

DELIBERATIVE AGENDA

CITY COUNCIL WORKSESSION
CONFERENCE ROOM 12, CITY HALL
MONDAY, JUNE 7, 2010
6:00 P.M. – 7:00 P.M.

- 1. AGENDA
- 2. COMMUNICATION: Ken Schatz, City Attorney, re: Litigation (oral)
 - * * * * **EXPECTED EXECUTIVE SESSION** * * * *
- 3. COMMUNICATION: Joseph E. McNeil, Esq., re: Collective Bargaining (oral)
 - * * * * **EXPECTED EXECUTIVE SESSION** * * * *
- 4. ADJOURNMENT

LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, CITY HALL
MONDAY, JUNE 7, 2010
7:26 P.M.

PRESENT: Commissioners Wright, Decelles, Paul, Berezniak, Kehoe, Shannon, Keogh, Adrian, Kaplan, Kranichfeld, Bushor, Mulvaney-Stanak, Caldwell

ABSENT: Commissioner Dober and Mayor Kiss

CITY ATTORNEY’S OFFICE: Ken Schatz and Richard Haesler

CLERK/TREASURER OFFICE: Jonathan P.A. Leopold, Jr., Ben Pacy and Lori Olberg

PRESIDENT KEOGH PRESIDING:

- 1. AGENDA

On a motion made by Commissioners Berezniak and Decelles, the Local Control Commission unanimously adopted the agenda as is.

- 2. CONSENT AGENDA

On a motion made by Commissioners Berezniak and Decelles, the Local Control Commission voted unanimously to adopt the consent agenda thus taking the following actions as indicated:

- 2.01. COMMUNICATION: Jessica Frank, Executive Secretary, re: Local Control Sub-Committee/City Council License Committee Minutes for May 5, 2010
 - *waive the reading, accept the communication and place it on file
- 2.02. COMMUNICATION: Jessica Frank, Executive Secretary, re: Local Control Sub-Committee/City Council License Committee Minutes for May 19, 2010
 - *waive the reading, accept the communication and place it on file
- 2.03. APPLICATION FOR SPECIAL EVENT PERMIT (**July 16 and 17, 2010**):

Vermont Brewers Association, d/b/a Vermont Brewers Festival, Waterfront Park,
July 16 and 17, 2010, Three Sessions

*waive the reading, accept the communication, place it on file and approve the
application for special event permit for the Vermont Brewers Festival, July 16 and
17, 2010

- 2.04. COMMUNICATION: Ron Redmond, Executive Director, Church Street Marketplace
District, re: Sidewalk Café Expansion for Asiana Noodle Shop,
Halvorson's Upstreet Café, Leunig's Bistro, RiRa Burlington &
Three Tomatoes Trattoria

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

- 2.05. EXPANSION OF OUTSIDE CONSUMPTION PERMITS FOR CERTAIN DATES
ONLY:
Asiana Noodle Shop, Halvorson's Upstreet Café, Leunig's Bistro, RiRa Burlington &
Three Tomatoes Trattoria

*waive the readings, accept the communications, place them on file and approve the
outside consumption permit expansions for the above-mentioned establishments, certain
dates only

Commissioner Bushor noted that consent agenda item 2.02: Minutes for May 19, 2010 were incorrect and
needed to be revised. Commissioner Mulvaney-Stanak was absent from that meeting and the minutes
reflected otherwise.

3. ADJOURNMENT

On a motion by Commissioners Berezniak and Decelles, the Local Control Commission voted
unanimously to adjourn at 7:27 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO

ANNUAL MEETING, CITY COUNCIL
MONDAY, JUNE 7, 2010
7:27 P.M.

PRESENT: See above; Mayor Kiss arrived at 7:29 p.m. Councilor Dober was on the phone at 7:30 p.m.

PRESIDENT KEOGH PRESIDING:

1. AGENDA

On a motion made by Councilor Adrian, with no second, the agenda was amended as follows: Amend the
action for item 3.09. COMMUNICATION: Jean Poulin, Customer Service Associate, re: Dogs
Unlicensed for 2010 with the consent action to "waive the reading, accept the communication, place it on
file and refer to the Board of Finance with the Clerk/Treasurer's Office providing information to them as
to whether there are more or less unlicensed dogs compared to 2009;" add to the consent agenda item
3.17. COMMUNICATION: Claire Shepard, Chief Accountant, re: Final Fy2010 Installment Due Date
with the action to "waive the reading, accept the communication and place it on file; note attachment "A"
for item 4.01. RESOLUTION: Allocation Method and Standards for Common Area Fees of the Church
Street Marketplace for Fiscal Year 2011 (Councilor Shannon); add Councilor Berezniak as a co-sponsor

to agenda item 5. RESOLUTION: The Election of a Mayor by Majority of Voters (Councilors Shannon, Kehoe); note the format for item 7.0: 7.01. COMMUNICATION: Larry Kupferman, CEDO Director, re: Downtown Tax Increment Financing (TIF) district application and resolution (was 7.01.) 7.02. PUBLIC HEARING: Tax Increment Financing District (added to the agenda); 7.03. RESOLUTION: Establishing the Downtown Tax Increment Financing District and Authorization to Make Application to the Vermont Economic Progress Council for Approval (Community Development and Neighborhood Revitalization Committee: Councilors Berezniak, Milvaney-Stanak, Adrian) (was 7.0.); add to the agenda item 7.5. RESOLUTION: Authorization to Execute Settlement Agreement (Board of Finance); add the agenda items 9.08.01. through 9.08.04. APPOINTMENTS: Church Street Marketplace Commission: (Terms expiring 6/30/13) respectively; add to the agenda items 9.09.01 through 9.09.02. APPOINTMENTS: Development Review Board (Terms expiring 6/30/14); remove from the agenda item 12. REPORT: Telecommunications Advisory Committee.

2. PUBLIC FORUM

President Keogh opened the public forum at 7:30 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Gavin Blumenthal		Library Commission Applicant

There being no one further coming forward, President Keogh closed the public forum at 7:32 p.m.

3. CONSENT AGENDA

On a motion made by Councilors Adrian and Kaplan, the consent agenda was adopted, as amended, thus taking the following actions as indicated:

- 3.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re: Accountability List
*waive the reading, accept the communication and place it on file
- 3.02. COMMUNICATION: Larry Kupferman, CEDO Director, re: Lease with Chittenden Solid Waste District
*waive the reading, accept the communication and place it on file
- 3.03. RESOLUTION: Lease Agreement with CSWD (Board of Finance)
*waive the reading and adopt the resolution
- 3.04. RESOLUTION: Resolution Relating to General Obligation Bonds for Public Improvements for City Fire Department (Board of Finance)
*waive the reading and adopt the resolution
- 3.05. COMMUNICATION: Bruce Seifer, Assistant Director for Economic Development, CEDO, Re: Jobs and People IV: Towards a Sustainable Economy, Nancy Brooks & Richard Schramm, April 2010
*waive the reading, accept the communication and place it on file
- 3.06. COMMUNICATION: Sue Trainor, Assistant to the CAO, re: Minutes, Special City Council, December 3, 2009
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the May 17, 2010 City Council Meeting
- 3.07. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed

Municipal Development Plan Amendment: MDP-10-01 Burlington
Transportation Plan

*waive the reading, accept the communication, place it on file and warn a public hearing for the July 12, 2010 City Council Meeting

3.08. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendment: ZA-10-08 Special Flood Hazard Area Regulations Update

*consider 1st reading and refer to the Ordinance Committee

3.09. COMMUNICATION: Jean Poulin, Customer Service Associate, re: Dogs Unlicensed for 2010
*waive the reading, accept the communication, place it on file and refer to the Board of Finance with the Clerk/Treasurer's Office providing information to them as to whether there are more or less unlicensed dogs compared to 2009

3.10. COMMUNICATION: Patricia Braine, Board Member, Board for Registration of Voters, re: Resignation

*waive the reading, accept the communication, place it on file, advertise the vacancy and send Patricia Braine a letter of appreciation thanking her for her time served on the Board for Registration of Voters

3.11. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for December 7, 2009

*waive the reading, accept the communication, place it on file and adopt the minutes at the June 14, 2010 City Council Meeting

3.12. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for December 14, 2009

*waive the reading, accept the communication, place it on file and adopt the minutes at the June 14, 2010 City Council Meeting

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

One Half, Inc., d/b/a Bevo, Waterfront Park, Saturday, June 26, 2010, 11:00 a.m. – 8:00 p.m., Burlington Food & Wine Fest, Band, No dancing

*waive the reading, accept the communication, place it on file and approve the Special Event Outdoor Entertainment Permit Application for One Half, Inc., d/b/a Bevo, for one day only

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

MPW Enterprises LLC, d/b/a The Scuffer Steak and Ale House, Firehouse Gallery Patio in City Hall Park, Wednesday, June 9, 2010, 6:00 p.m. – 9:00 p.m., Birthday Party, Three/Four Piece Band, No dancing

*waive the reading, accept the communication, place it on file and approve the Special Event Outdoor Entertainment Permit Application for MPW Enterprises LLC, d/b/a The Scuffer Steak and Ale House, for one day only

3.15. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (**Jazzfest only**):

Miguels on Main, 30 Main Street, June 4th, 8th, 9th, 11th and 12th only, 7:00 p.m. – 10:00 p.m., Jazz-based music, No dancing

*waive the reading, accept the communication, place it on file and approve the Special Event Outdoor Entertainment Permit Application for Miguels on Main for five days only

- 3.16. COMMUNICATION: Church Street Marketplace District Commission, re: Ron Redmond's Reappointment as Executive Director of the Church Street Marketplace District

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

- 3.17. COMMUNICATION: Claire Shepard, Chief Accountant, re: Final Fy2010 Installment Due Date

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

4. PUBLIC HEARING: Allocation Method and Standards for CSM Common Area Fees for Fiscal Year 2011

President Keogh opened the public hearing at 7:35 p.m.

There being no one coming forward, President Keogh closed the public hearing at 7:35 p.m.

- 4.01. RESOLUTION: Allocation Method and Standards for Common Area Fees of the Church Street Marketplace for Fiscal Year 2011 (Councilor Shannon)—note attachment "A"

Councilor Shannon made a motion, seconded by Councilor Kehoe, to waive the reading and adopt the resolution. Ron Redmond, Director of the Church Street Marketplace, stated this was phase one of the allocation process. The motion passed unanimously.

- 4.02. COMMUNICATION: Clerk/Treasurer's Office, re: Public Hearing Notice for CSM Common Area Fees

There being no objection from the remaining Council, President Keogh made a motion to waive the reading, accept the communication and place it on file.

5. RESOLUTION: The Election of a Mayor by Majority of Voters (Councilors Shannon, Kehoe, Berezniak)

Councilor Shannon made a motion, seconded by Councilor Kehoe, to waive the reading and adopt the resolution. Councilor Shannon noted that this resolution was a follow up to the elimination of the IRV. She believed many residents in Burlington supported the idea of a candidate winning by a majority of the votes, rather than 40%. Councilor Decelles noted his continued support of a 40% threshold. Both Councilor Decelles and Wright stated the timing was inappropriate considering the Governor had just signed the elimination of the IRV into law.

Councilor Wright then made a motion to postpone action on this resolution until the second meeting in September, seconded by Councilor Decelles. Councilor Shannon stated that last September the Council passed a resolution on the Mayoral Appointments which was not placed on the ballot because the Charter Change Committee did not meet in time to review the item. She stated she felt a sense of urgency in having this matter move out of Committee in a timely manner. Councilor Wright believed it was not helpful to bring this matter up in the summer as it would upset people about this issue again. He then committed that he would support that these matters move forward and return to the Council in a timely manner.

Councilor Bushor believed that postponing action on this resolution would not be beneficial. Councilor Berezniak called the question on the motion. The motion failed for lack of a second. The vote on postponing action until the second meeting of September failed by a vote of 11 to 3, with Councilors Dober, Decelles, and Wright voting in favor.

Councilor Bushor proposed an amendment to have the Charter Change Committee deliver a draft amendment to the City Council no later than November 15, 2010. Councilor Shannon requested that instead it be October 25th, which Councilor Bushor agreed with. Councilor Bushor also noted it was unclear from the resolution but it was her understanding if no candidate achieved 50% the top two votegetters would be in the run-off. Councilor Shannon stated that would be her expectation. Councilor Decelles again expressed his dissatisfaction with the idea that the citizens were not bringing this issue forward as was done with the IRV matter. Councilor Wright stated it was disrespectful to the residents who worked on the petition for the IRV.

Councilor Kehoe stated it was not necessary for the Council to wait for a public outcry on a matter. Elected officials were there to take a position for them on their behalf. She believed a 50% threshold for Mayor was key for true democracy. Councilor Adrian noted the vote on IRV was not actually indicative of the voter's intent regarding the 50% threshold.

Councilor Decelles requested a roll call. The motion passed by a vote of 11 to 3.

Ayes: Adrian, Berezniak, Bushor, Caldwell, Kaplan, Kehoe, Kranichfeld, Mulvaney-Stanak, Paul, Shannon and Keogh

Nays: Decelles, Dober and Wright

6. RESOLUTION: Necessary Improvements to the Burlington Waterfront Bike Path
(Councilor Wright)

Councilor Wright made a motion, seconded by Councilor Decelles, to waive the reading and adopt the resolution. Councilor Wright was concerned there were areas that needed to be addressed on the bike path; therefore, he put this resolution forward to move the process along. Councilor Decelles offered an amendment to change the report-back date to June 28th. This amendment was considered friendly to the maker. Councilor Bushor suggested using a dedicated bond or funds from the capital improvement budget to fund improvements.

Councilor Berezniak offered an amendment to include the entire bike path network. Councilor Wright did not find the amendment to be friendly. Councilor Kehoe seconded the amendment. Councilor Wright explained that the waterfront portion of the bike path was older and in more need of repair than other areas of the path. Following continued debate on the benefits of reviewing the entire bike path, Councilor Wright called a point of order and stated he was now willing to consider the amendment friendly. Councilor Decelles considered it friendly as well.

Councilor Paul then called the question, seconded by Councilor Decelles. The vote to call the question passed by a vote of 11 to 3 with Councilors Adrian, Bushor and Caldwell voting against.

The resolution then passed by a vote of 13 to 1 with Councilor Caldwell voting against.

7.0. PRESENTATION: Downtown Tax Increment Financing District (TIF)

CEDO Director Larry Kupferman, JuliBeth Hinds and Stephanie Hainley of White and Burke made a presentation to the City Council members on the proposed Tax Increment Financing District. In October of 2009, the City authorized preparation of the application for the new statutory TIF. The request of the Council now was that they pass the resolution which approved the TIF boundary entirely within the tax district and to approve the application. The group planned to submit the application at the beginning

of July. Ms. Hinds explained in great detail the way TIF financing works. Additionally, she explained the ways in which the City had used the Waterfront TIF District and the benefits received by the City as a result of that particular TIF. Councilors Shannon, Kaplan, Bushor, Kehoe, and Dober asked questions of Ms. Hinds about the District boundaries and tax benefits to the City.

- 7.01. COMMUNICATION: Larry Kupferman, CEDO Director, re: Downtown Tax Increment Financing (TIF) district application and resolution

Councilor Berezniak made a motion, seconded by Councilor Kehoe, to accept the communication, waive the reading and place it on file. The motion passed unanimously.

- 7.02. PUBLIC HEARING: Tax Increment Financing District

President Keogh opened the public hearing at 8:57 p.m. There being no one present, the public hearing was closed at 8:57 p.m.

- 7.03. RESOLUTION: Establishing the Downtown Tax Increment Financing District and Authorization to Make Application to the Vermont Economic Progress Council for Approval (Community Development and Neighborhood Revitalization Committee: Councilors Berezniak, Mulvaney-Stanak, Adrian)

Councilor Berezniak made a motion, seconded by Councilor Kehoe, to waive the reading and adopt the resolution. The motion passed unanimously.

- 7.5. RESOLUTION: Authorization to Execute Settlement Agreement (Board of Finance)

Councilor Paul made a motion, seconded by Councilor Kehoe, to waive the reading and adopt the resolution. With no discussion, the motion passed unanimously.

8. COMMUNICATION: Mayor Bob Kiss, re: Mayoral Appointments for 2010-2011

- | | |
|---|-------------------------|
| 8.01. Director of Aviation, Burlington International Airport: | Brian Searles |
| 8.02. Chief Administrative Officer: | Jonathan Leopold |
| 8.03. Executive Director, Church Street Marketplace: | Ron Redmond |
| 8.04. City Arts Director: | Doreen Kraft |
| 8.05. City Attorney: | Kenneth Schatz |
| 8.06. Senior Assistant City Attorney: | Eugene Bergman |
| 8.07. Assistant City Attorney: | Nikki Fuller |
| 8.08. Assistant City Attorney: | Richard Haesler |
| 8.09. Assistant City Attorney: | Kimberlee J. Sturtevant |
| 8.10. Director, Community & Economic Development: | Larry Kupferman |
| 8.11. General Manager, Burlington Electric Department: | Barbara L. Grimes |
| 8.12. Chief, Burlington Fire Department: | Michael O'Neil |
| 8.13. Co-Director, Fletcher Free Library: | Amber Collins |
| 8.14. Co-Director, Fletcher Free Library: | Robert Coleburn |
| 8.15. Co-Director, Fletcher Free Library: | Robert Resnik |
| 8.16. Chief, Burlington Police Department: | Michael Schirling |
| 8.17. Director, Department of Parks and Recreation: | Mari Steinbach |
| 8.18. Director, Department of Public Works: | Steven Goodkind |
| 8.19. City Constable: | Eugene Bergman |
| 8.20. Second Constable: | Gordon H. Gilbert |
| 8.21. City Grand Juror: | Eugene Bergman |
| 8.22. Assistant Grand Juror: | Kenneth Schatz |

8.23. Assistant Grand Juror:	Nikki Fuller
8.24. Assistant Grand Juror:	Richard Haesler
8.25. Assistant Grand Juror:	Kimberlee J. Sturtevant
8.26. Superintendent, Cemetery Department:	Mari Steinbach
8.27. Emergency Management/Civil Defense Director:	Michael O'Neil
8.28. City Engineer and Surveyor:	Steven Goodkind
8.29. Harbor Master:	Mari Steinbach
8.30. Pound Keeper:	Walt Decker

Mayor Kiss addressed the Council stating that each appointee had served the City well.

Councilor Adrian made a motion to approve the slate of Mayor's Appointments except for item 8.02, the CAO. The motion was seconded by Councilor Kaplan. Councilor Decelles made a motion to further amend the list by removing item 8.17, the Parks and Recreation Director; item 8.26, Superintendent, Cemetery Department and item 8.29 Harbor Master. No second was needed for Councilor Decelles' request. The rest of the slate of appointments passed unanimously.

Following a vote by the Council on the appointment of the CAO, a roll call was requested by the Council President. The appointment failed by a vote of 10 to 4.

Ayes: Berezniak, Bushor, Caldwell and Mulvaney-Stanak

Nays: Adrian, Decelles, Dober, Kaplan, Kehoe, Kranichfeld, Paul, Shannon, Wright and Keogh

At this point Councilor Decelles requested he be allowed to provide an explanation for removing agenda items 8.17, 8.26 and 8.29 from the slate of appointments. He expressed disappointment that his trust in this employee had been broken. The Mayor stated the Parks Commission had supported the Director's reappointment. Councilor Caldwell stated the Director of Parks should have the option to address the statements that Councilor Decelles made. Council President Keogh disagreed, saying it would open the matter up to lengthy debate. The Council then voted 13 to 1 to re-appoint Mari Steinbach as Parks and Recreation Director (agenda item 8.17), Superintendent, Cemetery Department (agenda item 8.26) and Harbor Master (agenda item 8.29) with Councilor Decelles voting against.

City Council Appointments

9. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/Boards
 - 9.01. COMMUNICATION: Clerk/Treasurer's Office, re: 2010 Board/Commission Application Listing (By Board/Commission)
 - 9.02. COMMUNICATION: Amy Jewell, Administrative Manager, CSWD, re: Appointment/Terms of Office
 - 9.03. COMMUNICATION: Board and Commission Negotiating Team, re: 2010 Commission/Board Worksheet (CC)

With no objection from the remaining Council, President Keogh made a motion regarding items 9-9.03: waive the readings, accept the communications and place them on file.

- 9.04. APPOINTMENT: CCMPO (Term expires 6/30/12)

Councilor Adrian nominated Andy Montroll.

Andy Montroll was re-appointed to the CCMPO.

9.05. APPOINTMENT: CCMPO-Alternate (Term expires 6/30/12)

Councilor Adrian nominated Bill Keogh.

Bill Keogh was re-appointed at the CCMPO-Alternate.

9.06. APPOINTMENT: CCTA (Term expires 6/30/13)

Councilor Adrian nominated S. Chapin Spencer.

S. Chapin Spencer was re-appointed to the CCTA.

9.07. APPOINTMENT: CSWD (Term expires 5/31/12)

Councilor Adrian nominated Steven Goodkind.

Steven Goodkind was re-appointed to the CSWD.

9.08. APPOINTMENT: CSWD-Alternate (Term expires 5/31/12)

Councilor Adrian nominated Nicole Losch.

Nicole Losch was re-appointed to the CSWD as an Alternate.

9.08.01.APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/13)

Councilor Adrian nominated Celia Daley.

Celia Daley was re-appointed to the Church Street Marketplace Commission.

9.08.02.APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/13)

Councilor Adrian nominated Jeff Nick.

Jeff Nick was re-appointed to the Church Street Marketplace Commission.

9.08.03. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/13)

Councilor Adrian nominated Lorre Tucker.

Lorre Tucker was re-appointed to the Church Street Marketplace Commission.

9.08.04. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/13)

Councilor Adrian nominated Eli Lesser-Goldsmith to the Church Street Marketplace Commission. Councilor Bushor nominated Phil Merrick to the Church Street Marketplace Commission. Eli Lesser-Goldsmith was appointed by a vote of 11 to 3 with councilors Bushor, Mulvaney-Stanak and Caldwell voting for Mr. Merrick.

9.09. APPOINTMENT: Conservation Board (Term expires 6/30/14)

Councilor Adrian nominated Don Meals.

Don Meals was re-appointed to the Conservation Board.

9.09.01. APPOINTMENT: Development Review Board (Term expires 6/30/14)

Councilor Adrian nominated Bob Schwartz.

Bob Schwartz was appointed to the Development Review Board.

9.09.02. APPOINTMENT: Development Review Board (Term expires 6/30/14)

Councilor Adrian requested this position be readvertised.

9.10. APPOINTMENT: Fence Viewer (Term expires 6/30/11)

Councilor Adrian nominated Elizabeth Curry.

Elizabeth Curry was appointed as Fence Viewer.

9.11. APPOINTMENT: Fence Viewer (Term expires 6/30/11)

Councilor Adrian nominated Travis Fryer.

Travis Fryer was appointed as Fence Viewer.

9.12. APPOINTMENT: Telecommunications Advisory Comm. (Term expires 6/30/13)

Councilor Adrian nominated Steve McIntyre.

Steve McIntyre was re-appointed to the Telecommunications Advisory Committee.

The appointments (other than 9.08.04) passed unanimously. Councilor Dober disconnected at 9:10 p.m.

10. REPORT: Burlington International Airport Board of Commissioners, re: Commission Annual Report, FY-2010

Brian Searles, Robert McEwing, Gene Richards (Chair of Commission), Jeff Munger and Miro Weinberger provided the Airport's Annual Report for FY 2010. They outlined the decline of passengers, the mergers of several airline companies and the loss of AirTran. The Airport Commission continued to remain optimistic about the future of the Airport. Mr. Searles applauded the work of the City lobbyists and Nick Warner of CEDO in working on the new Aviation Technical Center, funded with \$900,000 in state and stimulus money. Mr. McEwing outlined the status of the new parking garage. Chair Richards expressed his disappointment in the recent downgrade from Moody's, however, compared to other airports, Burlington Airport was in a very good position. Councilor Bushor expressed her appreciation for the information provided in the report and highlighted the 90th anniversary of the Airport, the possibility of the F-35 arrival, and allowing South Burlington to use some of the land as a dog park. Councilor Paul expressed her appreciation to the staff and Commission members of the Airport for their excellent work. Councilor Adrian made a motion, seconded by Councilor Shannon to waive the reading, accept the report and place it on file. The motion passed unanimously.

11. REPORT: Jerome F. O'Neill, Board of Police Commissioners, Annual Report of the Burlington Police Commission to the Burlington City Council June 2009 through May 2010

Chief Schirling outlined the challenges and opportunities of the past year of the Police Department. In particular, the Street Crimes Unit and Graffiti Remediation were highlighted. An upcoming project the

Chief explained in greater detail was the Rapid Arraignment and Intervention program which he thought would make an excellent new program for the community. Councilor Berezniak applauded the Chief for the great work done by the Chief over his term and asked for an update on recruitment efforts. Councilor Kranichfeld concurred with the Chief on the RAI Program. Councilor Adrian made a motion, seconded by Councilor Shannon to waive the reading, accept the report and place it on file. The motion passed unanimously.

13. COMMITTEE REPORTS

Councilor Kehoe reported that the Labor Negotiation and Pensions Ad Hoc Committee would be meeting that week. Councilor Adrian reported the Public Safety Committee would be meeting to discuss the Challenges for Change resolution that was forwarded to that Committee. Councilor Berezniak reported the Community Development and Neighborhood Revitalization Committee met to discuss the impact of Burlington College purchasing the Diocese Building and what the effect it would have on housing in Burlington. Councilor Shannon reported the Ordinance Committee would be forwarding ordinances to the Council to review and thanked the Committee for the work that they have done recently. Councilor Mulvaney-Stanak stated the Special Committee on Moran would be meeting during the week and reviewing the finances of Moran.

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

Councilor Mulvaney-Stanak reported on the Annual Move Out Day, held when UVM students move out of their apartments. She noted the benefits of the program as it reduced waste in the City.

Councilor Shannon reiterated her prior comments regarding the Burlington Employee Retirement System Board minutes. She did not believe they met the legal requirements (especially concerning Executive Session portions) and could not be less informative; she asked that this issue would be improved. CAO Leopold noted the Executive Sessions involved disability decisions and he would ask they be duly noted.

15. COMMUNICATION: Mayor Kiss, re: General City Affairs

The Mayor informed the Council that Kiplinger's Personal Finance issue named Burlington one of the ten best cities in United States for the next decade, using factors including job growth, livability, economic vitality and the creative economy. He believed the Climate Action Plan and the Legacy Project helped in this effort. He noted that during these difficult economic times the City had been doing very well and was now being recognized for those efforts.

16. ADJOURNMENT

President Keogh made a motion to adjourn the Annual Meeting at 9:57 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO

BOARD OF CIVIL AUTHORITY
MONDAY, JUNE 7, 2010
9:57 P.M.

PRESENT: See above

MAYOR KISS PRESIDING:

1. AGENDA

There were no changes to the agenda.

2. CONSENT AGENDA

There were no consent agenda items on the Board of Civil Authority Agenda.

3. RESOLUTION: Designation of Polling Place for Ward 3 (Councilors Mulvaney-Stanak, Caldwell)

Councilor Caldwell made a motion, seconded by Councilor Mulvaney-Stanak, to waive the reading adopt the resolution. The motion passed; Councilor Kehoe was not at the table to vote.

4. ADJOURNMENT

Councilor Caldwell made a motion, seconded by Councilor Decelles, to adjourn the meeting at 10:02 p.m. The motion passed unanimously.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, JUNE 7, 2010
10:02 P.M.

PRESENT: See above. Councilor Dober was again present at this portion of the meeting by phone.

MAYOR KISS PRESIDING:

1. AGENDA

On a motion made by Councilors Bushor and Kaplan, the agenda was amended as follows: add item 16.5 and 16.6. APPOINTMENTS: Planning Commission (Terms expiring 6/30/14) respectively. The motion passed unanimously.

2. CONSENT AGENDA

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

2.01. COMMUNICATION: Bruce E. Bourgois, Deputy Chief, Burlington Fire Department, RE: LISTING OF FIRE WARDENS TO BE APPOINTED AT THE JUNE MEETING OF THE CITY COUNCIL

*waive the reading, accept the communication, place it on file and appoint the current list of Fire Wardens with the term expiration date of June 30, 2011

2.02. COMMUNICATION: Charles Baker, Executive Director, CCRPC, re: Appointments

*waive the reading, accept the communication, place it on file and re-appoint William N. Aswad as the CCRPC Representative and re-advertise the CCRPC Alternate Representative

2.03. COMMUNICATION: Board and Commission Negotiating Team, re: 2010

Commission/Board Worksheet (CCM)

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

Councilor Paul then asked the Council President for a recess at 10:04 p.m. which was granted. The meeting was then convened at 10:12 p.m.

3. APPOINTMENT: Airport Commission (Term expires 6/30/14)

Councilor Caldwell nominated Miro Weinberger, seconded by Councilor Wright.

Miro Weinberger was re-appointed to the Airport Commission.

4. APPOINTMENT: CCRPC-Representative (Term expires 7/31/12)

Councilor Caldwell nominated William N. Aswad, seconded by Councilor Wright.

William N. Aswad was re-appointed as CCRPC Representative.

5. APPOINTMENT: Cemetery Commission (Term expires 6/30/13)

Councilor Caldwell nominated Gary Gile, seconded by Councilor Wright.

Gary Gile was re-appointed to the Cemetery Commission.

6. APPOINTMENT: Cemetery Commission (Term expires 6/30/13)

Councilor Caldwell nominated Monica Lafayette, seconded by Councilor Wright.

Monica Lafayette was re-appointed to the Cemetery Commission.

7. APPOINTMENT: Electric Light Commission (Term expires 6/30/11)

Councilor Caldwell nominated Scott Moody, seconded by Councilor Wright.

Scott Moody was appointed to the Electric Light Commission.

8. APPOINTMENT: Electric Light Commission (Term expires 6/30/13)

Councilor Caldwell nominated Spenser Newman, seconded by Councilor Wright.

Spenser Newman was re-appointed to the Electric Light Commission.

9. APPOINTMENT: Electric Light Commission (Term expires 6/30/13)

Councilor Caldwell nominated Robert Herendeen, seconded by Councilor Wright.

Robert Herendeen was re-appointed to the Electric Light Commission.

10. APPOINTMENT: Fire Commission (Term expires 6/30/13)

Councilor Caldwell nominated Mark Saba, seconded by Councilor Wright.

Mark Saba was re-appointed to the Fire Commission.

11. APPOINTMENT: Fire Commission (Term expires 6/30/13)

Councilor Caldwell nominated Linda Sheehey, seconded by Councilor Wright.

Linda Sheehey was re-appointed to the Fire Commission.

12. APPOINTMENT: Board of Health (Term expires 6/30/13)

Councilor Caldwell nominated Ian Galbraith, seconded by Councilor Wright.

Ian Galbraith was re-appointed to the Board of Health.

13. APPOINTMENT: Board of Health (Term expires 6/30/13)

Councilor Caldwell nominated Mary Hart, seconded by Councilor Wright.

Mary Hart was re-appointed to the Board of Health.

14. APPOINTMENT: Library Commission (Term expires 6/30/13)

Councilor Caldwell nominated Carol Ann Wooster, seconded by Councilor Wright.

Carol Ann Wooster was appointed to the Library Commission.

15. APPOINTMENT: Parks & Recreation Commission (Term expires 6/30/13)

Councilor Caldwell nominated Stephen Allen, seconded by Councilor Wright.

Stephen Allen was re-appointed to the Parks and Recreation Commission

16. APPOINTMENT: Parks & Recreation Commission (Term expires 6/30/13)

Councilor Caldwell nominated David Hartnett, seconded by Councilor Wright.

David Hartnett was re-appointed to the Parks and Recreation Commission.

- 16.5. APPOINTMENT: Planning Commission (Term expires 6/30/14)

Re-advertisement was approved.

- 16.6. APPOINTMENT: Planning Commission (Term expires 6/30/14)

Re-advertisement was approved.

17. APPOINTMENT: Police Commission (Term expires 6/30/13)

Councilor Caldwell nominated Ellie Blais, seconded by Councilor Wright.

Ellie Blais was re-appointed to the Police Commission.

18. APPOINTMENT: Police Commission (Term expires 6/30/13)

Councilor Caldwell nominated Paul Hochanadel, seconded by Councilor Wright.

Paul Hochanadel was appointed to the Police Commission.

19. APPOINTMENT: Public Works Commission (Term expires 6/30/13)

Councilor Caldwell nominated Margaret Gundersen, seconded by Councilor Wright.

Margaret Gundersen was re-appointed to the Public Works Commission.

20. APPOINTMENT: Public Works Commission (Term expires 6/30/13)

Councilor Caldwell nominated Nathan Lavery, seconded by Councilor Wright.

Nathan Lavery was appointed to the Public Works Commission.

21. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/13)

Councilor Caldwell nominated Connie Krosney, seconded by Councilor Wright.

Connie Krosney was re-appointed to the Board of Tax Appeals.

22. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/13)

Councilor Caldwell nominated Marc Monheimer, seconded by Councilor Wright.

Marc Monheimer was re-appointed to the Board of Tax Appeals.

23. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/15)

Councilor Caldwell nominated Martha Gile, seconded by Councilor Wright.

Martha Gile was re-appointed to the Board for Registration of Voters.

24. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/15)

Councilor Caldwell nominated Elisabeth Mickenberg, seconded by Councilor Wright.

Elisabeth Mickenberg was re-appointed to the Board for Registration of Voters.

At this time Councilor Paul noted her vote should not be applicable to item 10, Fire Commission, expiring 6/30/13. The votes were unanimous for the rest of the above-mentioned items.

25. ADJOURNMENT

On a motion made by Councilors Bushor, with no second, the City Council with Mayor Presiding Meeting adjourned at 10:15 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO