

Staff: Holli Bushnell, Office Assistant
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Minutes

Parks, Arts & Culture Committee Meeting

Wednesday, November 30, 2022, 5:00pm

**MEETING CONDUCTED IN PERSON AT CITY HALL, 149 CHURCH ST IN THE SHARON BUSHOR
CONFERENCE ROOM AND VIA ZOOM**

Attendance:

Committee Members: Chair Joan Shannon, Councilor Mark Barlow, Councilor Ali Dieng

City Staff: Cindi Wight – BPRW Director, Neil Preston – BPRW Lead Urban Park Ranger, Deryk Roach - BPRW, Lacey-Ann Smith – BPD, Scot Barker – Chief Innovation Officer, Erin Moreau – BPRW, Jon Murad – Chief of Police, Holli Bushnell – BPRW Staff

Public – Aaron Keech, Evan Litwin

Meeting called to order at 5:06pm by Chair Joan Shannon

Approval of Agenda

Scot Barker requested that the camera update be moved from item 2 to item 1 in the Safety update on parks as he needs to attend another meeting at 6pm. Councilor Ali Dieng moved to approve the agenda with the suggested change. Mark Barlow seconded, all were in favor.

Approval of Draft Minutes from 10/19/2022

Barlow moved to approve the minutes with the following clarification: On page 8 of 9 Barlow was suggesting that if there was someone in City Hall Park to manage the situation overnight it could deter the behavior in the park. The language needs to be changed from “if someone was in the park all night long it would start challenging but if we take the time to do the work and kick people out things will change” to “If we had someone in the park to monitor the activity in the park we could deter negative behavior and as a result would start to see changes there.” Dieng seconded. All were in favor of approving the minutes as amended.

Update around the cost of installing cameras around the treehouse and elsewhere

Barker informed the committee that he was able to do some deeper research into placing cameras specifically in the treehouse area. The cost to put cameras at the treehouse are as follows: Around \$10,000 to move the network from Austin Dr to the treehouse area (the cables will need to be trenched because there’s no poles for overhead installation. \$4500 per camera for the point to point cameras that would be necessary in the treehouse location plus between \$3500 to \$5000 for installation (also per camera). Essentially, to install a single camera at the treehouse would cost between \$18,000 to \$20,000. If we were to add additional cameras there would be additional labor and camera costs.

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Barker continued by explaining that installing more cameras in CHP is as simple as deciding where to install the new camera because the network is already established. The camera stock we currently have require power and network to work and CHP has that infrastructure already. The maintenance shed at Leddy could also have cameras because there is network and power available in that area already. The cost of cameras for either of these areas would be \$1800 for cameras 1080p or \$2500 for high def cameras. The labor per camera for installation of either model is \$500-1000 per camera.

Barlow asked for clarification on why point to point is need at the treehouse, speculating that it is because of distance. Barker confirmed that distance is the main factor in needing point to point cameras at the treehouse, but he did state that he did not go to the treehouse to develop the estimate, but rather used google maps. Barlow asked about the durability of the point to point cameras and Barker confirmed that they are built to be outside (like trail cams), will be posted high enough to prevent vandalism and have weather proof, mounted in domes.

Dieng asked how many cameras would be needed to cover the treehouse and Barker stated that, though he would ultimately defer to an expert, he feels there should at least be two cameras installed for a cost of \$9000 for the cameras alone. Each camera can cover a 180 degree angles and that should be enough coverage.

Dieng asked if the stock of cameras purchased by BPD could be used at the treehouse and Barker explained that those cameras are required to be hardwired which is not something we are capable of installing at Oakledge. Dieng commented that, with all the new developments coming to Oakledge installation of cameras should be prioritized for that area.

Cindi Wight stated that though she fully supports the installation of cameras at Oakledge and the treehouse and would be happy to see them installed should funds become available from a source outside of the BPRW budget, Oakledge is not the highest priority area in need of cameras from the perspective of BPRW. The levels of vandalism at Oakledge are not as severe as in other parks and facilities. Shannon stated that PACC was looking to identify the cost to install cameras at Oakledge and that there may be private fundraising sources interested in getting involved. Shannon also asked to hear about areas where BPRW feels cameras might be stronger deterrents. Wight explained that the large, unlit parking lot at Leddy has been a problematic area this year causing issues not only in the lot but also in the building and the maintenance shed where there have been frequent break-ins. The Perkins Marina/parking lot would also be higher on the priority list than Oakledge. In terms of areas that need replacement cameras, Wight stated that she would need to check in with Kim Bleakley about where cameras are missing.

Aaron Keech, a member of the public, asked what the annual cost of operation is for these systems. He wondered if the city is paying someone to watch and if that position as well as the upkeep and repair is an annual budget item and how long it would take to pay off the installation of the system.

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Wight explained that, while there is not someone constantly monitoring the camera, the cameras in CHP did help BPD catch a murderer. They may not deter crime, however.

Chief of Police Jon Murad concurred that, while cameras may not be a deterrent they are invaluable for real time info as well as for investigation after the fact. For example, if a person reports an assault happening, officers who respond can ask dispatch to tell them what they see on the cameras in that area. They can use the cameras to get an idea of the situation, but the cameras do not stop the negative behavior from happening in the first place.

Dieng asked what the next steps should be in terms of cameras. The cost of the network is by far the highest. Dieng wondered if there are opportunities to look into that cost from a city perspective. Barker stated that there is no reason to install a network connection at Oakledge beyond the installation of the cameras. He also explained that, if the city were to install less expensive cameras at the treehouse, they would not be connected to the dispatch system which is really the main feature of the hardwired cameras. Shannon asked about the possibility of installing a livecam and Baker explained that a livecam would still require some sort of networking. A livecam would also still need to be monitored.

Shannon asked to confirm that there is no one constantly monitoring the cameras and Baker confirmed that monitoring is on an as needed basis and is only used when responding to and/or reconstructing an incident. Murad added that, while BPD is authorized for 12 employees in dispatch, there are currently only 4 employed (PD is actively looking for additional staff). Dispatch does not have the bandwidth to proactively view cameras.

Martha Frank, another member of the public, commented that she has visited downtown the previous Friday and Monday evenings and felt uncomfortable on both occasions. She stated that cameras are not going to prevent crime or help her feel any safer. As a tax payer she'd rather see the money go into PD and employees. There is very little PD presence downtown and people know it. The Holiday Market sheds are filled with people sleeping in them and CHP gets very dark and frightening. Shannon responded that a lack of funds for additional staff isn't the problem. We have the funds, but are still looking for hires. Murad added that the City Council and Mayor have worked together to get good budget and PD contract, and union negotiations were just finalized. Things are moving forward and new recruits will soon be graduating and joining the department.

Barlow commented that PD does not have enough feet on the ground right now and that a lack of staff is likely going to be the case for some time. He asked if cameras could play an increased roll in our ability to navigate our current situation until we are able to have a fully staffed police force and if we could use them as a tool to get through this time. Murad responded that cameras are a good tool. They are one of several tools available in the city that are helpful towards public safety, but they are not part of bridging the gap so to speak. Visible cameras are not as effective as ones placed in more surreptitious positions to keep people from feeling surveilled.

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Liz Curry, another public forum speaker, commented that cameras were necessary as part of building a safe environment in our schools. Everyone has access to information on how certain situations unfold, becomes part of the record. That said, restorative practices should also be part of the conversation about building a safe environment. Safety in parks is part of everyone's responsibility. She encouraged the committee to think broadly about safety but still feels that cameras are a tool.

Public Forum –

Public forum was opened at 5:43pm

Evan Litwin stated that he is in interest in talking about public safety in the parks but, as this is his first meeting, he is not sure what to speak about in public forum. He asked if he could hold his remarks until later in the discussion so that he has a better idea of the actions already being taken. Shannon stated that Litwin would be welcome to comment later, but that she will be giving priority to members of the committee who have questions. Litwin thanked Shannon and stated that he would also like to see more cameras in more parks, particularly Kieslich Park. He feels surveillance is needed in multiple areas.

Public Forum evolved into Roles of Park Rangers and Other Law Enforcement in Parks

Shannon stated that the committee previously asked members of the community to share problems they've encountered in parks as well as ideas for solutions. She explained that the discussion will be moving on to the role of rangers and then will continue with the general committee discussion with the hope of wrapping up the discussion of safety in parks by 6:30pm. Shannon generated a list of what was shared at the last meeting and will be circulating it. Park Rangers were originally hired to do enforcement in the parks. At the previous meeting the committee heard from Neil Preston about his approach, interactions, community building to address issues. The committee also heard frustration from the committee that there are rules that have been set and they are seeing open violation of those rules on a daily basis, with what seems to be little or no attempt at enforcement. This evening the committee asked to hear from both Murad and Wight regarding enforcement of existing rules in the parks and what the expectations are.

Wight explained that if the expectation that the rangers handle enforcement in all parks for is one of a number of reasons that the ranger program needs to be enhanced. BPRW has already developed a plan to do so. To review past actions, Preston and his counterpart started in May 2022 with education and outreach for all park users (including the unhoused) and they plan to move towards the enforcement piece over the winter. BPRW has asked the Mayor for an enhancement of the ranger program so rangers can be in more places at more times. Preston spent 90% of his time dealing with unhoused over the course of summer 2022. If that's going to continue (and it will) the ranger program needs to be enhanced.

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BPRW is also in the process of growing the relationship between the rangers and PD. Presently, Preston has a strong relationship working with CSOs and CSLs. Officers have been able to provide support to Preston and his team, and as more CSOs and CSLs come on board that will only continue to grow. BPD is currently looking for a manager for the community service officers (CSOs) who will liaise with Alec Kaeding, the ranger manager.

Wight stated that an additional pieces of resolving the ongoing issues in parks is to advocate for state intervention/assistance with the growing unhoused and substance use problems. We can't enforce our way out of the problems in the parks. We can do enforcement to help people feel safer, but can't do everything. And the final pieces is asking current members of the community to do their part and follow all the rules in parks, even the ones they think are dumb. Preston has been utilizing his ability to issue trespasses and will be starting enforcement of all rules in the spring. If we're going to enforce the rules, we have to enforce everything.

Shannon commented that no one is asking to make choices about what is enforced and what is not enforced. There has been a history of ongoing complaints about a variety of issues in parks and concerns about things like off-leash animals and beach fires used to be of higher significance. Our priorities as a community have shifted away from those concerns. People don't follow the rules because the rules are not being enforced. Bad behaviors happen because no one stops them. People do what they want to do unless there are consequences.

Chief Murad explained that there is a tipping point of enforcement. He went on to give the example of New York City police officers enforcing fare beating arrests. These low level arrests yielded a huge number of additional arrests for weapons/narcotics/outstanding warrants, etc. At some point, the arrests for fare beating became less effective because the system attained equilibrium. A healthy community maintains an equilibrium on its own without intervention. Intervention is like medicine. You need a higher level of care when there are problems than when you're healthy. Right now we neither have "the medicine" nor the personnel to do the job. We are rebuilding. Until we get there, we try to make the most of what we've got such as building strong relationships with problematic communities in hopes of attaining voluntary compliance. The trick of enforcement is having the tools, people, laws, and consequences after the fact. Poverty was criminalized and it's good that we removed those laws, but we have also lost some tools, people, and consequence that we previously used to make enforcement stick. Consequently our ability to alter behavior has been reduced.

Barlow asked who the primary responder is presently to calls for problems in the park and what the protocol is to resolve issues. Murad explained that dispatch is not using the park rangers yet. Rangers are not able to be dispatched at this point, but they do a lot of proactive work and are part of the team when planned actions are taken. Erin Moreau added that see, click, fix requests are sent to rangers and, in that respect, they are able to be dispatched to problems. At this time they are a great tool and

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mechanism for the community to help us identify problems in the parks and mitigate those issues before they become big problems.

Wight added that Preston does a lot of enforcement, but is very thoughtful about his capacity to be effective in terms of the size and depth of his footprint. He does call for help from PD with enforcement when he needs it. He will soon have ticketing powers, and that will be a big step towards Preston's enforcement abilities, but building a relationship is arguably a better tool to get voluntary compliance. In addition to his work with marginalized communities he aims to teach people to be better neighbors, know each other, and be better about sharing spaces. In terms of CHP, Wight is in agreement that enforcement is needed and will it's going to be effective, but it will send those people elsewhere in the city where they will also not be welcome (library, battery park, beer tree on S Winooski, CSM, other places). The reason folks stay there is because they are looking for community and to be where things are happening. Unfortunately, those people can also commit behaviors that prevent other members of the community from enjoying the space. This begs the question, if everyone has the right to use the parks, who is using the space in a way that prevents others from using it?

Shannon agreed that it doesn't matter who the person is, what they're wearing, or what they look like, it's the behaviors that are the problem. The rules is the same for everyone. If a mom with two kids is spread out all over an inappropriate space they are equally as at fault as an unhoused person spreading out their belongings in the parks. We're not banning people from the parks, we're trying to enforce/ban behavior in the parks. It's not people congregating that make community members uncomfortable, it's what those groups of people are doing.

Dieng reiterated his question from the previous meeting, asking what can be enforced, who is going to enforce it, and when enforcement will start. If we don't start at the beginning creating the expectation of better behaviors the problems will just continue to escalate. Dieng asked about expectations and plans for spring 2023. Wight explained that by April 1st, BPRW plan to have tickets, policies and procedures, and be prepared to ticket individuals who violate park rules. Preston is already speaking with people and letting them know that things are going to change. BPRW will be working with legal to go through Chapter 22 Appendix D in the ordinances to be certain of all the rules in parks and what can and cannot be enforced. While this will be helpful, but what would really help resolve the majority of the issues would be the enhancement of the ranger program.

Moreau explained that the plan for the ranger program was developed before summer 2022. Since this summer, taking into account everything they learned, BPRW has changed the parameters of the position. Originally, two rangers seemed like enough to curtail dogs, fireworks, and fires, and BPRW does not want to be caught by surprise again in 2023. The enhancement proposal seeks to help BPRW become more active participant in enforcement as well as support services.

Shannon commented that it helps to hear how we got where we are and what the expectations are going forward.

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Litwin shared his experiences living at Cambrian rise, where an evicted resident has been camping in the woods adjacent to Lakeview cemetery and cooking and smoking methamphetamine to the north and an individual suffering a psychotic break has been camping in the parking area of Kieslich Park to the south. Litwin asks whose rights are being best served when someone struggling with mental illness uses a racial slur against children when they're just walking through a park. Litwin feels that if these individuals break the law they should be punished. He feels that there should be better support for folks who have mental health and substance abuse problems, but that the lack of said support shouldn't mean we should stop enforcing existing rules and laws. Litwin asked that existing laws and ordinances be enforced.

Shannon commented that enforcement should be the same no matter what you look like. Smoking meth in the parks is a problem that she has also faced in CHP. When she tried to address the issue with PD they said it's not enforceable because pot is now legal. If we actually pursue smoking violations (because we're not allowed to smoke anywhere in parks) we will catch the meth along with the cigarettes.

Dieng reminded everyone that safety in parks is an urgent item. There was a murder in a park which is a huge problem and should really change the perspective on enforcement. He asked to hear about enforcement from Chief Murad as well as BPRW. Dieng stated that he has observed a lack of foot patrol in the parks and noted that the city just approved a contract with State PD. He wondered what would be need to have an officer walk around the parks, not just drive around them. Shannon also asked to hear what BPD is doing in downtown/CHP.

Murad explained that in terms of VSP, they only assisted with 8 shifts in the last month. \$68,000 was authorized to pay VSP for shifts, but only \$4000 was paid out. VSP has asked BPD if they want to continue the contract. While the VSP officers are supposed to be on foot, they are merely there to be a presence, and not to answer calls. Murad went on to detail how the patrols and staffing work. He explained that there are several active narcotics investigations going on around the city. One led to the arrest of someone in CHP. This individual is a felon and the case may go federal. There have been some other arrests made in CHP, however, there has been little done to interrupt the open air drug market taking place in the park. The focus of the department has moved away from street level drug enforcement and has moved to focusing almost entirely on long term investigations of larger dealers (the big fish). The public does not want PD arresting users, and now that they aren't doing that the users are everywhere. There are plans to gear up for spring, but Murad voiced concerns about the possibility of officers having to use force in a future investigation and public reaction to that will be.

Litwin thanked Chief Murad for his explanation and suggested that Burlington try a technique used in Boston during the combat zone and install PD kiosks in high crime areas such as downtown crossing. These areas went from a very unsafe area to a place where you could get assistance immediately. Kiosks in high danger areas might be helpful for citizens that need assistance. Would improve presence,

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availability, make people feel safer. Shannon commented that she is looking forward to the day when we would have someone available to staff a space like that.

Moreau stated that she would love to share the ranger program enhancement proposal with PACC. She will bring to the committee as soon as it's ready to be reviewed (next meeting) and would be happy to answer any questions the committee might have.

Barlow commented that he felt that there's still more to talk about. Shannon concurred and suggested that the committee plan to review the program proposal at next/future meeting.

Cemetery Perpetual Care Fund Ordinance Change

Wight explained that the way the current ordinance is written it restricts the use of interest from the perpetual care fund to maintenance of lots alone (mowing, fixing stones). The language at the State level is much broader and focuses on all aspects of cemetery care. BPRW is looking to change the language of the city ordinance to match that of the states. Wight reported that the cemetery commission did vote 3-2 in favor of the change. Shannon asked what the concerns of the two nay votes were and Wight explained that they feared the funds would be used for the immense amount of building work that needs to be completed. Ultimately, BPRW is looking for more flexibility as well as to align our ordinances with the state.

Barlow asked where these funds come from? Holli Bushnell explained that 5% of every lot sale goes to perpetual care but previous to 2016 the amount used to be 55%. There is a reserve fund over \$1 million to be used all the city cemeteries are closed to burial.

Dieng asked what commissioners didn't support the change, can Bushnell explained that, in addition to using the funds for building repair (which the city has no intention of doing) they would like the funds used to right down headstones. The problem is, the cemetery staff does not handle that sort of repair work and would not be able to use the funds to do the work.

Barlow asked if buildings could be carved out of the language and Wight explained that the goal is have our language match the states. She also noted that there are funds already committed to building repair.

Shannon agreed that the language should reflect the need to maintain the entire space of the cemeteries. She also noted that we had been able to use those funds to maintain the buildings there may not have been a need to defer maintenance which has led to major renovation.

Barlow moved to support the ordinance change, Dieng seconded. All in favor.

Leddy Ordinance Change

Wight stated that BPRW would like to remove chapter 22 section 21 of ordinances that relates to rules for Leddy arena. The section was last updated in '76, '80, and '81. It's extremely out of date and no

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other city building has separate ordinances. Rather than coming back to PACC for approval every time BPRW would like to change their own guidelines for the building they would like to remove the section of the chapter because it's completely outdated.

Barlow asked if the ordinance pertained only to the arena and Wight confirmed that that was the case. Barlow asked if the change would allow people to bring booze into Leddy because the park allows for alcohol. Wight stated that she will have to check but reiterated that there are no ordinances for Miller or CORE or any other building. There are rules for parks in appendix D, so we could put a rule for the arena in there if need be.

Barlow moved to approve the ordinance change, Dieng seconded, all were in favor.

Dieng requested a quick update on ongoing issues in the Muslim Section of Lakeview Cemetery. Wight reports that new Grounds and Cemetery Manager Steve Bachand has done work in the section and at present the drainage has improved. That said, winter will be the real test to see if the work resolved the issue. Amela Lulic is also still in communication with both Wight and the department, but drainage has improved so far.

Finalize PACC Mission statement

Bushnell provided the draft statement from 9/29/2022 which reads as follows:

The mission of the Parks, Arts, and Culture Committee is to act as liaison to Burlington, Parks, Recreation, and Waterfront, Burlington City Arts, and Library departments; as well as other city departments when acting in advance of presenting arts and cultural issues to the City Council. The Committee will work in collaboration with Burlington Parks, Cemetery, and Library Commissions as well as Community Economic Development Office, the Burlington Parks Foundation, and Burlington City Arts Board, and other parks, arts and cultural organizations for recreational, art, and cultural events, issues, needs, and goals.

Dieng asked if the language should be changed from "The mission of the Parks, Arts, and Culture Committee is to act as liaison to Burlington, Parks, Recreation, and Waterfront, Burlington City Arts, and Library departments; as well as other city departments" to "The mission of the Parks, Arts, and Culture Committee is to work with city departments." The committee agreed that the change was warranted. The PACC Mission statement will now read:

The mission of the Parks, Arts, and Culture Committee is to work with city departments when acting in advance of presenting arts and cultural issues to the City Council. The Committee will work in collaboration with Burlington Parks, Cemetery, and Library Commissions as well as Community Economic Development Office, the Burlington Parks Foundation, and Burlington City Arts Board, and other parks, arts and cultural organizations for recreational, art, and cultural events, issues, needs, and goals.

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Dieng moved to adopt the new mission statement, Barlow seconded, all in favor.

Action Items for Next Meeting

For the next meeting, the committee will review the proposal for the enhanced ranger program. Dieng asked if PACC should consider creating an ad hoc committee to continue to discuss safety in parks as he felt the issue could use more community perspective. An ad hoc committee could provide a platform where people can show up and get involved as well as share their issues. Just as they did with the dog task force, PACC could generate a resolution to create an ad hoc committee. The committee agreed that an ad hoc committee should be an agenda item for next meeting. Shannon also asked for updates from the Library and BCA at the next meeting as it has been some time since the committee heard from them. Dieng asked about the possibility of discussing infant mortality and creating a public memorial that would act as a designated place for people to mourn lost children in conjunction with Empty Arms Vermont.

Meeting Adjourned at 7:05pm

The next PACC meeting will be scheduled via doodle poll