
DELIBERATIVE AGENDA

ADJOURNED MEETING, CITY COUNCIL
CONTOIS AUDITORIUM, CITY HALL
MONDAY, JANUARY 27, 2014
7:00 P.M.

PRESENT: City Council President Shannon; Councilors Bushor, Worden, Tracy, Knodell, Brennan, Siegel, Aubin, Mason, Blais, Paul and Ayres; Councilor Decelles (arrived at 7:23 p.m.); Councilor Hartnett (arrived at 7:44 p.m.).

CITY ATTORNEY'S OFFICE: Eileen Blackwood and Richard Haesler (arrived at 8:45 p.m.)

CLERK/TREASURER'S OFFICE: Bob Rusten, Rich Goodwin, Scott Schrader and Lori Olberg

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

On a motion by Councilors Mason and Bushor, the agenda was adopted unanimously with the following amendments: amend the action for consent agenda item 8.13. COMMUNICATION: Jeff Munger, Chair, Approved by the Airport Commission, re: December 16, 2013 Letter to Council President Shannon to "waive the reading, accept the communication, place it on file, send copies to the Ordinance Committee and the City Council License Committee and refer to the Board of Finance for FY 15 budget and further discussion regarding the recommendations."; add the Board of Finance as a co-sponsor of agenda item 10. RESOLUTION: March 4, 2014 Annual City Meeting – Increase in Maximum Tax Rate For General City Purposes Authorized (Councilors Shannon, Paul); Remove agenda items 11 and 11.01. City Hall Park Presentation and Resolution and place on a subsequent agenda. ; add Councilor Tracy as a co-sponsor of agenda item 12. RESOLUTION: Strategic Plan Re Fiscal Health of The City (Councilors Paul, Blais, Mason, Knodell, Worden, Ayres, Siegel, Brennan) and note proposed amendment.

City Council President Shannon noted on the amendment to add the Board of Finance as a sponsor for agenda item 10. were specifically the names: Councilors Bushor, Aubin and Knodell.

Councilor Bushor stated that the Board of Finance made an amendment to consent agenda item 8.07. RESOLUTION: Authorization for Department of Parks and Recreation to Purchase Equipment and Vehicles. The addition was to add the date of the memo that was referenced in the resolution.

2. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Ward Boundaries

*no action required

and

3. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Ban on Firearms In Any Establishment With A Liquor License

*no action required

and

4. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Safe Storage Of Firearms

*no action required

and

5. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Police Confiscation/Seizure Of Weapons During Domestic Abuse Incident

*no action required

and

6. PUBLIC HEARING: MDP-14-01 – Climate Action Plan; Open Space Protection Plan; Amendment and re-adoption of the Burlington Municipal Development Plan

City Council President Shannon opened the public hearings at 7:23 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Carolyn Bates	Ward 5 Resident	In Favor of Gun Related Charter Changes/ Opposed to Moran Plant Redevelopment
Christopher Brown	Ward 3 Resident	Opposed to Gun Related Charter Changes
Tony Bell	Ward 4 Resident	Opposed to Gun Related Charter Changes
Lenore Broughton	Ward 1 Resident	Opposed to Gun Related Charter Changes
Arthur Vento	Ward 4 Resident	Opposed to Gun Related Charter Changes
Ron Ruloff	Ward 3 Resident	Opposed to Gun Related Charter Changes
Ian Galbraith	Ward 2 Resident	Opposed to Gun Related Charter Changes
Chuch Sussman	Burlington Resident	Opposed to Safe Storage Charter Change
Ed Wilbur	Ward 4 Resident	Opposed to Gun Related Charter Changes
James Lockridge	Ward 5 Resident	Opposed to City Hall Park/Moran Plans
Robert Bristow-Johnson	Ward 7 Resident	Problem with Redistricting Map
Gabriella	Ward 1 Resident	Opposed to Gun Related Charter Changes
Gregory Roy	Ward 4 Resident	Opposed to Gun Related Charter Changes
Shawn Handy	Essex Resident	Opposed to Gun Related Charter Changes
Amy Alexander	Groton Resident	Opposed to Gun Related Charter Changes
Evan Hughes	VT Federation of Sportsmen's Clubs	Opposed to Gun Related Charter Changes
Eddie Garcia	St. Johnsbury Resident	Opposed to Gun Related Charter Changes

Norman Gosselin	St. Albans Resident	Opposed to Gun Related Charter Changes
John Van Dijk	Williston Resident	Opposed to Gun Related Charter Changes
Paul DeCausemacker	Colchester Resident	Opposed to Gun Related Charter Changes
Chris Bradley	Northfield Resident	Opposed to Gun Related Charter Changes
Valerie Harris	Vermont Resident	Opposed to Gun Related Charter Changes
Tom Sopchak	Williston Resident	Opposed to Gun Related Charter Changes
Jason George	Ward 2 Resident	Opposed to Gun Related Charter Changes
Diane Tardif	Essex Resident	Opposed to Gun Related Charter Changes
Christian Campbell	Ward 7 Resident	Opposed to Gun Related Charter Changes
Eli Farnsworth	Colchester Resident	Opposed to Gun Related Charter Changes
Michael Covey	Williamstown Resident	Opposed to Gun Related Charter Changes
Roger Farnsworth	Bristol Resident	Opposed to Gun Related Charter Changes
Linda Kirker	Georgia Resident	Opposed to Gun Related Charter Changes

City Council President Shannon closed the public hearings at 7:44 p.m.

6.01. COMMUNICATION: Sandrine Thibault, AICP, Comprehensive Planner, Scott Gustin, AICP, Senior Planner, Planning & Zoning and Jennifer Green, Sustainability Coordinator, CEDO, re: Proposed Municipal Development Plan Amendment: MDP-14-01 Burlington Climate Plan; Open Space Protection Plan; Amendment and re-adoption of the Burlington Municipal Development Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.02. COMMUNICATION: 2013 planBTV Burlington's Municipal Development Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.03. COMMUNICATION: Burlington, VT Climate Action Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.04. COMMUNICATION: Relationship to Other Plans

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.05. COMMUNICATION: VIII. Energy Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.06. COMMUNICATION: II. Natural Environment

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.07. COMMUNICATION: I. Land Use Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.08. COMMUNICATION: Prepared by Landslide Natural Resource Planning, re: City of Burlington Open Space Protection Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.09. COMMUNICATION: City of Burlington, VT 2013 Municipal Development Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.10. COMMUNICATION: Assistant City Attorney Sturtevant, re: Burlington, Vermont Public Hearing Notice, MDP-14-01 – Climate Action Plan: Open Space Protection Plan; Amendment and re-adoption of the Burlington Municipal Development Plan

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

6.11. COMMUNICATION: Draft Resolution of MDP-14-01 – Climate Action Plan; Open Space Protection Plan; Amendment and re-adoption of the Burlington Municipal Development Plan (Councilor Tracy)

Councilors Mason and Aubin made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

7. PUBLIC FORUM

City Council President Shannon opened the public forum at 8:30 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Martha Lang	Ward 1 Resident	School's Proposed Real Estate Transaction

With no one further coming forward and no objection from the remaining Council City Council President Shannon closed the public forum at 8:31 p.m.

8. CONSENT AGENDA

On a request from Councilor Paul, the Council took a two minute recess.

Councilors Paul and Bushor made a motion to remove item 8.10. from the consent agenda and place it on the deliberative agenda as item 12.05 and adopt the consent agenda, as amended, thus taking the actions indicated. The motion passed unanimously.

8.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:
Accountability List

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

8.02. RESOLUTION: Authorization to Execute Grant Agreement for Manhattan Drive Slope
Failure Recovery Project with The State of Vermont (Councilors
Shannon, Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

8.02.01. COMMUNICATION: David K. Allerton, P.E., Public Works Engineer, Office of the
City Engineer, re: Request Authorization to Accept Federal
Highway Administration Recovery Funds to Repair the
Manhattan Drive Slope Failure

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

8.03. RESOLUTION: Renewed Lease Agreement with Resource for the Old City Garage,
339 Pine Street (Councilors Shannon, Bushor, Aubin, Knodell: Board
of Finance)

*waive the reading and adopt the resolution

8.03.01. COMMUNICATION: Chapin Spencer, Director, DPW, re: Lease Agreements for 339
Pine Street

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

8.04. RESOLUTION: Renewed Lease Agreement with Chittenden Solid Waste District for
the Old City Garage, 339 Pine Street (Councilors Shannon, Bushor,
Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

8.04.01. COMMUNICATION: Chapin Spencer, Director, DPW, re: Lease Agreements for
339 Pine Street

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

8.05. RESOLUTION: Purchase of Boarddocs Software for Use in City Council Meetings,
Sub-committee Meetings, and Commission Meetings (Councilor
Shannon)

*waive the reading and adopt the resolution

8.06. RESOLUTION: Authorization to Enter into License Agreement for An Awning
Extending Over A Portion of The City's Right-of-way with

Merchants Bank (Councilors Blais, Tracy: License Committee)

*waive the reading and adopt the resolution

8.07. RESOLUTION: Authorization for Department of Parks and Recreation to Purchase Equipment and Vehicles (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance) **Pending Board of Finance Approval on 1/27/14**

*waive the reading and adopt the resolution

8.07.01. COMMUNICATION: Jesse Bridges, Director Parks and Recreation, Deryk Roach, Parks Superintendent, re: 2014 Vehicle and Equipment Replacement Proposal

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

8.08. RESOLUTION: Creation of Regular Full Time Energy Efficiency Program & Policy Analyst – Burlington Electric Department (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

8.08.01. COMMUNICATION: Benjamin Pacy, Human Resources Generalist and Susan Leonard, Human Resources Director, re: Burlington Electric Department – Creation of Regular, Full Time Energy Efficiency Program & Policy Analyst

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

8.08.02. COMMUNICATION: Barbara L. Grimes, General Manager, BED, re: Position funding

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

8.09. RESOLUTION: Acceptance of U.S. Department of Justice Grant Related to Internet Crimes Against Children Task Force and Amendment of The FY 2014 Budget (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

8.09.01. COMMUNICATION: Lise E. Veronneau, Business Administrator, Burlington Fire & Police Departments, re: Internet Crimes Against Children Task Force OJP Grant #2013-MC-FX-K035

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

8.11. COMMUNICATION: Bill Sprano, re: Huntington, re: Guns-Safe Storage-

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

8.12. COMMUNICATION: Christopher Pearson, Member, Parks and Recreation Commission, re: Resignation

*waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation thanking Chris Pearson for his time served as a Member of the Parks and Recreation Commission

8.13. COMMUNICATION: Jeff Munger, Chair, Approved by the Airport Commission, re: December 16, 2013 Letter to Council President Joan Shannon

*waive the reading, accept the communication, place it on file and send copies to the Ordinance Committee and the City Council License Committee

8.14. COMMUNICATION: Martha R. Lang, Ph.D., re: Undisclosed and Misleading School Department Expenses

*waive the reading, accept the communication, place it on file and send a copy to the Board of Finance

8.15. COMMUNICATION: Chief Michael Schirling, Burlington Police Department, re: Promotions

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

8.16. COMMUNICATION: submitted by Marie Adams at the January 17th Special City Council Meeting, re: Gun Violence

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

8.17. COMMUNICATION: Dennis Fournier, re: Vermont Sportsmen Bill of Rights

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

9. COMMUNICATION: Miro Weinberger, Mayor, re: Open Letter to the People of Burlington (20 mins.)

Mayor Weinberger stated that they have a slate of \$9.6 million of investments in the Waterfront TIF District that they are seeking approval to place on the Town Meeting Day Ballot. This was the product of a lot of work over the last year. This will move the City forward in a number of important ways. Once these investments have been made, they will strengthen existing resources on the Waterfront that they love already. They will increase the use and access to the Waterfront and Lake itself. They will protect the Lake from stormwater runoff and the pollution associated with it. They will resolve the future of the Northern Waterfront when the slate is passed and implemented. He thanked the Community and Economic Development Office for leading this process and citizens for participating in the process.

Peter Owens, CEDO Director, stated that they launched this effort about a year ago and they have come a long way. A year ago, the Mayor stated that the process would begin with a request for concepts that will be open to all. It involved a Public Investment Action Team who reviewed and evaluated the concepts. It is culminating with a slate of investments. After dozens of public meetings and thousands of public comments, they are excited to advance the slate of projects. The success of the process is not limited to this slate alone. It resulted in nine finalists being advanced to the Mayor's Office. The limited TIF dollars meant that some projects could not be funded in this slate, but all of these projects are fully supported and they will work to advance them in the future. The other key proposals include the Burlington Community Aquatic Center, the Cherry Street Promenade, the Perkins Pier Marina and the Urban Reserve Project. The Sustainability Park is a project to construct an outdoor classroom and park with stormwater, energy, and access features. It was developed by the ECHO Center. The second is Waterfront Park Improvements for infrastructure improvements to make it a better venue and neighbor during events. This is being brought forward by the Parks and Recreation Department. The third is the Community Sailing Center. They will construct a permanent home on the waterfront for this great institution with classrooms, lake access and storage. The Burlington Harbor Marina proposal will respond to the overdue shortage of boating and lake access with 120 boat slips. 80 of these will be transient and 40 more will be moorings. Waterfront Access North is a project that was approved in November of 2012 to integrate the Moran site with environmental remediation, lake protection and utility relocation. This is ongoing through the Department of Public Works. The final project is the redevelopment of the Moran building into a mixed use community arts and events center featuring local energy, food, a rooftop garden, maker's space, a nanobrewery and a technology center. It has deep community roots and is led by Charlie Tipper and Room 9 Redevelopment. He read a list of community partners who have been involved in this project.

Bill Truax, Public Investment Team, introduced the other members of the Public Investment Team. He stated that the amount of creativity, vision and collaboration supporting Burlington has been fantastic.

They are sorry that there are not more funds available to implement more of the projects that were suggested by the community. During April and May, CEDO staff screened over 50 projects, and they forwarded 29 proposals onto the detailed development phase for them to establish project feasibility. They recommended proposers of similar projects to partner and work together to strengthen their submission. During September and October, they ranked 9 of the projects and submitted them to the Mayor for further vetting. They have the potential to transform the Waterfront much as the Church Street Marketplace has transformed the downtown. They heartily support the recommendation before them.

Mayor Weinberger stated that it has been two weeks since the slate was announced publically. He has heard that there is a great deal of support and excitement about the slate. He looks forward to putting it to the people and seeing what they think of it.

City Council President Shannon stated Councilors Worden and Paul recused themselves from this debate because of conflicts of interest.

Councilor Bushor stated that she was glad to be at this threshold again. She believes this project will happen. She feels positively about Moran and wants the building to stay. Even those who want the building to go will vote because one side will win this time. With all the energy, creativity and dedication from important people who understand the community have come together to put forward a plan that is exciting. Everyone can find something that they like in this proposal. She agrees with comments made about those initiatives that came forward that were reduced. Those that did not make it are still important and they will find their place. She inquired if the Skate Park is a piece of the Waterfront Access North project and if it can be included in the list of projects. Mayor Weinberger stated that the voters voted on Waterfront Access North in November of 2012. 75% of the voters supported it and it clearly included the Skate Park. They intend to build the Skate Park this spring. This complements some supplemental funding to that project. There was an attempt to keep the ballot language as efficient as possible so that there would not be extensive descriptions to that question. Councilor Bushor stated that she understands they try to be as brief as possible, but she has never seen a longer ballot item in her life. She inquired if the skate park is already funded or if it is part of this question. If it is part of this funding, she would like to insert the words "skate park." If it is already funded, it does not need to be included. Mayor Weinberger stated that the skate park is part of an overall project which may need additional funding. That is why they included the project in this question.

Councilor Tracy stated that they have gone through an extensive public outreach process. He inquired what steps they took, who was involved, how they were involved and how they plan to get the word out to people before Town Meeting Day. Nate Wildfire, CEDO, stated that this was the first time someone in the State of Vermont ever allocated TIF resources in a public fashion. They asked for help in crafting this process early on. They started with an open call for anyone to share an idea. They received about 120 ideas. Most of them were just a sentence. They posted them all online and encouraged everyone to talk to each other. Many people began by looking at those registries. They then sought to have anyone bring in concept proposals. While that was happening, they tried to get input from different committees. They also sought advice from the Parks Arts and Culture Committee. As proposals came in, they worked to get the word out about what they received. They put all of the projects online so that people could look at them. They were hearing that not everyone accesses the internet, so they held two day-long open houses. People came in and left comments. They then asked for ideas about how to make the next round stronger and created the Public Investment Team. They tried to have a broad representation of different disciplines there. They then toured the committees again. They had seven small open houses in City Hall. The proposals have been available at the Library and on their website. This was the first time that they did this, and they learned a lot of lessons. Councilor Tracy inquired what will happen between now and Town Meeting Day. Mr. Wildfire stated that they will visit all of the NPAs and the different committees. The proposals are still online, and the media picked up the Mayor's Open Letter. The proposers are starting to activate their bases and get the word out.

Councilor Brennan thanked them for their hard work. He inquired how viable they feel the Moran project is. The language in the ballot question puts that in question. He likes the plan that has been presented and wants to see it happen. Mr. Owens stated that the first thing that the Mayor asked of him when he started his job was how to address the problem of Moran. It has been discussed for thirty years. There is broad agreement that this is the strongest proposal and vision that they have seen. It is based locally and grew out of local people working collaboratively. It is not an easy project. He believes in the people behind the project and the economic model that has been put into it. They have attached a series of milestones that they have been working to finalize to make sure they have a clear idea of the targets that need to be met. They are not insubstantial, but they are possible. They feel this is the best chance that they have to make this work. The feasibility will come to light as they progress. They will begin with a capital campaign feasibility study that they will start immediately if they receive a successful vote in March. By fall they should know if they can come up with the money they need to get this off the ground. Charlie Tipper, New Moran, stated that Tad Cook, Eric Crockenberg and himself are the co-proposers for the New Moran project. Israel Smith is a principle at Smith Buckley Architects. They have been helping them with their architectural design work. Jeff Glassberg is with Renaissance Development Corporation and has been a source of financial scrutiny and rigor throughout the formation of their proposal. Councilor Brennan stated that with the proposal that is before them, if they fail to meet the milestones they are putting the Moran Plant on the chopping block. He has great fears of that happening, and wants reassurance that the plan will be successful. Mr. Tipper stated that they do have confidence in their plan, but their audacity only goes so far. They pledge that they will follow through with the plan that is in partnership with the City. The milestones are really tough, and are tougher than they were expecting at the outset. He cannot promise that they will succeed, but they will continue the process that they have been part of to date. The community has been overwhelmingly positive to date. There are a multitude of sources of energy and interests in the Moran building. There was a comment during public forum about accessibility for the arts community. They have been pouring out in force in support of this project. They intend to honor that demonstration of support. It is a fundamental part of their whole design stratagem- Arts and Community and the relationship between the two. They will have a fully infused arts program with as open a door that they can possibly have to all levels of interest. They have a model and the numbers work. The biggest piece will be their success in creating a path for the community to demonstrate its desire for this building to be reborn.

City Council President Shannon inquired what they think the critical needs to the success of the project are. Mr. Tipper stated they need a positive vote in March to start.

Councilor Hartnett stated that the message is that Moran is on the chopping block. If this does not get a yes vote, they will be dealing with Moran again, which no one wants to do. They need to get the message out to the voters that a yes vote is crucial. He had a conversation with a group about why they need to vote yes even if they want the building torn down. They know that there is urgency here and people need to vote yes either way. He is a big supporter of this project, but he has been an opponent of Moran. He is glad to see this project before them. They have a lot at risk and he wants the Council to pledge that they will get behind the project to get Moran where it should be.

Councilor Siegel stated that this question lumps demolition with the project, which she finds problematic. She inquired if they would rather have the building torn down than redeveloped by someone else if their plan does not pass. Tad Cook, New Moran, stated that they have a chance to have resolution and redevelop the plant and the northern part of the Waterfront more than they ever have before. There has always been an option to put the decision down the road. The Mayor and CEDO opened the door to any other plan than tearing the building down. They have the chance to say let us make something happen without the baggage of putting a decision off. He would rather deliver a value for the community or hear once and for all from Burlington that they want to move on. Councilor Siegel inquired if they personally would rather have the building torn down if their plan does not happen than see something else happen

there. She does like the plan, and wants it to pass, but she cannot vote for it the way it is written. Mr. Tipper stated that part of their proposal speaks to a continued open mindedness about how this plan will take shape. The plan will morph. They do not have a list of tenants and full program developed yet. They will be continually engaging the community to determine what does want to land at this building. It is not their plan or demolition. It is an exercise of pragmatism not ego. The building has been an unsolvable puzzle for almost thirty years. They will sleep just fine if the community does not choose to step up and help make this happen. There are a million ways that this project can fail- they have to be real about that. They did not put up a fight when it was proposed that the ballot question included language about tearing the building down. They will exercise their community's best opportunity to save the building. That is all they can promise. Israel Smith, Smith Buckley Architects, stated that the flexibility of this team has impressed him. They have been willing to evolve their whole approach as new opportunities come to the floor. One of the main strengths of the proposal is its ability to include everyone who comes to the table. It feels like a Burlington project. As an architect, he does not like to see buildings torn down. However, to move forward as a City they have to have a balanced, objective approach towards these questions. There are some buildings that are artifact buildings because of something special that happened there or the design of the building. Moran is special because of the possibilities that it holds for them to use it. It was designed for a totally different purpose than what is being proposed now. That is what makes it attractive. It took him a while to get comfortable with the proposal, but they have to be pragmatists about this. If this is the compromise that gets them to a yes vote and gives them the opportunity to make this project real, it is a gamble worth taking.

City Council President Shannon stated that she shares concerns about tearing the building down and putting that into the question. She thinks that the community needs to get behind a use for that building. She inquired what they will need from the community to be successful if they get a yes vote. Eric Crockenberg, New Moran, stated that it is about the vision of the community and the power of the community to bring it to fruition. They are a direct reflection of the values that the community has brought to bear. They are an open platform and a foundation for the community to put in their ideas. They are an evolving entity. It is a partnership, it is about preserving the waterfront's industrial history, it is about the ecology of the waterfront, it is about creating a creative economy. All of those are interrelated networks that need to be brought together. They need community support and partnership.

Councilor Bushor stated that she has not heard a direct response and she believes that is because their vision applies to the building, but also can apply without the building. She inquired if that is true. They are proposing a vision for New Moran with various tenants. If Moran was not there, they may come forward with the same proposal. Mr. Tipper stated that their vision is completely linked to the building. They have never said a word about how they might come to bear as a team if the building were to come down. They have tried to keep this process fun because right now it is a labor of love. They have to be real about how audacious this effort is. There is a whole City that owns the building and really wants some resolution. He thinks that Moran fatigue it is one of the best assets that they have as a community to see redevelopment come to fruition. If they could go into the building and relate to it, he believes that the majority of the community would be moved by it. They want to give the building back to its rightful owners. They are poised to have a success down there that they have never had before. They are at a tipping point. Councilor Bushor inquired if they have an anticipated timeline. Those who want to preserve the building want to know how tight of a timeline it is. Mayor Weinberger stated that the outlines of the timeline they have been talking about are the feasibility study being completed by the fall, financing and tenant commitments for the bulk of the space within a year, and have the project in construction within two years. They have been working with New Moran on a document that will add detail to that timeline. The intent is to bring it to the Council as a more developed document after the vote. It will be a memorandum of understanding. He has always wanted to see something great done with the building. There will be no hair trigger from the Administration to say that this project is not feasible and that it will not happen. There will be dates in the document, but the intent is not that if they miss it by a week they will end the project. The intent is to lay out a plan to assess if the plan is clearly not going to be met

because of missed milestones. There will be further Council action before the trigger is pulled. Councilor Bushor stated that she feels that is doable.

Councilor Siegel inquired if it is typical that a feasibility study would be done after a yes vote. Mr. Wildfire stated that with capital campaigns it is hard to convince a donor without having the City authorize their funds, which would be seen as matching funds to the donors. Mayor Weinberger stated that the New Moran team will be putting a great deal of personal time and resources into pursuing everything from here. It is the appropriate time for them to go to the voters to see if they feel it is worthy of continuing to pursue it. It is better to have that information now than after they spend considerable money.

- 9.01. COMMUNICATION: Community & Economic Development Office, re:
Public Investment Action Plan – Project Summaries

Councilors Knodell and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed

- 9.02. COMMUNICATION: Nathan Wildfire, CEDO – reviewed by Bob Rusten,
CAO, re: Tax Increment Financing (TIF) Capacity –
Waterfront TIF District

Councilors Knodell and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed

- 9.03. COMMUNICATION: CEDO, re: PIAP budget worksheets

Councilors Knodell and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed

- 9.04. COMMUNICATION: William H. Truex, Jr FAIA, -Chairman of the Public
Investment Team, re: Press Announcement for PIAP
Program – January 13, 2014

Councilors Knodell and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed

- 9.05. RESOLUTION: March 4, 2014 Annual City Meeting – Pledging The Credit of The City
to Secure Indebtedness for Public Improvements within The Waterfront
TIF District (Councilors Shannon, Bushor, Knodell, Aubin: Board of
Finance)

Councilors Knodell and Ayres made a motion to waive the reading and adopt the resolution.

Councilor Knodell stated that she is someone who wants to preserve this building which is emblematic of Burlington's history as an industrial working waterfront. There is not much of that history left there now, and it is an important history. The language will help them succeed because people will come together around the idea that this is the last chance. She loves the plan for Moran. This question does ask the voters if they authorize the City Council to pledge the faith of the taxpayers of the City of Burlington behind \$9.6 million of new debt that will be used to fund the projects. This is part of a Tax Increment Financing district, and the debt will be repaid by the new property taxes from all of the investments that are within the Waterfront TIF District. The pledge of the voters is behind it. The Board of Finance did an analysis to test whether there is the capacity to repay the debt. They looked at the new debt associated with these

projects and the issuance of debt to finance the projects that were approved in November 2012. They have a very healthy Waterfront TIF District because past investments have been fruitful. The value of property on the Waterfront has increased significantly. Because of wise past investments, they have the ability to make wise new investments. This is very financially sound.

Councilor Decelles stated that he has never cared one way or another if the building stayed up or comes down. His biggest fear was that if the building came down and there was no plan, nothing would ever happen. He inquired what the costs of demolition would be. Peter Owens, CEDO Director, stated that they have an estimate from 2007 that it would cost \$2.04 million. It will likely cost more now, but they have not done any additional number crunching. It would be well within the \$6.3 million of TIF money allocated to Moran. They will not have a problem with TIF capacity if that is the decision that they face. Nate Wildfire, CEDO, stated that if they increase that estimate for inflation at 5% annually, the number is about \$2.5 million. They would then have to go through a community process to figure out what would go there.

Councilors Brennan and Siegel made a motion to amend the resolution to strike line 65 after the word "improvements" through line 70.

Councilor Brennan stated that they have heard about the project that will be moving forward through the PIAP process. There were many proposals that were put forward and none of them that rose to the top was demolition of the building. He believes they can rally around this resolution without creating a destructive alternative. It would take a huge amount of energy and resources to remove the building and it would have an effect on the climate. The voters see that there is a possibility here. The milestones seem doable, but he also feels that it is fragile. He appreciates the Mayor's comments about not making quick stabs to tear the building down. He does not feel they need this language to move forward.

Councilor Tracy inquired how much longer they will be able to draw on this money moving forward if this proposal does not go through. Mr. Wildfire stated that they have 11 more years in this district. Mayor Weinberger stated that they have an additional 5 years to incur debt and 11 more years in the life of the TIF district. Councilor Tracy inquired how much money has been spent on public outreach for this project. Mr. Wildfire stated that they have spent a lot of staff time. Mayor Weinberger stated that the out of pocket dollar amount has been minimal, but there has been a significant investment of staff time.

Councilor Hartnett stated that he will not support the amendment. People want closure on this. They have spent a million dollars of taxpayer money just in the past 5 years and have nothing to show for it. They had a kickoff at the ECHO Center a week ago and he said they will finally be making a decision on Moran. The response from someone he spoke with was that it was a good thing and has been a long time coming. The message is that they should stay positive and get this passed. There are a lot of people who would like to see the building torn down. He is in favor of this project because it fits Burlington. He encouraged Councilors to get behind this and encourage people to vote for it.

Councilor Ayres stated that he first came to this community and became engaged as a small business owner. He was involved with the precursor for the Burlington Business Association, and one of the first issues that he heard about was what they would do with the Moran Plant. Since then, he has been skeptical about the feasibility and expense of restoring that building to a functional and operating building for the community. As a result of the community process they have gone through, he has changed his mind. They have the ability to leverage TIF dollars and the community's creative energy to create a space called New Moran. Given the process that they have gone through, he is delighted with the wording of this question. It is time to stop kicking this can down the road. They have an extraordinary opportunity to work with the New Moran team to make this happen. If it does not come to that reality, it is time to end this.

Councilor Siegel stated that she supports the amendment. She has heard people say that the threat of demolition will motivate people to vote yes. However, she has not heard anyone say that is motivating them, and that logic does not make sense to her. Many people have told her that they will vote no because of the threat of demolition. It is muddy to have two questions mixed together. She cannot support it for that reason. She wants to support it, but she does not want the threat of demolition. If the building is demolished, they cannot build something new there. They cannot build that close to the Waterfront again, but this building is grandfathered in. Mayor Weinberger stated that the question that has been put before them with this amendment is a fair one. There are three compelling reasons to keep the language the way it is and he does not support the amendment. The language being stated this way will make it more likely for there to be a positive outcome because it provides clarity that this is the last effort. Secondly, it is important to have a clear statement of intent that this is the last effort and they will not keep doing this indefinitely as they have for the last thirty years. He struggled with this knowing that the people of Burlington want resolution. This ballot language is the only way that they could come up with to give people some certainty that there will be resolution. It says that this time it will be different and they will not be going back to square one. He has heard feedback that there is strong support for that concept.

Councilor Bushor stated that she will not support the amendment, although she supports what it wants to accomplish. She would have preferred a different question, but she hopes that Councilors will get behind this, because a no vote will result in nothing happening on the Waterfront. That would be a very sad outcome for all of the wonderful process they have gone through as a community. She believes the question is the right one of the community.

The motion to amend the resolution failed by a vote of 2-10 with Councilors Brennan and Siegel voting in favor. Councilors Worden and Paul recused themselves due to a conflict of interest.

Councilors Bushor stated that she would like to put forth an amendment. Mayor Weinberger stated that the City Attorney's Office has more information about her amendment available. Assistant City Attorney Haesler stated the question has been through a review process to comply with statutory requirements. It is a long question because there are a number of requirements in the TIF statute about what the question has to ask. The next step they have to follow through on is to provide a notice to the public supporting the question. All of that has to line up with statutory requirements. Adding to the question adds to the equation of what they have to ask the public. It puts them in a precarious position as to how they are presenting the question. The skate park is not built into the equation and they have to be careful about adding amendments at this point. Councilor Bushor stated that she was proposing to insert the word 'skate park relocation' into the question. However she is hearing that would create a lot of work to explain what is going to happen at the skate park. She is going to support this resolution, but she feels they are missing out on a group of people voting yes that may have been excited about this. She will not bring forth her amendment but she is disappointed.

Councilor Knodell stated that there has been reference to the money that has been spent in the past on the previous projects. She inquired if that spending will benefit this project. Mr. Wildfire stated that a lot of the dollars that have been spent previously have gone to permitting the site. That includes the Moran Building itself and the surrounding site which will include the Sailing Center. They have gotten that site ready through zoning. Additional dollars have been spent on remediation inside the building and on site. They have also spent money on architectural design and engineering to figure out what would be possible. Some of that was spent on schematics and plans for future redevelopment. Pieces of that design may or may not be used in New Moran.

The motion to adopt the resolution passed by a vote of 10-2 with Councilors Siegel and Brennan voting against. Councilors Worden and Paul recused themselves due to a conflict of interest.

10. RESOLUTION: March 4, 2014 Annual City Meeting – Increase in Maximum Tax Rate

For General City Purposes Authorized (Councilors Shannon, Paul)(20 mins.)

Councilors Paul and Aubin made a motion to waive the reading and adopt the resolution.

Councilor Paul stated that voting in favor of this resolution will allow for a question on the Town Meeting Day ballot asking the voters to increase the general city fund tax rate by 2 ¼ cents for an overall rate of 78.84 cents per \$100 of assessed property value. As elected officials, they take their obligation and responsibility to manage City dollars very seriously. They also have an obligation to provide quality services to their residents. They must do that at a rate that is affordable and achievable. The City Council held a work session last week, and CAO Rusten did a great job of introducing what is a difficult topic. There is no one at this table that is thrilled about the idea of having a tax increase. What this resolution does is go deeper than talking about a tax increase. The reality is that they have to make investments in their municipal structure today to continue to provide the services that their residents enjoy and are entitled to, but also allow them to put in longer term cost saving measures. At the work session, CAO Rusten noted that the guiding principles in regard to this increase and the budget are that they need to be fair, factual and forward. She believes that it is fair and factual to say that for the past several years, the City has made a tremendous effort to see that the tax rate remained stable. That cannot go on forever. The last time that there was an increase was 2004. That is a long time without an increase. She thought that it was meaningful to view the list of revenue raising strategies for 2016. That list is very long and it is full of good ideas. Many of them stand a good chance for implementation in time for the FY16 budget. Some of the ideas include energy efficiency efforts, centralized purchasing, and increasing marketing for Parks and Recreation. They have gotten to a point that they have to find ways to raise money rather than going to the taxpayers, and this is what she would consider the forward aspect of the plan. They must invest today for tomorrow. They cannot continue to cut without falling behind from social, technological and efficiency perspectives. These ideas are not quick fixes, but they are also not band-aids or one time solutions. These are investments, which take time, patience, hard work and money. Looking forward, the tax increase will mean the addition of 10 employment positions; 8 are limited service. The cost of the ten positions is about \$720,000. Of that, \$480,000 will be saved through cost savings and other techniques to lower the cost to \$240,000. That \$240,000 will come back to the City because those jobs will generate revenue in FY16. If the positions are not successful, they are limited service and will not continue. They need to continue to look for efficiencies as much as they can, and part of that includes reducing reliance on outside consultants, improving technology, and reducing debt by purchasing more and leasing less. They will be seeing a presentation from Burlington College about their master plan. It is an amazing plan that will include many more housing options ranging from senior housing, market rate housing and senior living. They need to encourage this type of project because they grow the grand list. Growing the grand list means they have a wider base that they are taxing and they will not need to increase taxes as much. Investing today for tomorrow, providing efficiencies and building systems and processes to prepare for tomorrow is what this increase is all about. An affirmative vote on this resolution says that the Council supports this initiative and the improvements and tax increase are necessary and in the best interest of the City.

CAO Rusten stated that when they started looking at the budget, Department Heads, staff, and the CAO's office went through every line in the general fund budget to identify key cost drivers. They identified a \$2.6 million shortfall in the budget. The 2 ¼ cent tax increase only raises about \$800,000. Part of the overall increase is because of the pass through taxes that the Charter allows, but they have also made significant cuts in other spending and found other revenue sources to make up the \$2.6 million hole. If the voters were to reject the tax increase, it does not mean that they go back to status quo. It means that they will not have the money that they need to maintain their current services or to make investments in the future. Councilor Paul raised a point about cutting for efficiency. It is also possible to cut for inefficiency. They had over 400 general fund employees. There are approximately 400 desktop and laptop computers for general fund and enterprise fund employees. 80-100 of those computers are 5 years or older. This year

they bought 24 new computers, but half are still in boxes in the office because they do not have the staff to get the computers set up for people. They have old computers, old systems, incompatible software, and people in departments doing computer work that they were not hired to do, which causes problems in the system. They also have issues where they are not able to respond to citizens requests to provide information quickly. They have new employees who have to wait a week or two to have a computer set up because they only have two full time staff members in the entire City to work on IT. They can cut to be efficient and they can cut to be inefficient. They want to address needs in FY15 and beyond.

Councilor Bushor stated that they had requested talking points to provide to citizens when they ask questions. She has heard that they are working to sustain current services and to improve IT services. Those are two areas where people can understand that they are supporting with a tax increase. It will make them more efficient with the current number of people that they have and save money by having the compatibility needed to allow departments to communicate with each other.

Councilor Worden stated that he will support the proposed budget. He has looked through it and knows that a lot of hard work has been done. They make a great point that the status quo is an increase three times what they are proposing if they look at the cost drivers. He knows they went through this line by line to get the increase down to what it is. This budget is more complicated than repeating what they did last year. Last year, it appeared that every department was presented separately. This year it was presented as one compact presentation with everything included. It has been ten years since the last increase. The decisions they make today will have an effect for the next many years. The increase ten years ago set the stage. The lack of increase has impacted all departments. It did result in a lot of efficiencies and rooting out inefficiencies. It also resulted in a reduction in staff and a challenge in meeting the services that citizens have come to expect. This decision is one to invest and make sure they can continue to provide those services in an efficient manner.

Mayor Weinberger stated that he was reluctant to accept the recommendation that they needed to do this. In the prior two years, they worked very hard to avoid a tax increase. He has come to the conclusion that it would be irresponsible to attempt to do that again with this budget. He is supportive of this and feels it is responsible and invests properly in key areas that will benefit them in the long run.

The motion to adopt the resolution passed unanimously.

- 10.01. COMMUNICATION: Bob Rusten, CAO, re: Major Cost Drivers of FY15 General Fund

Councilors Paul and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

- 11. PRESENTATION: Doreen Kraft, City Arts Director, Jesse Bridges, Parks and Recreation Director, Kelly Devine, Executive Director, BBA and H. Keith Wagner and Jeff Hodgson Partnership, Landscape architect team, re: City Hall Park Master Plan (15 mins.)

- 11.01. COMMUNICATION: Doreen Kraft, City Arts Director, re: City Hall Park Resolution

- 11.02. RESOLUTION: City Hall Park Master Plan (Councilors Paul, Brennan, Aubin: Parks, Arts & Culture Committee)

These items were removed from the agenda.

12. RESOLUTION: Strategic Plan Re Fiscal Health of The City (Councilors Paul, Blais, Mason, Knodell, Worden, Ayres, Siegel, Brennan)

Councilors Paul and Brennan made a motion to waive the reading and adopt the resolution.

Councilor Paul stated that they have looked at the cost drivers for the FY15 budget. It is about the fiscal health of the City and the full Council listed this as one of their top three priorities for the year. They all know they have a lot of goals that they would like to see the City move forward on. These goals come with financial price tags. As the people who are entrusted in managing City dollars must be mindful of the consequences of the decisions they make. They have to be responsible, which is also a component of their bond rating assessment. They need to align their values and goals with their financial reality. Most organizations do strategic plans, budget projections and financial timelines. This resolution will require the Council to work with the Administration to develop a three year projection of expenditures and revenues and a strategic plan assuming a balanced budget. They will then understand the ramifications of their decision on their credit rating and their long term fiscal health. The resolved clauses state they will work to complete a three year plan by the end of 2014 and presented in January of 2015. They did pass a similar resolution in 2012, but time constraints limited action on it.

The motion passed unanimously.

- 12.05. (formerly 8.10.) RESOLUTION: Ward Redistricting – Change to Referenced Map Per Public Hearing Comment (Councilor Siegel)

Councilors Paul and Blais made a motion to waive the reading and adopt the resolution.

Councilor Paul stated that she removed this from the consent agenda because this resolution relates to redistricting. There has been talk concerning the map that they will be using. They took a vote several meetings ago to from the map that is referred to as Version 3 to a map that is known as Version 1. Version 3 came out of the Charter Change Committee, but the Council voted to return to Version 1. This resolution requests that they return to Version 3. They do have the language available. She originally voted against this because she was disappointed in the map. She felt it was unfair to Ward 6 and they were not the reason that redistricting needed to be done. She will support redistricting, provided that Version 3 is put before the voters. It is a fairer map to Ward 6 and other areas of the City. Her first choice was not the 4/8/12 plan, but it is a compromise.

City Attorney Blackwood stated that they need to amend the resolution to change the map.

Councilors Mason and Hartnett made a motion to suspend the rules and extend the meeting to complete agenda item 12.05. Councilor Blais stated that they still have to address the License Committee agenda. City Council President Shannon stated that will still go forward. The motion passed by a vote of 13-1 with Councilor Tracy voting against.

Councilor Bushor stated that her understanding was that the proposal is to make a minor boundary line adjustment that impacted one neighborhood in Ward 6. She inquired what they are amending.

City Attorney Blackwood stated that they have passed a question to be placed on the ballot. That question included Version 1 on the map. They cannot just change the reference because they have to change the description of the wards which is described by streets in the Charter. She suggested they use the original resolution. Procedurally, they can replace the resolution before them with the earlier resolution. They also need to indicate that it is replacing the resolution that says they will need to put information on the ballot.

Councilor Blais stated that they can amend the resolution to ask that the original map that came to them from the Charter Change Committee be adopted along with the boundaries as stipulated in the resolution.

Councilors Paul and Ayres made a motion to amend the resolution by replacing the map and defining language with the resolution that came to the Council from the Charter Change Committee.

Councilor Worden inquired which map will be used. City Council President Shannon stated that they will use the map that came to them from the Charter Change Committee.

Councilor Siegel stated that Version 1 came to the committee. They tried to see if they could get the Robinson Parkway neighborhood back into Ward 6. They did not come up with a perfect solution, so decided to use Version 3 although it was not their favorite map. She thought that they could only amend the plan based on testimony they received. The testimony that they heard was only about the naming issue, not about the map itself. City Council President Shannon stated that they did receive testimony about changing the map tonight. They are permitted to do this based on that testimony.

Councilors Hartnett and Aubin made a motion to call to question. The motion passed unanimously.

City Council President Shannon requested a roll call.

The motion passed by a vote of 10-3. Councilor Decelles was not present.

AYES: City Council President Shannon, Councilors Aubin, Ayres, Blais, Bushor, Hartnett, Knodell, Mason, Paul and Worden

NAYS: Councilors Brennan, Siegel and Tracy

City Council President Shannon adjourned the City Council meeting at 10:47 p.m.

City Council President Shannon reconvened the City Council meeting at 10:50 p.m.

The motion to adopt the resolution passed by a vote of 11-2 with Councilors Worden and Siegel voting against.

13. COMMITTEE REPORTS (5 mins.)

This item was not addressed at this meeting.

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

This item was not addressed at this meeting

15. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)

This item was not addressed at this meeting

16. COMMUNICATION: Eileen Blackwood, City Attorney, re: Burlington Telecom Update (oral)

This item was not addressed at this meeting

* * * EXPECTED EXECUTIVE SESSION * * *

17. ADJOURNMENT

Without objection, City Council President Shannon adjourned the City Council meeting at 10:51 p.m.
Attest:

Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary

LOCAL CONTROL COMMISSION
MONDAY, JANUARY 27, 2014
CONTOIS AUDITORIUM, CITY HALL
10:47 P.M.

1. AGENDA

Commissioners Blais and Ayres made a motion to adopt the agenda. The motion passed unanimously.

2. FIRST CLASS RESTAURANT/BAR LIQUOR LICENSE APPLICATION (2013-2014):

Champlain Chocolates Company, d/b/a South End Kitchen, 716 Pine Street

Commissioners Blais and Ayres made a motion to approve the first class restaurant/bar liquor license application for South End Kitchen.

Commissioners Worden stated that he would recuse himself due to a conflict of interest.

Commissioner Siegel stated that Lake Champlain Chocolate has said they will be switching to fair trade cocoa. She hopes people will encourage them to make this change. The cocoa industry deforests large regions and 90% is sourced in West Africa and produced by forced child labor. As they vote for this, she hopes they will follow through in their commitment to use fair trade cocoa.

The motion passed unanimously.

3. ADJOURNMENT

Without objection, City Council President Shannon adjourned the Local Control Commission Meeting at 10:50 p.m.

Attest:

Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary