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**RESOLUTION**

**Resolution Relating to**

Wright, Kranichfeld: Ad Hoc Com.

Sponsor(s): Councilors Bushor,  
on Executive Sessions

Introduced: 02/14/11  
Referred to: \_\_\_\_\_  
Action: \_\_\_\_\_  
Date: \_\_\_\_\_  
Signed by Mayor: \_\_\_\_\_

PROPOSED AMENDMENT TO APPENDIX B,  
RULES AND REGULATIONS OF THE CITY COUNCIL--  
MAJORITY VOTE REQUIRED RE EXECUTIVE SESSIONS

**CITY OF BURLINGTON**

In the year Two Thousand Eleven.....

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

That WHEREAS, the Ad Hoc Committee on Executive Sessions has considered and hereby recommends that Sec. 13 of the Rules & Regulations of the City Council be amended as outlined below;

NOW, THEREFORE, BE IT RESOLVED that Sec. 13, Rules and Regulations of the City Council titled "Meetings to be public, exception" be and hereby is amended as follows:

Sec. 13. Meetings to be public, exception.

All meetings of the council shall be public except that executive sessions may be held as authorized by Vermont's Open Meeting Law, so-called, as such law may be amended from time to time. While in executive session, a councilor may ask for a vote to determine whether a majority of the council supports staying in executive session, and if a majority of the council does not support staying in executive session the council will go out of executive session.

Members of the city council with mayor presiding and all persons invited to attend an executive session of the city council with mayor presiding or the city council shall not discuss in any fashion the discussions occurring in executive session with any person who is not a member of such council and who was not present in the executive session except as such discussion may be compelled by proper legal process. The foregoing sentence shall not be applicable to any subsequent consideration of such discussions in a public session of the council. Any member of the city council with mayor presiding who violates the foregoing standards shall be subject to

37 **Resolution Relating to** PROPOSED AMENDMENT TO APPENDIX B,  
38 RULES AND REGULATIONS OF THE CITY  
39 COUNCIL--MAJORITY VOTE REQUIRED RE  
40 EXECUTIVE SESSIONS

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42 censure by the city council with mayor presiding if it is established that such violation has placed  
43 the city at a substantial disadvantage in its official business dealings. The burden of proof in such  
44 situations shall be borne by the member who makes the contention that another member should  
45 be censured. Any other city official who violates the foregoing standards shall be considered to  
46 be guilty of negligence or bad conduct, as the case may be and subject to official reprimand. If  
47 such violation places the city at a substantial disadvantage in its official business dealings, or if  
48 the violating official has previously been reprimanded for improperly discussing executive  
49 session proceedings, such official shall be subject to disciplinary proceedings pursuant to section  
50 129 of the City Charter.

51  
52 lb/kas/c: Resolutions 2011/Appendix B, Rules & Regulations of City Council, Sec. 13 Majority Vote re Executive Sessions  
53 2/14/11