
DELIBERATIVE AGENDA
SPECIAL CITY COUNCIL WORKSESSION
MONDAY, SEPTEMBER 12, 2011
CONFERENCE ROOM 12, CITY HALL
6:00 – 6:45 P.M.

1. AGENDA
2. COMMUNICATION: Larry Kupferman, CEDO Director, re: Moran Negotiations (oral)

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

3. COMMUNICATION: Joseph McNeil, Esq. re: Collective Bargaining (oral)

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

4. ADJOURNMENT

UNFINISHED BUSINESS FROM THE AUGUST 8, 2011 CITY COUNCIL MEETING
6:45 P.M.

1. COMMUNICATION: Kirsten Merriman Shapiro, Special Projects Manager, CEDO, re: Moran Center Project Architectural & Engineering Services Contract Amendment
2. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/Boards
 - 2.01. APPOINTMENT: Housing Board of Review (Term expires 6/30/16)
3. RESOLUTION: Declaration of Official Intent Approving Reimbursement of Expenses for Airport Department Projects (Board of Finance)
4. RESOLUTION: Compensation Adjustment for Chief Administrative Officer (Board of Finance)
5. RESOLUTION: Compensation Adjustment for Burlington Fire Department Battalion Chief and Deputy Chief (Board of Finance)
6. RESOLUTION: Re-categorization of the Police Department Criminal ID Technician Position from Limited Service Full Time to Regular Full Time (Board of Finance)
7. RESOLUTION: Re-categorization of the Two (2) Community and Economic Development Office Legacy Coordinator Positions from Limited Service Part Time to One (1) Regular Part Time and One (1) Regular Full Time Position (Board of Finance)

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 September 14, 2011 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).

8. RESOLUTION: Re-categorization, Reclassification and Title Change of the Photography Program Coordinator to Photography Director Burlington City Arts (Board of Finance)
9. RESOLUTION: Creation of a Classified Limited Service Full Time Position – Executive/ Development Assistant and Creation of a Classified Limited Service Part Time Position – Art Sales and Leasing Assistant for City Arts (Board of Finance)
10. RESOLUTION: Creation of Director of Resource Planning and Meter Data Coordinator Positions for the Burlington Electric Department (Board of Finance)
11. RESOLUTION: Creation of a Classified Limited Service Part Time – Victim Liaison Assistant – Community Justice Center (Board of Finance)
12. RESOLUTION: Creation of Three Classified Limited Service Full – Time Positions – Criminal Justice System Liaison, Offender Re-entry Program Specialist, Offender Re-entry Resource & Employment Assistant (Board of Finance)
13. RECESS

BOARD OF CIVIL AUTHORITY
MONDAY, SEPTEMBER 12, 2011

1. AGENDA
2. CONSENT AGENDA
 - 2.01. COMMUNICATION: Bob Kiss, Mayor, Chair, Burlington Board of Civil Authority to Tom Little, Special Master, Vermont Legislative Apportionment Board, re: Legislative Reapportionment
*waive the reading, accept the communication and place it on file
3. ADJOURNMENT

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, SEPTEMBER 12, 2011

1. AGENDA
2. APPOINTMENT: Design Advisory Board (Term expires 6/30/12)
3. ADJOURNMENT

RECONVENE CITY COUNCIL MEETING

1. AGENDA
2. PUBLIC FORUM (Time Certain: 7:30 p.m.)
3. CONSENT AGENDA
4. INDOOR ENTERTAINMENT PERMIT LOCATION TRANSFER (2011-2012):

Bluebird Tavern, 86 St. Paul Street

5. INDOOR ENTERTAINMENT PERMIT APPLICATION (2011-2012):

Levity, 9 Center Street

6. INDOOR ENTERTAINMENT PERMIT APPLICATION (2011-2012):

Manhattan Pizza and Pub, 167 Main Street

7. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (3 days only)

Higher Ground part of Noreaster Festival, September 23 – 25, 2011, 10 a.m. – 11 p.m., Music

8. TOBACCO LICENSE APPLICATION (2011-2012):

ShortWag,LLC, d/b/a Waggy's Store & Deli, 98 North Avenue, Suite II

9. RESOLUTION: Party Designation in Local Elections (Councilors Hartnett & Wright)
20 mins.

10. RESOLUTION: In Appreciation of Burlington City Arts on the Occasion of its 30th Anniversary (Councilors Bushor, Berezniak, Kranichfeld, Mulvaney-Stanak, Brennan, Hartnett, Wright, Keogh, Shannon, Paul, Blais, Dober and Decelles) **5 mins.**

11. RESOLUTION: Authorize Implementation of Compensation Adjustments for Manager of Power Resources and Manager of Power Supply at the Burlington Electric Department (Board of Finance)

12. RESOLUTION: Authorization to Accept a U.S. Department of Justice Continuation Grant to Support the Internet Crimes Against Children Task Force; and Amending the FY 2012 Budget (Board of Finance)

13. RESOLUTION: Authorization to Accept a Vermont Department of Public Safety Grant For Homeland Security Program Training; and Amending the FY 2012 Budget (Board of Finance)

14. RESOLUTION: Authorization of Execution and Delivery of a Master Lease Purchase Agreement for Equipment for Fiscal Year 2012 (Board of Finance)

15. COMMUNICATION: Bob Kiss, Mayor, re: VETO MESSAGE/Resolution 6.0 Standards for Climate Change Partnerships **10 mins.**

16. COMMITTEE REPORTS (5 mins.)

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

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

19. ADJOURNMENT

LOCAL CONTROL COMMISSION
MONDAY, SEPTEMBER 12, 2011

1. AGENDA

2. CONSENT AGENDA

2.01. OUTSIDE CONSUMPTION PERMIT EXPANSION FOR ONE DAY ONLY:

Farmhouse Tap and Grill,.Oktoberfest, Wednesday, September 21, 2011, additional area equals 10' by 40', end time: midnight

*waive the reading, accept the communication, place it on file and approve the One Day Only Outside Consumption Permit Expansion for the Farmhouse Tap and Grill

2.02. FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWALS (2011-2012):

Church Street Tavern and Miguels on Main

*waive the reading, accept the communications, place them on file and approve the First Class Restaurant Liquor License Renewals for Church Street Tavern and Miguels on Main with all pertinent conditions

2.03. SECOND CLASS STORE LIQUOR LICENSE RENEWAL (2011-2012):

Kountry Kart Deli

*waive the reading, accept the communication, place it on file and approve the Second Class Store Liquor License Renewal for Kountry Kart Deli with all pertinent conditions

2.04. OUTSIDE CONSUMPTION PERMIT RENEWALS (2011-2012):

Church Street Tavern and Miguels on Main

*waive the reading, accept the communications, place them on file and approve the Outside Consumption Permit Renewals for Church Street Tavern and Miguels on Main with all pertinent conditions

3. FINDINGS, CONCLUSIONS, PROPOSAL FOR DECISION: Lift, 165 Church Street

4. FINDINGS, CONCLUSIONS, PROPOSAL FOR DECISION: Red Square, 136 Church Street

5. OUTSIDE CONSUMPTION PERMIT APPLICATION (2011-2012): Courtyard by Marriott

6. FIRST CLASS RESTAURANT LIQUOR LICENSE LOCATION TRANSFER (2011-2012):

Bluebird Tavern relocating to 86 St. Paul Street (formerly The Green Room)

6.01. OUTSIDE CONSUMPTION PERMIT LOCATION TRANSFER (2011-2012):

Bluebird Tavern relocating to 86 St. Paul Street (formerly The Green Room)

7. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2011-2012):
Levity (formerly Patra Café), 9 Center Street
8. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2011-2012):
Manhattan Pizza and Pub, 167 Main Street
- 8.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2011-2012):
Manhattan Pizza and Pub, 167 Main Street
9. SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2011-2012):
ShortWag, LLC, d/b/a Waggy's Store and Deli, 98 North Avenue, Suite II
10. ADJOURNMENT

CONSENT AGENDA

REGULAR MEETING, CITY COUNCIL
MONDAY, SEPTEMBER 12, 2011

- 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: David E. White, AICP, Director of Planning & Zoning, re: Proposed
Zoning Amendments
*waive the reading, accept the communication and place it on file
- 3.03. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Bed & Breakfast
Definition ZA 12-01 (Planning Department and Planning Commission)
*consider this 1st reading and refer to the Ordinance Committee
- 3.04. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Signs in Enterprise
Districts ZA 12-02 (Planning Department and Planning Commission)
*consider this 1st reading and refer to the Ordinance Committee
- 3.05. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Adaptive Reuse of
Outbuildings in Planned Unit Development (PUD) ZA 12-03 (Planning
Department and Planning Commission)
*consider this 1st reading and refer to the Ordinance Committee
- 3.06. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning and Sandrine
Thibault, AICP, Comprehensive Planner, re: Contract Approval:
Downtown & Waterfront Plan Activities 2 & 3 – Town Planning and
Urban Design Collaborative (TPUDC)
*waive the reading, accept the communication and place it on file
- 3.07. RESOLUTION: Downtown & Waterfront Plan Activities 2 & 3 Town Planning and
Urban Design Collaborative (TPUDC) (Board of Finance)
*waive the reading and adopt the resolution

- 3.08. RESOLUTION: Department of Public Works – Capital Equipment Purchases for FY 2012 (Board of Finance)
*waive the reading and adopt the resolution
- 3.09. RESOLUTION: Authorization of Burlington Electric Department for Renewal of Contract for Property/Boiler and Machinery Insurance (Board of Finance)
*waive the reading and adopt the resolution
- 3.10. RESOLUTION: Approval of Amendment No. 12 to Wood Fuel Transportation Agreement Between New England Central Railroad and Burlington Electric Department (Board of Finance)
*waive the reading and adopt the resolution
- 3.11. RESOLUTION: Creation of Regular Full Time Burlington Telecom Residential Sales Manager (Board of Finance)
*waive the reading and adopt the resolution
- 3.12. RESOLUTION: Approval of Purchase Power Agreement with Encore BTV Schools Solar I, LLC (Board of Finance)
*waive the reading and adopt the resolution
- 3.13. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of the City’s Right-of-way with Junior’s Downtown (Councilors Dober, Blais, Berezniak: License Committee)
*waive the reading and adopt the resolution
- 3.14. RESOLUTION: Approval of Amendment No. 5 to the Highgate Operating and Management Agreement (Councilor Kranichfeld)
*waive the reading and adopt the resolution
- 3.15. RESOLUTION: Steven E. Jeffrey, Executive Director, VLCT, re: draft 2012 Vermont Municipal Policy
*waive the reading, accept the communication, place it on file and send to the Mayor’s Office for review and possible comments/recommendations
- 3.16. COMMUNICATION: Jonathan Cyr, re: French Language and Cultural Initiatives Resolution
*waive the reading, accept the communication and place it on file
- 3.17. COMMUNICATION: Eric Kavanagh, re: French Language and Cultural Initiatives Resolution (translated by Maggie Standley)
*waive the reading, accept the communication and place it on file
- 3.18. COMMUNICATION: Gordon Swift, re: French Language and Cultural Initiatives Resolution
*waive the reading, accept the communication and place it on file
- 3.19. COMMUNICATION: JosAe Grimard-Dubuc, re: French Language and Cultural Resolution
*waive the reading, accept the communication and place it on file
- 3.20. COMMUNICATION: Rudy Rotondo, Managing Director, Belanger Branding Design Ltee, re: Branding and communication concerning the new resolution about french language at Burlington
*waive the reading, accept the communication and place it on file

- 3.21. COMMUNICATION: Sanford Miller, President VLCT Board of Directors, re: Voting Delegates at the VLCT Annual Business Meeting
*waive the reading, accept the communication, place it on file and appoint Mayor Kiss as the Voting Delegate for Burlington
- 3.22. COMMUNICATION: Fletcher Free Library, re: Summer Review
*waive the reading, accept the communication and place it on file
- 3.23. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Amy Bovee, Executive Secretary to the CAO, re: Minutes, Special City Council Meeting, June 20, 2011
*waive the reading, accept the communication, place it on file and adopt the minutes at the September 26, 2011 City Council Meeting
- 3.24. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, Special City Council, March 21, 2011
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 8, 2011 City Council Meeting
- 3.25. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary to the CAO, re: Minutes, Regular City Council, May 23, 2011
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 8, 2011 City Council Meeting
- 3.26. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Amy Bovee, Executive Secretary to the CAO, re: Minutes, Annual Meeting, June 6, 2011
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 8, 2011 City Council Meeting
- 3.27. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Amy Bovee, Executive Secretary to the CAO, re: Minutes, June 13, 2011, Regular Meeting
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 8, 2011 City Council Meeting
- 3.28. COMMUNICATION: Jenny Davis, NPA Coordinator, re: NPA Update to the CDNR Committee of City Council, September 6, 2011
*waive the reading, accept the communication and place it on file
- 3.29. COMMUNICATION: Bruce F. Seifer & Julie A. Davis, re: Thank you
*waive the reading, accept the communication and place it on file
- 3.30. COMMUNICATION: Chittenden Solid Waste District, re: July 2010-June 2011 Update
*waive the reading, accept the communication and place it on file
- 3.31. COMMUNICATION: Bob Kiss, Mayor to Mayor Victor Volonchunas, re: Condolences for the loss of members of the Lokomotiv Yaroslavl Ice Hockey team
*waive the reading, accept the communication and place it on file
- 3.32. REPORT: Burlington Urban Agriculture Task Force, Burlington Food Council, re: Report to City Council
*waive the reading, accept the report and place it on file

3.33. COMMUNICATION: City Council President Keogh, re: Council President Memo – September 1, 2011

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

3.34. INDOOR ENTERTAINMENT PERMIT RENEWAL (2011-2012): Miguels on Main

*waive the reading, accept the communication, place it on file and approve the 2011-2012 Indoor Entertainment Permit Renewal for Miguels on Main with the same conditions as the 1st Class Restaurant Liquor License Renewal

3.35. OUTDOOR ENTERTAINMENT PERMIT RENEWAL (2011-2012): Miguels on Main

*waive the reading, accept the communication, place it on file and approve the 2011-2012 Outdoor Entertainment Permit Renewal for Miguels on Main with the same conditions as the 1st Class Restaurant Liquor License Renewal

3.36. TOBACCO LICENSE RENEWAL (2011-2012): Kountry Kart Deli

*waive the reading, accept the communication and approve the 2011-2012 Tobacco License Renewal for Kountry Kart Deli

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

The Reservoir at Burton Snowboards, Friday, September 9, 2011, Art Hop Event, DJ/no dancing, 4 -10

*waive the reading, accept the communication, place it on file and ratify the one day only Special Event Indoor Entertainment Permit Application for the Reservoir

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

TruSpirits at the BCA Center, Saturday, September 17, 2011, BCA's 30th Birthday Event, Various Types of Entertainment/Dancing, 8 – midnight

*waive the reading, accept the communication, place it on file and approve the one day only Special Event Indoor Entertainment Permit Application for TruSpirits