

* * * **DELIBERATIVE AGENDA** * * *

ORGANIZATION DAY, CITY COUNCIL
MONDAY, APRIL 1, 2013
CONTOIS AUDITORIUM, CITY HALL
7:00 P.M.

PRESENT: Councilors Bushor, Worden, Knodell, Tracy, Brennan, Siegel, Aubin, Hartnett, Mason, Shannon, Blais, Paul, Ayres and Decelles

CITY ATTORNEY'S OFFICE: Eileen Blackwood and Gene Bergman

CLERK/TREASURER'S OFFICE: Paul Sisson, Scott Schrader, Rich Goodwin and Lori Olberg

INTERIM CAO SISSON PRESIDING:

1. AGENDA

On a motion by Councilors Shannon and Bushor the agenda was unanimously adopted as amended as follows: amend the action for consent agenda item 6.14. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Municipal Development Plan Amendment – **plan BTV: Downtown and Waterfront Master Plan** to “waive the reading, accept the communication, place it on file **and schedule a presentation no later than the first public hearing which is slated for the April 29, 2013 City Council Meeting;**” amend the action for consent agenda item 6.20. COMMUNICATION: Mohamed Ragab, Taxi Driver, re: License Issue to “waive the reading, accept the communication, place it on file, send a copy to the Airport Taxi Licensing Board for review **with a report due back to the City Council as soon as possible.**”

Councilor Brennan requested that consent agenda item 3.12. COMMUNICATION: Ward 1 NPA Steering Committee on behalf of the Ward 1 NPA, re: Communications from Ward 3 City Councilors to Ward 1 School Commissioner be removed and added to the next City Council Agenda.

2. MAYOR'S STATE OF THE CITY ADDRESS

Mayor Weinberger delivered his State of the City Address.

3. OATH OF OFFICE-NEWLY ELECTED AND RE-ELECTED COUNCILORS

Interim CAO Sisson swore in the newly elected City Councilors.

4. ELECTION OF CITY COUNCIL PRESIDENT

Councilor Hartnett nominated Councilor Shannon.

Councilor Hartnett stated a year ago that they had faced this same decision. It was a difficult decision so he turned to other Councilors for advice on who would best lead them. He ultimately decided to support Councilor Shannon, which was the right decision. She has done a remarkable job as Council President. When considering who would best serve as City Council President, you want someone with leadership, someone who will run meetings smoothly, and someone who treats everyone with respect. This was her first year as Council President, with a new administration, and a young City Council, and she did a remarkable job. There were some very difficult issues that came before them. Many meetings with high passions have gotten out of hand in the past, but that did not happen this year. She has shown great leadership and it has been a great year. He hopes the rest of the Council will support her for a second term.

Councilor Bushor nominated Councilor Paul.

Councilor Bushor stated Councilor Paul has deep roots in the community going back three generations. She is all about community and is a parent with children in Burlington Schools, a business owner, a volunteer, and a community leader. The words 'invested' and 'involved' help define her. Prior to her time on the Council, she was Chair of the Electric Commission and served on the Retirement Task Force. She has a financial background which has helped the community. When she was elected to Council, she was chair of the TEU Committee and now she serves as Chair of the PACC Committee. She also co-chairs the Airport Strategic Planning Committee. She also serves on the Y Board, the Lund Board, the CCTV Board, the State Environmental Board, and as an alternate to the State Pension Investment Board. That involvement speaks strongly to her ability to form partnerships and work well with diverse groups. She has reached out and collaborated with both new and veteran Councilors. She reached out to the Council to express her interest in serving as City Council President and by telling them what she envisioned the President would do under her leadership. She met with almost every member of the Council. She discussed Committee assignments with a focus on fairness and political balance, as well as expertise. She talked about the importance of communication. She has demonstrated these qualities over her past years as a City Councilor. She has the right qualities to make her an excellent City Council President. She hopes the Council will elect her as the next president.

Councilor Shannon received 7 votes from Councilors Hartnett, Blais, Mason, Aubin, Worden, Shannon and Ayres.

Councilor Paul received 7 votes from Councilors Paul, Knodell, Decelles, Bushor, Siegel, Tracy and Brennan.

Interim CAO Sisson conducted a second vote.

Councilor Shannon received 7 votes from Councilors Hartnett, Blais, Mason, Aubin, Worden, Shannon and Ayres.

Councilor Paul received 7 votes from Councilors Paul, Knodell, Decelles, Bushor, Siegel, Tracy and Brennan.

Interim CAO Sisson conducted a third vote.

Councilor Shannon received 7 votes from Councilors Hartnett, Blais, Mason, Aubin, Worden, Shannon and Ayres.

Councilor Paul received 7 votes from Councilors Paul, Knodell, Decelles, Bushor, Siegel, Tracy and Brennan.

Councilor Hartnett requested a five minute recess. The meeting reconvened at 7:53 p.m.

Councilors Bushor and Hartnett made a motion to defer action on agenda items 4 and 5 and resume the meeting at agenda item 6. The motion passed unanimously.

5. ELECTION OF BOARD OF FINANCE MEMBERS

Action on this item was postponed.

6. CONSENT AGENDA

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

6.01. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator, re:
Accountability List

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

6.02. RESOLUTION: Acceptance of Vermont Homeland Security (HSU) Grant for Urban

Search and Rescue (USAR) Training Opportunities and Budget
Amendment (Councilors Shannon, Bushor)

*waive the reading and adopt the resolution

- 6.03. COMMUNICATION: Lise E. Veronneau, Business Manager, Burlington Fire & Police
Departments, re: Vermont Department of Public Safety Grant
AGREEMENT #02140-70132-202

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

- 6.04. RESOLUTION: Authorization to Enter into License Agreement to Maintain A Sign
Extending Over A Portion of The City's Right-of-way with Penny
Cluse (Councilors Tracy, Blais: 2012-2013 License Committee)

*waive the reading and adopt the resolution

- 6.05. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables
And Chairs on A Portion of The City's Right-of-way with El Gato
Cantina (Councilors Tracy, Blais: 2012-2013 License Committee)

*waive the reading and adopt the resolution

- 6.06. RESOLUTION: Authorization to Enter into License Agreement with ICV Construction,
Inc. to Use and Maintain Canopies and Wall Sconces Extending Over A
Portion of The City's Right-of-way (Councilors Tracy, Blais: 2012-2013
License Committee)

*waive the reading and adopt the resolution

- 6.07. RESOLUTION: Authorization to Enter into License Agreement to Erect and Maintain A
Sign Extending Over A Portion of The City's Right-of-way with Finnigan's
Pub (Councilors Tracy, Blais: 2012-2013 License Committee)

*waive the reading and adopt the resolution

- 6.08. RESOLUTION: Authorization to Enter into License Agreement to Maintain An Awning
Extending Over A Portion of The City's Right-of-way with Dobra Tea
(Councilors Tracy, Blais: 2012-2013 License Committee)

*waive the reading and adopt the resolution

- 6.09. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and
Chairs on A Portion of The City's Right-of-way with Dobra Tea
(Councilors Tracy, Blais: 2012-2013 License Committee)

*waive the reading and adopt the resolution

- 6.10. RESOLUTION: Authorization to Contract with Alstom Power, Inc. for Maintenance of
The McNeil Station Turbine Generator (Councilors Shannon, Decelles,
Paul, Bushor: Board of Finance)

*waive the reading and adopt the resolution

- 6.11. COMMUNICATION: John Irving, Burlington Electric Department, re: Turbine Maintenance
Contract for Years 2013-2015

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

- 6.13. COMMUNICATION: Robert Cameron, re: Changing City's name

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

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6.14. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Municipal Development Plan Amendment – **planBTV: Downtown and Waterfront Master Plan**

*waive the reading, accept the communication, place it on file and schedule a presentation no later than the first public hearing which is slated for the April 29, 2013 City Council Meeting

6.15. COMMUNICATION: Burlington Municipal Development Plan, re: I. LAND USE PLAN

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

6.16. COMMUNICATION: Paul R. Sisson, Interim CAO, re: Fiscal 2014 Budget Preparation Schedule

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

6.17. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday, February 19, 2013 Minutes

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

6.18. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday, March 11, 2013 Minutes

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

6.19. INDOOR, OUTDOOR ENTERTAINMENT PERMIT AND TOBACCO LICENSE RENEWALS (2013-2014): see attached list

*waive the reading, accept the communication, place it on file and approve the 2013-2014 Indoor, Outdoor Entertainment Permit and Tobacco License Renewals with all standard conditions

6.20. COMMUNICATION: Mohamed Ragab, Taxi Driver, re: License Issue

*waive the reading, accept the communication, place it on file and send a copy to the Airport Taxi Licensing Board for review with report due back to the City Council as soon as possible

6.21. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/Boards

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

7. INDOOR ENTERTAINMENT PERMIT APPLICATION (2013-2014):

41 Cherry Street LLC, d/b/a Hotel Vermont, 41 Cherry Street

This item was not addressed at this meeting.

8. INDOOR ENTERTAINMENT PERMIT APPLICATION (2013-2014): Madera's, 180 Battery Street

This item was not addressed at this meeting.

9. INDOOR ENTERTAINMENT PERMIT APPLICATION (2013-2014):

Pacific Rim Café, LLC, d/b/a Pacific Rim Asian Cafe, 161 Church Street

This item was not addressed at this meeting.

10. ADJOURNMENT

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Councilors Tracy and Bushor made a motion to adjourn the meeting and resume the agenda April 8 at 5:30 p.m. to address agenda items 4 and 5.

Councilor Tracy stated that he wanted to ensure they have the ability to move City business forward in a timely manner. He hoped that they could talk more and come out with an agreeable resolution in the next week.

Councilor Decelles made a motion to amend the start time to 6:00 p.m. Councilor Shannon stated there was a conflicting Redistricting Committee Meeting at 7:00 p.m. at the High School. The idea was to hold the City Council Meeting early in the evening to allow people to attend the Redistricting Committee Meeting.

Councilor Bushor inquired if they could have the next City Council Meeting at the High School. It was important that everyone attend both the next City Council Meeting and the next Redistricting Committee Meeting.

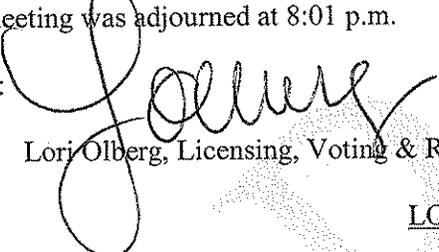
Councilor Hartnett stated electing a Council President and Board of Finance was far more important than a Redistricting Committee Meeting. The next Council President should be selected at City Hall. If the timeline was a problem for Councilors, he would recommend they have a regular meeting at City Hall.

Councilor Decelles withdrew his amendment.

Councilor Mason inquired what happens to Committees going forward pending the selection of a Council President. City Attorney Blackwood stated other than the Board of Finance none of the Committees have a formal ending date for appointments. Therefore, the appointments to date are still in effect.

The motion to adjourn the Organization Day Meeting passed by a vote of 13-1 with Councilor Hartnett voting against. The meeting was adjourned at 8:01 p.m.

Attest:


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

LOCAL CONTROL COMMISSION
MONDAY, APRIL 1, 2013
CONTOIS AUDITORIUM, CITY HALL
8:01 P.M.

PRESENT: See above

INTERIM CAO SISSON PRESIDING:

1. AGENDA

On a motion by Commissioners Blais and Tracy the agenda was adopted as is.

2. CONSENT AGENDA

On a motion by Commissioners Blais and Shannon, the consent agenda was unanimously adopted thus taking the following actions as indicated:

2.01. 2013-2014 CABARET, CLUB, HOTEL, RESTAURANT AND STORE LIQUOR LICENSE RENEWALS : see attached list

*waive the reading, accept the communication, place it on file and approve the 2013-2014 Cabaret, Club, Hotel, Restaurant and Store Liquor License Renewals with all standard conditions

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2.02. 2013-2014 OUTSIDE CONSUMPTION PERMIT RENEWALS: see attached list
*waive the reading, accept the communication, place it on file and approve the 2013-2014 Outside Consumption Permit Renewals

3. OUTSIDE CONSUMPTION PERMIT APPLICATION (2013-2014):

Courtyard by Marriott, 25 Cherry Street

Commissioners Blais and Shannon made a motion to approve the Outside Consumption Permit Application for the Courtyard by Marriott. The motion passed unanimously.

4. FIRST CLASS HOTEL LIQUOR LICENSE APPLICATION (2013-2014): Hotel Vermont, 41 Cherry St.

Commissioners Blais and Shannon made a motion to approve the First Class Hotel Liquor License Application for Hotel Vermont. The motion passed unanimously.

4.01. SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2013-2014): Hotel Vermont

Commissioners Blais and Shannon made a motion to approve the Second Class Liquor License Application for Hotel Vermont. The motion passed unanimously.

4.02. OUTSIDE CONSUMPTION PERMIT APPLICATION (2013-2014): Hotel Vermont

Commissioners Blais and Shannon made a motion to approve the Outside Consumption Permit Application for Hotel Vermont. The motion passed unanimously.

5. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2013-2014):

Pacific Rim Café LLC, d/b/a Pacific Rim Asian Café, 161 Church Street

Commissioners Blais and Shannon made a motion to approve the First Class Restaurant Liquor License Application for Pacific Rim Asian Cafe. The motion passed unanimously.

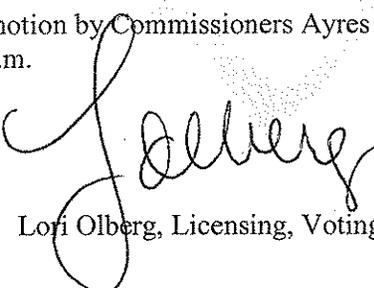
5.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2013-2014): Pacific Rim

Commissioners Blais and Shannon made a motion to approve the Outside Consumption Permit Application for Pacific Rim. The motion passed unanimously.

6. ADJOURNMENT

On a motion by Commissioners Ayres and Aubin, the Local Control Commission voted unanimously to adjourn at 8:04 p.m.

Attest:

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