

**\*\*\*\* CITY COUNCIL WORKSESSION \*\*\*\***  
**CITY HALL, CONFERENCE ROOM 12**  
**MONDAY, JULY 13, 2009**  
**6:00 P.M. TO 7:00 P.M.**

1. AGENDA
2. COMMUNICATION: Joseph E. McNeil, Esq. and Bargaining Team Members, re: Update on Labor Negotiations (oral)

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

3. ADJOURNMENT

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**DELIBERATIVE AGENDA**  
**LOCAL CONTROL COMMISSION**  
**CONTOIS AUDITORIUM, CITY HALL**  
**MONDAY, JULY 13, 2009**  
**7:00 P.M.**

1. AGENDA
2. CONSENT AGENDA
  - 2.01. APPLICATION FOR SPECIAL EVENT PERMIT (**one day only**):

Boyden Valley Winery, City Market Specialty Foods Fair, Saturday, July 11, 2009,  
8:30 a.m. – 2:00 p.m., City Hall Park

\*waive the reading, accept the communication, place it on file and ratify the one day only permit for Boyden Valley Winery
  - 2.02. APPLICATION FOR SPECIAL EVENT PERMIT (**one day only**):

Eden Ice Cider Company, Shelburne Vineyard and Neshobe River Winery, City Market Specialty Foods Fair, Saturday, July 11, 2009, 8:30 a.m. – 2:00 p.m., City Hall Park

\*waive the reading, accept the communication, place it on file and ratify the one day only permit for Eden Ice Cider Company, Shelburne Vineyard and Neshobe River Winery
3. ORDER, FINDINGS AND PROPOSAL FOR DECISION:

Euro Corner, LLC, d/b/a Euro Corner, 61 Main Street
4. ADJOURNMENT

*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 July 15, 2009 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 Ben Pacy, Assistant Chief Administrative Officer-Administration and Operations (865-7013) or Lori Olberg, Administrative Assistant (865-7136) (TTY 865-7142).*

**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, JULY 13, 2009**

1. AGENDA
2. PUBLIC FORUM (Time Certain: 7:30 p.m.)
3. COMMUNICATION: City Councilors, re: General City Affairs (oral) (15 mins.)
4. COMMUNICATION: Mayor Kiss, re: General City Affairs (oral) (10 mins.)
5. COMMITTEE REPORTS (10 mins.)
6. CONSENT AGENDA
7. RESOLUTION: Extending a Big Chew Chew Thank You! (Full City Council)
8. PRESENTATION: Will Belongia, Executive Director, Vermont Community Loan Fund, re: Overview of the activities of the Vermont Community Loan Fund (10 mins.)
  - 8.01. COMMUNICATION: Vermont Community Loan Fund, re: 2008 Annual Report
9. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendments: ZA-09-08 Parking Lot Shading; ZA-09-16 Stormwater Performance Standards; ZA-09-17 Street-Facing Garage Wall Design Standards; ZA-09-18 Downtown Use
  - 9.01. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Parking Lot 30% Shading Requirement #ZA 09-08 (Planning Dept.) (1<sup>st</sup> reading)
  - 9.02. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Stormwater Performance Standards #ZA 09-16 (Planning Dept.) (1<sup>st</sup> reading)
  - 9.03. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Street-Facing Garage Wall Design Standards #ZA 09-17 (Planning Dept.) (1<sup>st</sup> reading)
  - 9.04. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Downtown Mixed Use Districts #ZA 09-18 (Planning Dept.) (1<sup>st</sup> reading)
10. REPORT: Burlington International Airport Board of Commissioners through Brian R. Searles, Director of Aviation, re: Commission Annual Report, FY-2009
11. REPORT: Mark Saba, Burlington Fire Commission Chair, re: 2009 Annual Report of the Burlington Fire Commission to the Burlington City Council
12. REPORT: Jerome F. O’Neill, Chair, Burlington Police Commission, re: Annual Report of the Burlington Police Commission to the Burlington City Council June 2008 through May 2009
13. RESOLUTION: Hiring Competing and Duplicative Legal Counsel (Councilors Decelles, Dober)

14. PRESENTATION: Jonathan P.A. Leopold, Jr., CAO and Frank Sadowski, SPHR, Gallagher Flynn Human Resource Services, LLC, re: A Market Analysis of the Salaries and Benefits of the Non-Union Positions in the City of Burlington
- 14.01. REPORT: Frank Sadowski, SPHR, Gallagher Flynn Human Resource Services, LLC, re: A Market Analysis of the Salaries and Benefits of the Non-Union Positions in the City of Burlington
- 14.02. RESOLUTION: Market Analysis of Non-Union Salaries (Councilors Keogh, Davis, Decelles: Board of Finance; Bushor, Kaplan, Dober: Institutions/ Human Resource Committee)
15. COMMUNICATION: Michael Schirling, Chief of Police, Karen Vastine, Community Justice Center Coordinator and Richard W. Haesler, Esq., Assistant City Attorney, re: Civil Ticketing Ordinances
- 15.01. ORDINANCE: OFFENSES AND MISCELLANEOUS PROVISIONS Re Disorderly Conduct Ordinance (Police Dept., Community Justice Ctr.; Shannon, Mulvaney-Stanak, Bushor: Ordinance Committee) (2<sup>nd</sup> reading)
- 15.02. ORDINANCE: OFFENSES AND MISCELLANEOUS PROVISIONS Re Unlawful Mischief Ordinance (Police Dept., Community Justice Ctr.; Shannon, Mulvaney-Stanak, Bushor: Ordinance Committee) (2<sup>nd</sup> reading)
- 15.03. ORDINANCE: OFFENSE AND MISCELLANEOUS PROVISIONS Re Unlawful Trespass Ordinance (Police Dept., Community Justice Ctr.; Shannon, Mulvaney-Stanak, Bushor: Ordinance Committee) (2<sup>nd</sup> reading)
- 15.04. RESOLUTION: Proposed Pilot Program for City Ticketing of Nuisance Offenses Councilors Shannon, Mulvaney-Stanak, Bushor: Ordinance Committee)
16. ADJOURNMENT

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**CONSENT AGENDA**

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**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, JULY 13, 2009**

- 6.01. RESOLUTION: Reclassification of the Public Works Department Parking Operations Shift Leader Position (Board of Finance)  
 \*waive the reading and adopt the resolution
- 6.02. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of the City's Right-of-way with LI2VT LLC d/b/a Junior's Downtown (Councilors Davis, Dober, Berezniak: License Committee)  
 \*waive the reading and adopt the resolution
- 6.03. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: FY2010 Dept. of Planning & Zoning Application and Permit Fees  
 \*waive the reading, accept the communication and place it on file

- 6.04. RESOLUTION: Department of Planning and Zoning FY 2010 Fee Schedule (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.05. COMMUNICATION: Larry Kupferman, CEDO Director, re: Moran Center Architectural & Engineering Contract Amendment  
\*waive the reading, accept the communication and place it on file
- 6.06. RESOLUTION: Authorization to Amend Contract for Architect & Engineering Services For The Moran Redevelopment Project (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.07. RESOLUTION: Extension of All Taxi-Related Licenses and Permits to August 31, 2009 (Councilor Davis)  
\*waive the reading and adopt the resolution
- 6.08. RESOLUTION: Authorization to Apply for a Vermont Neighborhood Stabilization Program Grant (Councilor Davis)  
\*waive the reading and adopt the resolution
- 6.09. RESOLUTION: Authorization for Execution of Contract for Carrier Ramp Repair at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.10. RESOLUTION: Authorization of Execution and Delivery of a Master Lease Purchase Agreement for Fiscal Year 2009 (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.11. RESOLUTION: Reclassification and Title Change of Clerk/Treasurer's Administrative Secretary Position (Board of Finance) **(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution
- 6.12. RESOLUTION: Reclassification and Title Change of Clerk/Treasurer's Executive Secretary Position (Board of Finance) **(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution
- 6.13. RESOLUTION: Creation of a Classified, Full-Time Regular Service Position – Clerk/Treasurer's – Senior Programmer/Analyst (Board of Finance) **(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution
- 6.14. RESOLUTION: Reorganization of the Manager Customer Service and Manager Technical Operations at Burlington Telecom to Division Manager of Marketing and Customer Service and Division Manager of Network Operations (Board of Finance) **(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution
- 6.15. RESOLUTION: Resolution Relating to Authorization for Revenue Supported General Obligation Bonds for Burlington Electric Department (Board of Finance) **(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution

- 6.16. REPORT: John Vickery, City Assessor, Board of Assessors Commission Report  
\*waive the reading, accept the report and place it on file
- 6.17. REPORT: Jennifer Ely, Director, Winooski Valley Park District, re: Winooski Valley Park District Annual Report for Year ending June 30, 2008  
\*waive the reading, accept the report and place it on file
- 6.18. COMMUNICATION: Sue Trainor, Executive Secretary to the CAO, re: Minutes, Emergency Meeting, Board of Civil Authority  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2009 City Council Meeting
- 6.19. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, Special City Council for March 30, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2009 City Council Meeting
- 6.20. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, Organization Day, April 6, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2009 City Council Meeting
- 6.21. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, Regular City Council Meeting, April 13, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the August 10, 2009 City Council Meeting
- 6.22. COMMUNICATION: Bruce Seifer, Assistant Director for Economic Development, CEDO, Re: Burlington Economic Summit Report  
\*waive the reading, accept the communication and place it on file
- 6.23. COMMUNICATION: Mayor Bob Kiss, re: Environmental Preferred Purchasing (EPP) Policy  
\*waive the reading, accept the communication and place it on file
- 6.24. COMMUNICATION: Kenneth A. Schatz, Esq., City Attorney, re: Mayoral Appointments  
\*waive the reading, accept the communication and place it on file
- 6.25. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, Board of Finance Minutes for June 22, 2009  
\*waive the reading, accept the communication and place it on file
- 6.26. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for June 29, 2009  
\*waive the reading, accept the communication and place it on file
- 6.27. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for July 6, 2009  
\*waive the reading, accept the communication and place it on file

- 6.28. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, City Council, February 9, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 22, 2009 City Council Meeting
- 6.29. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, City Council, February 23, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 22, 2009 City Council Meeting
- 6.30. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: City Council Minutes for March 9, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 22, 2009 City Council Meeting
- 6.31. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Special City Council Minutes for March 12, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 22, 2009 City Council Meeting
- 6.32. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, Special City Council for March 23, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 22, 2009 City Council Meeting