up in this resolution should be reviewed much more thoroughly before it is enacted. She talked about the F-35 in her election and believes the majority of her ward is opposed to the plane. They believe that our society is dedicating too much money to military resources while underfunding essential aspects. She also pledged to work hard for good jobs. She has a lot of people in her ward who cannot find employment and she has to think about them as well. They have heard a lot about misguided federal priorities, but it is clear that even if the F-35 does not come to Burlington, that will not reduce military spending and increase spending on other things. She agrees that debate needs to take place at a federal level. The risk to their economic wellbeing is too high for them to be able to vote for the resolution.

Councilor Blais stated that there has been discussion about extolling the virtues of Democracy. There is another aspect, which is where elected officials bring their backgrounds and experience to make decisions. They have heard from a respected economist on this issue, and he will weigh in as an attorney. When these discussions began, it was new to him. The debate took a different shift and began talking about their responsibility as a landowner of the property in question. That is within his comfort zone because he spends a lot of time talking to land owners and landlords about what legal decisions they should make. He is dispassionate about giving advice to his clients, and that made his decision tonight easy. If he were to advise a landowner about whether or not to adopt this resolution, given the risks that they assume if they past this, the decision became very simple that he would not adopt it.

Councilor Siegel stated that she will make an amendment to the resolution. They originally stated they would block the F-35s as landowners. The City Attorney advised them that they could not do that, so they crafted a resolution that stated they will regulate noise. The Airport Director stated that will not work, which she does not necessarily buy. This amendment fits with what others have said about needing to vet these issues through commissions and Committees.

Councilors Siegel and Brennan made a motion to amend the resolution by striking the whereas clauses and stating in the resolved clause that they appreciate the Vermont Air National Guard while asking the Air Force to pass over basing in the first round to work with citizenry to examine the viability of basing the F-35 at the Burlington International Airport.

Councilor Decelles inquired if this is allowable because it is similar to the resolution that was voted down. City Council President Shannon stated that she will not dismiss it on those grounds.

Councilor Siegel stated that she offers this as a soft, gentle, non-binding request. It states they will ask them to bypass them in the first round.

The motion to amend the resolution failed by a vote of 4-10 with Councilors Bushor, Brennan, Siegel and Tracy voting in favor.

Councilor Decelles stated that he received hundreds of emails in the past four years. Information has been plentiful from both sides. There is one group that he has heard from continuously that has bothered him immensely. This group is the people from South Burlington. He did approve some sales of homes as a member of the Board of Finance. He looked at several houses in those neighborhoods before he purchased his home in Burlington. He drives by those neighborhoods and it bothers him. They will not be able to fix that tonight by voting on this resolution. He hopes that they have serious conversations with South Burlington to rectify what has become of those neighborhoods. He has wanted to bring a resolution before the body to thank the National Guard. To him, a no vote will send that signal. He has watched the faces of speakers and sees that they do not show emotions. That is enormously impressive to him. He has never served in the military, but has a history of military service in his family and among his neighbors. His vote for no will be his proudest vote while on the Council. It is for the people in uniform, their families, their stories of other people giving back to the community and the sacrifices their children make. He thanked them all.

Councilors Hartnett and Paul made a motion to suspend the rules and continuing the meeting. The motion passed unanimously.

Mayor Weinberger thanked the community members for the debate and discussion that they have had. This resolution goes beyond the question of basing the F-35s at the Burlington International Airport. It raises serious questions about compliance with federal grant agreements worth tens of millions of dollars and the future of commercial airlines. A vote against this resolution is a vote to value their relationship with the Vermont Air National Guard and is a vote for financial responsibility, a healthy airport, and a strong economy. He hopes they will vote it down.

Councilor Brennan stated that there were some amendments on the table that would have watered the resolution down, but did not see people moving forward on those. What they are asking for is health and safety regulations to be put in place to minimize further degradation of the neighborhoods in surrounding areas and that aircrafts are as safe as possible. Anything less than that would be reckless. He hopes they will support the resolution.

Councilors Hartnett and Decelles made a motion to call the question. The motion passed by a vote of 11-3 with Councilors Bushor, Brennan and Siegel voting against.

City Council President Shannon requested a roll call.

The motion failed by a vote of 11-3.

AYES: Councilors Brennan, Siegel and Tracy

NAYS: City Council President Shannon, Councilors Aubin, Ayres, Blais, Bushor, Decelles, Hartnett, Knodell, Mason, Paul and Worden

The Council took a brief recess.

## 5. CONSENT AGENDA

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

Councilors Siegel, Decelles and Tracy were not at the table.

5.01. COMMUNICATION: Patricia Heather Lea, Bristol, re: The F-35

\*waive the reading, accept the communication and place it on file

5.02. COMMUNICATION: Burlington International Airport, BTV News

\*waive the reading, accept the communication and place it on file

5.03. COMMUNICATION: Tania Fujita, Burlington, re: Opposes F-35 basing at the Burlington Airport

\*waive the reading, accept the communication and place it on file

5.04. COMMUNICATION: Jacques Demers, Burlington, re: Opposes F-35 basing at the Burlington Airport

\*waive the reading, accept the communication and place it on file

5.05. COMMUNICATION: Susan Alden, Burlington, re: Opposes F-35 basing at the Burlington Airport

\*waive the reading, accept the communication and place it on file

5.06. COMMUNICATION: Caitlin Burnham, Burlington, re: Opposes F-35 basing at the Burlington Airport

\*waive the reading, accept the communication and place it on file

5.07. COMMUNICATION: Ernie Pomerleau, President, Pomerleau Estate and others, re: An Open Letter regarding Property Values and the Basing of the F-35 in Burlington, Vermont

\*waive the reading, accept the communication and place it on file

5.08. COMMUNICATION: David Weinstein, Senior Policy Advisor, Office of U.S. Senator Bernie Sanders, re: HUD financing

\*waive the reading, accept the communication and place it on file

5.09. COMMUNICATION: Peter A. Kovar, Assistant Secretary for Congressional and Intergovernmental Relations, U.S. Department of Housing and Urban Development, re: FHA policy related to properties subject to excessive noise

\*waive the reading, accept the communication and place it on file

5.10. COMMUNICATION: Steven A. Cray, Major General, The Adjutant General, State of Vermont, Office of The Adjutant General, re: Support for basing the F-35 at the Burlington International Airport

\*waive the reading, accept the communication and place it on file

5.11. COMMUNICATION: VTANG, re: Bullet Background Paper on F-16/F-35 Operational EIS Safety Statistics/Comparisons at BIAP

\*waive the reading, accept the communication and place it on file

5.12. COMMUNICATION: VTANG, re: Memorandum Burlington respectfully tells its tenant not to base the F-35 in Burlington

\*waive the reading, accept the communication and place it on file

- 5.13. COMMUNICATION: Frank Cioffi, President, GBIC, re: Basing of the F-35 in Vermont  
\*waive the reading, accept the communication and place it on file
- 5.14. COMMUNICATION: Thomas Grace, re: F-35 (Petition #1: VT petition)  
\*waive the reading, accept the communication and place it on file
- 5.15. COMMUNICATION: Thomas Grace, re: F-35 (Petition #2: Petition to include VT, USA and other countries)  
\*waive the reading, accept the communication and place it on file
- 5.16. COMMUNICATION: Ann Burke, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.17. COMMUNICATION: Jeanne Plo, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.18. COMMUNICATION: John Drake, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.19. COMMUNICATION: Jane Kramer, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.20. COMMUNICATION: Robin Lloyd, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.21. COMMUNICATION: Mary Twitchell and Diane Gayer, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.22. COMMUNICATION: Eileen Fraga, re: Support of the F35's being based at the Burlington Airport  
\*waive the reading, accept the communication and place it on file
- 5.23. COMMUNICATION: Dianne Laroche, re: full support of the F-35's  
\*waive the reading, accept the communication and place it on file
- 5.24. COMMUNICATION: Ray Gonda, South Burlington, re: Fwd: Oct 28, 2013 Burlington City Council meeting official record  
\*waive the reading, accept the communication and place it on file
- 5.25. COMMUNICATION: Pat McKittrick, re: Against F35s coming to Burlington  
\*waive the reading, accept the communication and place it on file
- 5.26. COMMUNICATION: Jason Horwitz, Burlington, re: Opposes F-35 basing at the Burlington Airport  
\*waive the reading, accept the communication and place it on file

6. COMMUNICATION: Eileen Blackwood, City Attorney, re: Collective Bargaining (oral)

On a motion by Councilors Brennan and Bushor the City Council went into executive session at 10:47 p.m. premature disclosure would place the City at a substantial disadvantage. Present were: Mike Kanarick, Rich Goodwin and Scott Schrader.

**\* \* \* EXPECTED EXECUTIVE SESSION \* \* \***

On a motion by Councilors Ayres and Hartnett the City Council went out of executive session at 11:01 p.m.

7. ADJOURNMENT

On a motion by Councilors Ayres and Hartnett the Special City Council Meeting unanimously adjourned at 11:01p.m.

Attest:

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

DRAFT

MARTHA R. LANG, PH.D.  
138 COLCHESTER AVENUE  
BURLINGTON, VERMONT 05401  
802-862-1094

RECEIVED  
2014 FEB 03 A 05 1  
BURLINGTON CLERK  
TREASURER'S OFFICE

January 2, 2014

President Shannon and  
Burlington City Councilors  
City Hall  
149 Church Street  
Burlington, VT 05401

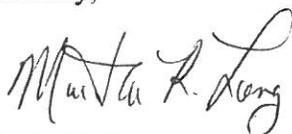
**Re: The Proposed Burlington School Budget for Fiscal Year 2015**

Dear President Shannon and City Councilors:

1. It appears that the Burlington School Administration is refusing to provide complete financial information to the members of the Burlington School Board for the proposed school budget. Why?
2. Can the chairman of the Burlington School Board do anything to correct this problem? Has he?
3. Is it legal to propose a school budget based on incomplete and misleading information? Is it legal to put it on the March ballot?
4. Can the City of Burlington get funding for a bond that is based on incomplete and misleading information?
5. Does the Vermont Municipal Bond Bank, a very important source for discounted funding, know that the Burlington School Administration could be attempting to mislead the school board, the city council, and the taxpayers of Burlington?
6. As a Burlington tax payer I am concerned that the school district's annual payments on its capital funding debt have more than doubled from \$1.1M in FY 2010 to \$2.3 M in FY 2014. And, it is projected to nearly triple to \$3.1M by FY 2020. Is the Burlington School District making other debt payments? If so, what are they?
7. Has the Burlington School Board intentionally made the budget information nearly incomprehensible? Why?

Thank you.

Sincerely,



Martha R. Lang

**FY15 BSD Budget Draft 1.xls**

<b>Fund 100</b>		<b>Object</b>	<b>FY14 Approved</b>	<b>FY15 Incr</b>	<b>FY15 Draft 1</b>
Salaries	Teachers	101	22,711,977	1,135,599	23,847,576
	Paras	102	3,668,067	110,042	3,778,109
	20-20 teachers		222,000	(222,000)	0
	Others		9,080,945	394,238	9,475,183
			<b>35,682,989</b>	<b>1,417,879</b>	<b>37,100,868</b>
Benefits	Dental	201	442,731	17,709	460,440
	Life	205	87,999	3,520	91,519
	Health	211	6,259,004	510,720	6,769,724
	SocSec	220	2,677,662	109,106	2,786,768
	SocSec 20-20	220		(16,983)	(16,983)
	Retirement	240	1,055,753	42,230	1,097,983
	Tuition reimb	250	201,700	8,068	209,768
	UI	260	70,000	2,800	72,800
	WC	270	450,751	18,030	468,781
	Hlthpayback	290	305,000	12,200	317,200
	Goldenhand	291	50,000	2,000	52,000
			<b>11,600,600</b>	<b>709,401</b>	<b>12,310,001</b>
Prof Services		300	353,269	14,131	367,400
		320	1,015,188	40,608	1,055,796
		321	410,468	16,419	426,887
		330	1,558,465	242,339	1,800,804
			<b>3,337,390</b>	<b>313,496</b>	<b>3,650,886</b>
Property Services		430	786,567	7,866	794,433
		440	18,582	186	18,768
		4XX	543,822	5,438	549,260
			<b>1,348,971</b>	<b>13,490</b>	<b>1,362,461</b>
Other Services	Tuition	56X	2,106,118	151,061	2,257,179
	Tech tuition	568/9	1,444,152	14,442	1,458,594
	Other	5XX	1,292,183	12,922	1,305,105
			<b>4,842,453</b>	<b>178,425</b>	<b>5,020,878</b>
Supplies		62X	1,271,600	12,716	1,284,316
		640	239,061	2,391	241,452
		6XX	1,853,006	118,530	1,971,536
			<b>3,363,667</b>	<b>133,637</b>	<b>3,497,304</b>
Equipment		7XX	176,496	1,765	178,261
				<b>176,496</b>	<b>1,765</b>
Dues		8XX	32,640	326	32,966
		83X	743,064	7,431	750,495
			<b>775,704</b>	<b>7,757</b>	<b>783,461</b>
Other		910	1,588,524	15,885	1,604,409
		9XX	50,000	500	50,500
			<b>1,638,524</b>	<b>16,385</b>	<b>1,654,909</b>
<b>TOTAL</b>			<b>62,766,794</b>	<b>2,792,234</b>	<b>65,559,028</b>



# BURLINGTON SCHOOL DISTRICT

Building a Learning Community

To: Finance Committee  
From: David Larcombe  
Re: Bonding Cost  
Date: December 2, 2013

## Reducing Debt Service Cost

### Introduction

The Burlington City Charter makes provisions and imposes requirements for the Burlington School District beyond those in the state's general statutes (that relate to all school districts in Vermont.)

### Presenting Problem

The School District is currently saddled with a greatly elevated cost of debt service - based on the poor credit rating of the City of Burlington - which has particularly serious implications as the district contemplates a major renovation to the high school and technical center.

This elevated cost is reflected in the most recent \$2m bond issued through the City, where the cumulative cost of 20 years of interest payments on the bond was over \$1.9m, considerably more than in the previous year (and in other recent years). The final coupon rate was 6.25%, a huge difference from the 3-4% rate with the VMBB.

### Solutions

The two options outlined below both involve a departure from district practice in recent years, by separating the District's bond issuance from the City's bond issuance.

#### Option 1

*City Council authorizes a separate bond for the District with the Vermont Municipal Bond Bank*  
The City has recently issued a separate bond for the Water Department through the VMBB.

#### Option 2

*City Council obtains Charter language changes to exclude the Charter's over-ride of state statute*  
This would free the District to go directly to the VMBB, using its own more favorable credit rating which is that of the State of Vermont, rather than the poorer credit rating of the City of Burlington.

### Possible Action - Resolution

That the Board of the Burlington School District negotiate with the City to achieve decoupling of the District's bond issuance - and consequent cost of debt service - from that of the City.

David Larcombe - Director of Finance

150 Colchester Avenue  
Burlington, VT 05401

tel: (802) 540-0893  
email: [dlarcomb@bsdvt.org](mailto:dlarcomb@bsdvt.org)

**FY15 BSD Budget Draft 1.xls**

BOARD				ADD	REDUCE	NET
ITC		goal	incr			
	1	BHS reconstruction		200,000		200,000
	2	1:1 technology		275,000		275,000
	3	Preventative maintenance	1.75%	164,000	0.25%	164,000
	4	Add custodial staff	2	100,000	50,000	100,000
	5	Capital bond		200,000		200,000
	6	Security				0
	7	Non-personnel facilities		300,000		300,000
				<u>1,239,000</u>	0	<u>1,239,000</u>
Diversity						
	1	Equitable student outcomes				0
	2	PD for differentiation				0
	3	PD for anti-bias				0
	4	Equitable co-curr/athletics		50,000		50,000
				<u>50,000</u>	0	<u>50,000</u>
Curriculum						
	1	Redefine special ed services				
	1.1	Multi-tiered system of support		100,000		100,000
	1.2	Inclusion				0
	1.3	Smarter delivery of services				0
	2	PD for differentiated instruction				
	2.1	Diversity				0
	2.2	Equity				0
	2.3	High achievers				0
	2.4	ELL				0
	3	Build curriculum scope				
	3.1	Foreign language - do well or drop				0
	4	1:1 technology - cost/benefit				0
	5	Common core standards				0
	6	Teacher evaluation				0
				<u>100,000</u>	0	<u>100,000</u>
<b>BOARD SUBTOTAL</b>				<u>1,389,000</u>	0	<u>1,389,000</u>

**Burlington School District Capital Funding Sources**

Issue Description	Issue Date	Maturity Date	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21
<b>Principal</b>														
88 1991 Smith/Flynn (\$1m) 1998 Refunding	8/3/98	12/1/11	60,000	63,333	66,667									
112 1993 Wheeler (\$1.55m) 2002 Refunding	7/30/02	9/1/13	100,000	105,000	105,000	115,000	120,000							
114 1996 Capital Improvement (\$860k) 2002 Refundir	7/30/02	3/1/18	35,000	35,000	40,000	40,000	45,000	45,000	50,000	50,000	50,000	50,000	55,000	60,000
137 1996 Capital Improvement (\$3.25m) 2004 Refund	7/15/04	12/1/16	175,000	165,000	170,000	170,000	175,000	180,000	185,000	190,000				
145 2005 Capital Improvement (\$750k)	7/6/05	11/1/25	30,000	30,000	30,000	30,000	35,000	35,000	40,000	40,000	40,000	40,000	40,000	45,000
147 2006 General City/School Improvements (\$614k)	10/10/06		188,527											
152 2006 Capital Improvement (\$750k)	10/10/06	11/1/26	25,000	30,000	30,000	30,000	30,000	35,000	35,000	35,000	35,000	40,000	40,000	40,000
153 2006 BHS Athletic Field (\$3.615m)	10/10/06	11/1/26	130,000	135,000	140,000	145,000	150,000	160,000	165,000	170,000	180,000	185,000	195,000	205,000
156 2007 Capital Improvement (\$750k)	12/20/07	11/1/27	25,000	25,000	30,000	30,000	30,000	30,000	30,000	30,000	35,000	35,000	40,000	40,000
166 2009 Capital Improvement (\$750k)	8/18/09	11/1/29	25,000	25,000	30,000	30,000	30,000	30,000	30,000	30,000	35,000	35,000	40,000	40,000
167 2009 Capital Improvement (\$2m)	8/18/09	11/1/29	60,000	60,000	80,000	80,000	80,000	85,000	85,000	90,000	90,000	90,000	95,000	95,000
172 2010 QSCB School Improvements (\$9.7m)	7/2/10	11/1/26	288,979	593,047	608,136	608,136	608,136	608,136	608,136	608,136	608,136	608,136	608,136	608,136
171 2010 QZAB School Improvements (\$2m)	7/2/10	11/1/29	59,583	122,278	125,389	125,389	125,389	125,389	125,389	125,389	125,389	125,389	125,389	125,389
180 2011 Capital Improvement (\$2m)	8/25/11	11/1/31				60,000	75,000	80,000	80,000	80,000	85,000	85,000	90,000	90,000
185 2012 Capital Improvement (\$3.25m)	10/10/12	11/1/32					95,000	100,000	105,000	115,000	120,000	130,000	130,000	140,000
195 2013 Capital Improvement (\$2m)	9/19/13	11/1/33					52,857	54,286	57,143	61,429	65,714	70,000	70,000	74,286
2014 Capital Improvement (\$2m)							100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
2015 Capital Improvement (\$2m)														
2016 Capital Improvement (\$2m)														
2017 Capital Improvement (\$2m)														
2018 Capital Improvement (\$2m)														
2019 Capital Improvement (\$2m)														
<b>Subtotal</b>			<b>768,527</b>	<b>1,021,896</b>	<b>1,436,992</b>	<b>1,463,525</b>	<b>1,593,525</b>	<b>1,561,382</b>	<b>1,687,811</b>	<b>1,820,668</b>	<b>1,764,954</b>	<b>1,889,239</b>	<b>2,023,525</b>	<b>2,157,811</b>
<b>Interest</b>														
88 1991 Smith/Flynn (\$1m) 1998 Refunding			7,203	4,458	1,517									
112 1993 Wheeler (\$1.55m) 2002 Refunding			19,025	15,306	11,369	7,100	2,400							
114 1996 Capital Improvement (\$860k) 2002 Refunding			28,244	26,975	25,569	24,019	22,419	20,719	18,891	16,900	14,744	12,525	10,094	7,363
137 1996 Capital Improvement (\$3.25m) 2004 Refunding			46,270	40,964	35,520	29,783	23,745	17,420	10,689	3,610				
145 2005 Capital Improvement (\$750k)			24,854	23,879	22,904	21,929	20,873	19,713	18,510	17,198	15,773	14,308	12,808	11,148
147 2006 General City/School Improvements (\$614k)			3,535											
152 2006 Capital Improvement (\$750k)			26,800	25,838	24,750	23,625	22,500	21,281	19,969	18,656	17,300	15,800	14,200	12,600
153 2006 BHS Athletic Field (\$3.615m)			129,075	124,438	119,450	114,106	108,575	102,763	96,669	90,388	83,600	76,300	68,700	60,700
156 2007 Capital Improvement (\$750k)			27,819	26,944	25,981	24,931	23,881	22,831	21,694	20,425	19,113	17,756	16,256	14,656
166 2009 Capital Improvement (\$750k)			17,113	24,100	23,550	22,950	22,350	21,750	21,113	20,400	19,500	18,450	17,356	16,789
167 2009 Capital Improvement (\$2m)			45,610	64,300	62,900	61,300	59,700	58,050	56,244	54,225	51,813	49,113	46,219	43,131
172 2010 QSCB School Improvements (\$9.7m)			84,498	108,640	108,640	108,640	108,640	108,640	108,640	108,640	108,640	108,640	108,640	108,640
171 2010 QZAB School Improvements (\$2m)			17,422		22,400	22,400	22,400	22,400	22,400	22,400	22,400	22,400	22,400	22,400
180 2011 Capital Improvement (\$2m)					53,151	77,181	75,456	73,206	70,881	68,481	66,006	63,456	60,719	57,681
185 2012 Capital Improvement (\$3.25m)					90,729	160,125	155,250	150,125	144,625	138,750	132,500	126,000	119,250	111,561
195 2013 Capital Improvement (\$2m)					76,786	123,461	121,318	118,804	115,302	111,011	106,430	101,561	95,000	88,000
0 2014 Capital Improvement (\$2m)														
0 2015 Capital Improvement (\$2m)														
0 2016 Capital Improvement (\$2m)														
0 2017 Capital Improvement (\$2m)														
0 2018 Capital Improvement (\$2m)														
0 2019 Capital Improvement (\$2m)														
<b>Subtotal</b>			<b>375,548</b>	<b>479,121</b>	<b>537,700</b>	<b>628,693</b>	<b>749,850</b>	<b>817,484</b>	<b>862,141</b>	<b>939,751</b>	<b>992,939</b>	<b>1,042,258</b>	<b>1,084,822</b>	<b>1,070,919</b>
<b>Total Debt Service</b>			<b>1,144,075</b>	<b>1,501,017</b>	<b>1,974,691</b>	<b>2,092,218</b>	<b>2,343,375</b>	<b>2,378,866</b>	<b>2,569,952</b>	<b>2,760,419</b>	<b>2,757,893</b>	<b>2,931,498</b>	<b>3,108,347</b>	<b>3,228,729</b>

**FY15 BSD Budget Draft 1.xls**

BOARD				ADD	REDUCE	NET
ITC		goal	incr			
	1	BHS reconstruction		200,000		200,000
	2	1:1 technology		275,000		275,000
	3	Preventative maintenance	1.75%	164,000		164,000
	4	Add custodial staff	2	100,000		100,000
	5	Capital bond		200,000		200,000
	6	Security				0
	7	Non-personnel facilities		300,000		300,000
				<u>1,239,000</u>	0	<u>1,239,000</u>
Diversity						
	1	Equitable student outcomes				0
	2	PD for differentiation				0
	3	PD for anti-bias				0
	4	Equitable co-curr/athletics		50,000		50,000
				<u>50,000</u>	0	<u>50,000</u>
Curriculum						
	1	Redefine special ed services				
	1.1	Multi-tiered system of support		100,000		100,000
	1.2	Inclusion				0
	1.3	Smarter delivery of services				0
	2	PD for differentiated instruction				
	2.1	Diversity				0
	2.2	Equity				0
	2.3	High achievers				0
	2.4	ELL				0
	3	Build curriculum scope				
	3.1	Foreign language - do well or drop				0
	4	1:1 technology - cost/benefit				0
	5	Common core standards				0
	6	Teacher evaluation				0
				<u>100,000</u>	0	<u>100,000</u>
<b>BOARD SUBTOTAL</b>				<u>1,389,000</u>	0	<u>1,389,000</u>

FY15 BSD Budget Draft 2.4.xls

GRAM GOALS	Program changes	Board Priority	Strategy	RegEd Instr	AlterSchl Instr	Social Serv	Curriculm Training	Library	Personnl Serv	SchBoard Serv	Care Buildings	Constr uction	Debt Serv
<b>CHING &amp; LEARNING</b>													
Enrollment increases/class size	75,000	Efficiencies	Add teacher	75,000									
ELL needs	95,000	Equitable student outcomes	Add teacher, liaison, supplies	95,000									
Community connections	(75,000)	Efficiencies	Reduce staff, redesign program			(75,000)							
Behavior support services	(80,000)	Student outcomes	Reduce staff, redesign program	(80,000)									
Non-core academic services	(630,000)	Equitable student outcomes Redesign special ed model	Reduce foreign lang, small classes HS, subsidy afterschool, academic coach, library services	(350,000)	(50,000)		(30,000)	(200,000)					
Impact of sequestration	515,000	Class size PD for differentiated instruction	Retain teachers/PD after federal funds loss	365,000			150,000						
Total	(100,000)			105,000	(50,000)	(75,000)	120,000	(200,000)	0	0	0	0	0
<b>DIVERSITY, EQUITY &amp; EMPLOYEE RELATIONS</b>													
Employee relations	31,130	Diversity recruitment Employee relations	Recruitment costs, training						31,130				
Total	31,130			0	0	0	0	0	31,130	0	0	0	0
<b>INFRASTRUCTURE AND FACILITIES</b>													
Technology for 21st C education	275,000	1:1 technology	Computers for student use	275,000									
Increase custodial/maint needs	75,000	Custodial staff	Add services								75,000		
Increase preventative maint	0	Preventative maint											
Planning 21stC BHS/Edmunds bld	200,000	BHS remodel	Prepare for capital projects									200,000	
Change in legal services model	(33,000)	Efficiencies	Redesign service delivery model							(33,000)			
Annual capital maintenance	200,000	Capital bond	Annual \$2m bond for remaining schools										200,000
Total	717,000			275,000	0	0	0	0	0	(33,000)	75,000	200,000	200,000
AL	648,130			380,000	(50,000)	(75,000)	120,000	(200,000)	31,130	(33,000)	75,000	200,000	200,000

Program retains: PD for differentiation, diversity and anti-bias, equitable co-cur/athletics; Focus on equitable student outcomes, MTSS, Common Core Curriculum, 21st C learning, diff model for community connections

**FY15 BSD Budget Draft 1.xls**

ADMINISTRATION

Infrastructure and facilities

1 Technology	same as Board			0
				0
		0	0	0

Diversity, equity & employee relations

1 Recruitment, prof development			11,000	11,000
2 HR support	0.5 34,000		17,000	17,000
		28,000	0	28,000

Teaching and learning

1 2 Ele, 1 MS teacher for enrollment	3	75,000	225,000	225,000
2 1 math, 1 literacy coach -sequestration	2	75,000	150,000	150,000
3 2 ELL teachers	2	75,000	150,000	150,000
4 ELL/PBIS program supplies			20,000	20,000
5 Teachers from grant - sequestration	4		365,000	365,000
6 Principal admin support	3	45,000	135,000	135,000
7 2 paras/school for literacy and math	12	25,000	300,000	300,000
8 0.5 FTE Bhutanese liaison	0.5	30,000	15,000	15,000
9 ELL program supplies			15,000	15,000
10 ELL staff technology			4,000	4,000
11 Recess monitors 2 day/wk			67,000	67,000
		1,446,000	0	1,446,000

<b>ADMINISTRATION SUBTOTAL</b>		<b>1,474,000</b>	<b>0</b>	<b>1,474,000</b>
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**FY15 BSD Budget Draft 2.5.xls**

EXPENDITURES	13Approved	13Actual	14Approved	14Committed 11-12-13	15Current Program	15Goals Draft 1	15Goals Draft 2	15Draft2
				YTD Actual + Encumbered	15 Cost of 14 Program	Board Goals for 15	Admin Redesign	Current Draft for 15
REGULAR ED INSTRUCTION	25,831,552	26,485,461	26,840,338	24,298,671	27,754,914	1,436,000	(1,056,000)	28,134,914
SPECIAL ED INSTRUCTION	9,647,031	11,353,149	11,439,324	10,856,382	11,911,666	0	0	11,911,666
CO-CURRICULAR INSTRUCTION	196,112	134,740	167,480	58,959	174,883	0	0	174,883
ATHLETICS INSTRUCTION	497,012	577,969	435,694	311,041	452,433	0	0	452,433
AFTERSCHOOL INSTRUCTION	369,092	322,426	392,234	199,240	393,476	0	(50,000)	343,476
<b>TOTAL INSTRUCTION</b>	<b>36,540,799</b>	<b>38,873,745</b>	<b>39,275,070</b>	<b>35,724,292</b>	<b>40,687,371</b>	<b>1,436,000</b>	<b>(1,106,000)</b>	<b>41,017,371</b>
		<b>% Prior Year Budget</b>	<b>107%</b>					<b>104%</b>
SOCIAL SERVICES	206,696	143,422	187,758	178,633	196,616	0	(75,000)	121,616
GUIDANCE SERVICES	1,341,066	1,394,530	1,421,849	1,403,304	1,489,405	0	0	1,489,405
DIVERSITY & EQUITY SERVICES	221,544	289,970	388,715	127,310	401,792	0	0	401,792
HEALTH SERVICES	695,361	725,753	741,612	694,324	774,169	0	0	774,169
PSYCHOLOGICAL SERVICES	252,409	307,678	282,235	256,287	295,323	0	0	295,323
SPEECH & LANGUAGE SERVICES	1,186,653	1,025,853	840,926	1,029,713	879,980	0	0	879,980
OCCUPATIONAL THERAPY SERVICES	0	103,232	126,996	94,052	133,016	0	0	133,016
PHYSICAL THERAPY SERVICES	58,543	56,604	69,466	57,527	72,761	0	0	72,761
<b>TOTAL STUDENT SUPPORT SERVICES</b>	<b>3,962,272</b>	<b>4,047,042</b>	<b>4,059,557</b>	<b>3,841,150</b>	<b>4,243,062</b>	<b>0</b>	<b>(75,000)</b>	<b>4,168,062</b>
		<b>% Prior Year Budget</b>	<b>102%</b>					<b>103%</b>
CURRICULUM/PD SERVICES	729,967	663,640	933,385	486,282	967,435	150,000	(30,000)	1,087,435
LIBRARY SERVICES	1,097,540	1,080,422	1,158,052	1,085,255	1,210,217	0	(200,000)	1,010,217
TECH SUPPORT SERVICES	79,232	88,127	93,196	83,596	97,521	0	0	97,521
TECH INTEGRATION SERVICES	630,659	661,452	793,815	635,794	828,921	0	0	828,921
SCHOOL TECH SERVICES	294,612	196,671	217,363	182,565	225,577	0	0	225,577
<b>TOTAL INSTRUCTOR SUPPORT SERVICES</b>	<b>2,832,010</b>	<b>2,690,312</b>	<b>3,195,811</b>	<b>2,473,493</b>	<b>3,329,672</b>	<b>150,000</b>	<b>(230,000)</b>	<b>3,249,672</b>
		<b>% Prior Year Budget</b>	<b>113%</b>					<b>102%</b>
								<b>60%</b>

**FY15 BSD Budget Draft 2.5.xls**

EXPENDITURES	13 Approved	13 Actual	14 Approved	14 Committed 11-12-13	15 Current Program	15 Goals Draft 1	15 Goals Draft 2	15 Draft 2
				YTD Actual + Encumbered	15 Cost of 14 Program	Board Goals for 15	Admin Redesign	Current Draft for 15
SCHOOL BOARD SERVICES	279,870	302,525	359,886	189,907	367,084	0	(33,000)	334,084
SUPERINTENDENT SERVICES	427,950	473,036	362,178	356,851	373,433	0	0	373,433
BUILDING ADMINISTRATION	2,387,900	2,556,450	2,551,441	2,403,676	2,632,028	135,000	(135,000)	2,632,028
SPECIAL ED ADMINISTRATION	390,079	437,652	403,294	387,396	416,039	0	0	416,039
BUSINESS SERVICES	519,657	596,624	640,903	470,732	659,595	0	0	659,595
PERSONNEL SERVICES	281,895	441,860	434,849	437,229	448,610	28,000	3,130	479,740
MANAGEMENT INFORMATION SERVICES	190,895	212,851	214,867	221,275	221,063	0	0	221,063
GRANTS ADMINISTRATION	177,108	212,482	212,370	206,284	219,309	0	0	219,309
EMPLOYEE BENEFITS/DISTRICT	2,269,813	1,202,497	741,241	0	538,818	0	0	538,818
<b>TOTAL SCHOOL/CENTRAL ADMIN</b>	<b>6,925,167</b>	<b>6,435,977</b>	<b>5,921,029</b>	<b>4,673,351</b>	<b>5,875,977</b>	<b>163,000</b>	<b>(164,870)</b>	<b>5,874,107</b>
		118%	86%					99%
OPERATIONS & MAINTENANCE	339,235	411,317	362,426	310,510	373,279	0	0	373,279
CARE & UPKEEP OF BUILDINGS/SECURITY	4,973,533	5,469,962	5,470,127	1,947,882	5,627,493	400,000	(325,000)	5,702,493
CARE & UPKEEP OF GROUNDS	81,300	105,841	81,300	62,134	82,926	0	0	82,926
VEHICLE MAINTENANCE	158,258	175,491	167,484	67,196	171,665	0	0	171,665
SCHOOL RESOURCE OFFICER	50,000	54,082	50,029	4,793	56,500	0	0	56,500
PREVENTATIVE MAINTENANCE	882,173	912,197	899,104	895,729	918,431	164,000	(164,000)	918,431
STUDENT TRANSPORTATION	455,151	811,116	810,116	384,847	830,820	0	0	830,820
SCHOOL BUS MAINTENANCE	90,569	75,997	93,153	15,019	95,284	0	0	95,284
<b>TOTAL OPERATIONS SERVICES</b>	<b>7,030,219</b>	<b>8,016,003</b>	<b>7,933,739</b>	<b>3,688,110</b>	<b>8,156,398</b>	<b>564,000</b>	<b>(489,000)</b>	<b>8,231,398</b>
		102%	113%					104%
CAPITAL CONSTRUCTION/ACQUISITION	0	215,886	0	0	0	200,000	0	200,000
DEBT SERVICE	2,155,483	2,139,396	2,331,588	0	2,481,588	200,000	0	2,681,588
PRIOR YEAR ADJUSTMENTS	0	5,599	0	19,132	1,200,000	0	0	1,200,000
FUND TRANSFERS	170,000	50,000	50,000	1,118,218	1,370,000	0	0	1,370,000
<b>TOTAL OTHER SERVICES</b>	<b>2,325,483</b>	<b>2,410,881</b>	<b>2,381,588</b>	<b>1,137,351</b>	<b>5,051,588</b>	<b>400,000</b>	<b>0</b>	<b>5,451,588</b>
		110%	102%					179%
<b>TOTAL EXPENDITURES</b>	<b>59,615,950</b>	<b>62,473,960</b>	<b>62,766,794</b>	<b>51,537,746</b>	<b>67,344,067</b>	<b>2,713,000</b>	<b>(2,064,870)</b>	<b>67,992,197</b>
		112%	105%					106%

# BURLINGTON SCHOOL DISTRICT

Building a Learning Community

## MEMO

To: Finance Committee, School Board  
From: David Larcombe, Director of Finance  
Re: FY15 Budget Draft 1  
Date: October 22, 2013

The attached worksheets comprise the presentation of the FY15 Budget Draft 1:

- 1) Current program  
This worksheet presents the FY14 Approved Budget by object (Fund 100), applies known and assumed percentage increases and (broadly) arrives at the FY15 cost of the FY14 program. The cost of the FY15 Service Plan has been included.
- 2) Program goals  
For the past two months, various stakeholders have been providing input for the Board to consider in developing program goals or priorities (beyond FY14 program levels) to be supported by the FY15 Budget. This worksheet presents the program goals for adding or enhancing the FY14 program in FY15, first from a Board perspective, then from an Administration point of view. Round estimates of the likely/possible cost of implementing these goals are presented.
- 3) Tax impact sheet  
This worksheet translates the impact of both continuing the current program in FY15 and pursuing all the identified board and administration goals in FY15. The result is an 11.5% increase in Education Spending per Equalized Pupil, compared to the 6.9% increase set as a financial goal by the Board.

Draft 1 is the first in a series of drafts that will be presented to the Board over the next three months, a process that is designed to prepare the Board to make a thoughtful decision in January on the budget to be presented to the voters for their approval in March. Voter interest and comment is anticipated and welcomed throughout this process, not just at the end.

Although some of the numbers in this Draft 1 are precise, many are estimates based on prior history or known or anticipated increases. In subsequent drafts, the tide of precision will inexorably advance up the shore of estimates, thereby reducing the uncertainty in the budget. Those who crave certainty at the outset will do well to practice patience, to allow the story to unfold, as data not currently available become known.

The goal for tonight's meeting is to understand the likely cost of the program goals identified by board and administration, and to consider the gap between the program goals and the financial goal. This awareness is intended to be taken back to Board committees in November, for each committee to prioritize both additions and reductions in its program area. The Planning Committee in early December will synthesize committee reflections into guidance for Draft 2.

David Larcombe – Director of Finance

## NOTICE OF PUBLIC HEARING

Pursuant to the requirements of 17 V.S.A. Sec. 2645, public hearings concerning proposed amendments to the Burlington City Charter will be held on Friday, January 17, 2014 at 12:00 noon and Monday, January 27, 2014 at 7:00 p.m. in Contois Auditorium, City Hall, Burlington, Vermont.

The Burlington City Council has voted to place the following four proposals to amend Sections of the Burlington City Charter on the ballot of the Annual City Meeting to be held March 4, 2014. Pursuant to 17 V.S.A. Sec. 2645(a)(6), the City Council has further determined that the proposed charter amendments are too long or unwieldy to set out in amended form and has determined that the printed ballot shall utilize the following short form questions. An official copy of the full proposed charter amendments is on file for public inspection in the office of the City Clerk, and copies shall be made available to members of the public upon request.

The first proposal is as follows:

“Shall the Burlington City Charter be amended to add Article 99. General Weapons Requirements Sec. 510 entitled “Ban on Firearms in Any Establishment with a First Class Liquor License,” which provides that no person may carry or possess a firearm in any location under the ownership or control of an establishment licensed to serve alcohol on its premises and which provides for specific exemptions from the prohibition and for penalties, including forfeiture of the firearm, for a violation?”

The second proposal is as follows:

“Shall the Burlington City Charter be amended to add Article 99. General Weapons Requirements Sec. 509 entitled “Safe Storage of Firearms,” which provides that no person shall store a firearm outside of his or her immediate possession or control without having locked the firearm in a safe storage depository or with a gun locking device and which provides for penalties, including forfeiture of the firearm, for a violation?”

The third proposal is as follows:

“Shall the Burlington City Charter be amended to add Article 99. General Weapons Requirements Sec. 511 entitled “Police Confiscation/Seizure of Weapons During Domestic Abuse Incident,” which provides that a police officer may confiscate a weapon in the immediate control or possession of an alleged abuser if the officer has probable cause to believe that domestic abuse has occurred and which provides penalties, including forfeiture of the weapon, for failure to submit to confiscation?”

The fourth proposal is as follows:

“Shall various sections of the City Charter, Acts of 1949, No. 298, as amended, related to city elections be further amended as follows:

1. To provide for the city to be divided into four city electoral districts and eight city electoral wards as depicted on the map on file in the chief administrator’s office, effective as of the annual meeting on March 3, 2015, and for all city elections thereafter;

2. To provide for the city council to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one city councilor, with district councilors elected to two year terms beginning with the election on March 3, 2015, and with ward councilors elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;
3. To provide for the school board to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one school commissioner, with district commissioners elected to two year terms beginning with the election on March 3, 2015, and with ward commissioners elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;
4. To provide for the ward election officers for each of the eight wards to be elected at the annual meeting on March 3, 2015, with three inspectors of election whose election is phased in so that each is elected for a staggered three year term ultimately, and that for the 2015 annual meeting only the ward officers of the seven wards elected prior to the 2015 annual city meeting shall serve as the election officers for those wards and the ward officers for Ward 8 shall be appointed for the 2015 election by the Board of Civil Authority; and
5. To provide for the addition of one member to the Board for the Registration of Voters so that the board is comprised of ten (10) members?"

An official copy of the proposed Charter amendments is on file for public inspection in the Office of the City Clerk, and copies will also be made available to members of the public upon request.



State of Vermont  
 Department of Taxes  
 133 State Street  
 Montpelier, VT 05633-1401

Phone: (802) 828-5860  
 Fax: (802) 828-2824

Agency of Administration

RECEIVED  
 BURLINGTON CLERK  
 REASONS OFFICE  
 2013 DEC 19 AM 11:56

December 17, 2013

City Clerk  
 City of Burlington  
 149 Church St  
 Burlington, VT 05401

**Division of Property Valuation and Review**  
**Certified Equalized Education Property Value (Effective 1/1/2014)**

This letter serves to notify you of the results of the Division's 2013 equalization study. We are required to annually certify the equalized education property value (EEPV) and coefficient of dispersion (COD) for each Vermont school district. 32 V.S.A. §5406. For your municipality these values are:

<b>Equalized Education Property Value:</b>	\$3,962,906,000
<b>Coefficient of Dispersion:</b>	10.58 %

The equalized education property value is the sum of:

- 1) the aggregate fair market value of all non-residential and homestead property required to be listed at fair market value;
- 2) the aggregate use value of all property enrolled in use value appraisal;
- 3) the aggregate value of property established under a local agreement in accord with 32 V.S.A. §5404a.

The coefficient of dispersion (COD) is a measure of uniformity of appraisal for all properties in the grand list. It measures the average deviation from market value of sold properties from the average townwide level of appraisal. A coefficient of dispersion of 0.00% is perfect as it indicates absolute fairness insofar as every taxpayer is appraised at exactly the same percentage of fair market value. Such perfection is impossible to achieve and COD's close to zero usually indicate sales chasing.

The higher the COD, the greater the disparity in how properties are assessed in that town. A COD of 10% or lower is considered to reflect a relatively high level of equity across taxpayers' assessments.

Included with the listers' copy of this notice is a report showing the sales and, where necessary, appraisals used in the study. A town or city may petition the director of Property Valuation and Review for a redetermination of the EEPV and/or COD. 32 V.S.A. §5408. All petitions must be in writing and signed by the chair of the legislative body of your town or city. Petitions should contain a plain statement of the matters being appealed and a statement of the remedy the



municipality is seeking. **Petitions must be received in my office by the close of business on the 30th day following receipt of this notice by the clerk.** Additional instructions on appeals can be found in the booklet described below.

Additional study results include:

Education Grand List (from 411):	\$33,983,589
Equalized Education Grand List:	\$39,629,060
Common Level of Appraisal:	88.15 %

The education grand list is one percent of the total assessed value of taxable property (including cable, if applicable) as reported on form 411. The equalized education grand list is one percent of the equalized education property value. The education grand list is divided by the equalized education grand list to determine the common level of appraisal (CLA). As such, the CLA provides a town or citywide comparison of your total listed value to our estimate of total fair market value.

There is a brief explanation of the reported values and how they were determined in our publication entitled "Introduction to Vermont's Equalization Study." (This booklet can be found on the Tax Department's website. Go to: <http://www.tax.vermont.gov/pvr.shtml> and click on Equalization Study Intro.)

If you have any questions, please contact your district advisor or call 828-5860.

Sincerely,



William E. Johnson, Director  
Property Valuation and Review

cc:  
Assessor / Board of Listers  
Chair, School Board  
Chair, City Council  
Superintendent of Schools



**CUSE Values Used in Computations: Certified**

Equalization Study - 2013

CUSE CLA: 0.8969

4114

Burlington

Category	Building Value Col 1	Use Value (Land Enrolled) Col 2	Use Value Divided By CLA Col 3	Total Cuse Subtracted from 411 LV (Col 1 + Col 2)	Total CUSE Incl. in EEGL (Col 1 + Col 3)
15 MISC	0	24,000	26,759	24,000	26,759
<b>TOTALS</b>	0	24,000	26,759	24,000	26,759

Form 411 Update: 11/8/2013

**Fair Market Value of TIF Property included in Equalization**  
as authorized under Act 160, sec. 14. 32 V.S.A. § 5405(a)

ED\_LV fm F411 + TIF EXEMPT fm F411 = ED\_LV for CLA COMP

	ED_LV fm F411	TIF EXEMPT fm F411	ED_LV for CLA COMP
1 R1	2,339,783,186	\$31,076,650	\$2,370,859,836
2 R2	\$0	\$0	\$0
3 MHU	\$2,321,300	\$0	\$2,321,300
4 MHL	\$1,083,800	\$0	\$1,083,800
5 S1	\$7,727,100	\$0	\$7,727,100
6 S2	\$0	\$0	\$0
7 COMM	\$588,403,721	\$63,556,200	\$651,959,921
8 CMA	\$334,753,505	\$58,834	\$334,812,339
9 IND	\$42,400,300	\$0	\$42,400,300
10 UE	\$31,316,800	\$0	\$31,316,800
11 UO	\$10,999,700	\$0	\$10,999,700
12 FRM	\$449,000	\$0	\$449,000
13 OTH	\$0	\$0	\$0
14 WOO	\$0	\$0	\$0
15 MISC	\$35,451,500	\$129,700	\$35,581,200
99 TOT	3,394,689,912	\$94,821,384	\$3,489,511,296

This report conveys the recommendations of the “Priorities Committee”, comprised of President Shannon, Councilor Decelles, and Councilor Knodell. The Council identified three priority areas at its July 15, 2013 retreat. Recommended actions in each area are presented below.

#### Fiscal Health of the City:

- Ask the Chief Administrative Officer to prepare a presentation on the major cost drivers in the City’s budget for a January City Council meeting.
- Follow up work on sustainability of Burlington Employees Retirement System, following Retirement Summit in the fall.
- Continue consulting with administration on BT lawsuit resolution.
- Continue engagement with US Ignite project, as long-run job and business development strategy

#### Quality of Neighborhoods

- Pursue strategies to increase homeownership rates city-wide; monitor percentage of housing units that are owner-occupied
- Continue work in Community Development and Neighborhood Revitalization Committee on downtown neighborhoods (broadly defined)
- Continue work in Public Safety committee to address drug addiction-driven crimes
- Continue strategies to mitigate traffic impacts on South End neighborhoods

#### Environment and Climate Change

- Coordinate with Mayor on next steps on Smarter Cities Challenge; refer Final Report to Transportation/Energy/Utilities Committee
- Ensure cooperation between BED and BT on Smarter Cities



Fee \$25.00

May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON
SPECIAL EVENT
ENTERTAINMENT PERMIT APPLICATION

[X] Indoor [ ] Outdoor

PART I
ORGANIZATION

All information in this section is required

BURLINGTON CLERK
TREASURER'S OFFICE
2013 DEC 13 11:47
RECEIVED

- 1. Corporation/Sole Proprietor name The Skinny Pancake
2. D/B/A (Business Name) Skinny Pancake 3. Bus. Phone 540-0131
4. Business Address 60 Luce Street, Suite 7A
5. Mailing Address " "
6. Contact person Lauren Nealy 7. Contact Phone (802) 233-5243
8. Email contact address Nealy@HaveYourCakeCatering.com

PART II
OPERATION

- 1. Do you currently have a Liquor License? Yes or No
2. Do you currently have an Entertainment Permit/Special Event Permit? Yes or No
3. Proposed Date(s) for this Special Event 12/31/2013
4. Proposed Hours for this Special Event 8pm (12/31/13) - 2am (1/1/14)
5. Proposed Location for this Special Event Specify if event will be on City street or right-of-way
Burlington Skinny Pancake (see address above)

For this Proposed location please answer the following questions:

- a) Occupancy Load 16 b) # of Restrooms 10 c) # of Egresses 3
d) Date of last Fire/Safety Check July 2013 e) Dancing by Patrons? Yes or No
f) Amplified Music? Yes or No g) Will additional staff and/or security be required? Yes or No

pdchk # 20988
do 12/13/13

(Continued on back)

**PART III  
DESCRIPTION OF ENTERTAINMENT**

Please give DETAILED description of the type of entertainment for which you are applying:

Description We are celebrating the New Year!  
We would like to clear some of our tables  
so our patrons can dance the night away!  
Josh Panda & The Hot Damned will be playing  
3 sets until 2am

**STATEMENT OF APPLICANT:** Under the pains and penalties of perjury, I affirm that the preceding answers are true to the best of my knowledge and belief. I have read, understand and agree to comply with all City and State conditions, laws, ordinances, regulations and statutes.

DATE SIGNED: 12/10/13  
SIGNATURE OF APPLICANT [Signature]

PRINT NAME: Lauren Nealy  
RELATIONSHIP TO BUSINESS Catering + Events Manager

OFFICE USE ONLY CHK# 20988 60

Fee Paid \$ 25.00 Date: 12/13/13 Fee Returned \$ \_\_\_\_\_ Date: \_\_\_\_\_

At their meeting of 12/17/13, the Burlington City Council License Committee recommended  
Approval  Denial \_\_\_\_\_

At their meeting of \_\_\_\_\_, the Burlington City Council \_\_\_\_\_ this SPECIAL  
entertainment permit application.

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2013 DEC 13 AM 11:47  
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TREASURER'S OFFICE