
DELIBERATIVE AGENDA

CITY COUNCIL PUBLIC FORUM
MONDAY, SEPTEMBER 23, 2013
CONTOIS AUDITORIUM, CITY HALL
RE: LIVABLE WAGE ORDINANCE
6:00 P.M. – 7:00 P.M.

City Council President Shannon opened the public forum at 6:03 p.m.

<u>Name</u>	<u>Ward/Affiliation/In favor, opposed</u>
Charles Simpson	Importance of Airport
Matt McMahon	Lake Champlain Regional Chamber of Commerce/Importance of Airport
Joe Carton	Courtyard Marriott/Importance of Airport
Marigo Farr	VT Workers' Center/In favor of Livable Wage, Against Airport Carve-out
Matt McGrath	VT Workers' Center/In favor of Livable Wage, Against Airport Carve-out
Kelly Devine	Burlington Business Association/In favor of Livable Wage Ordinance, In favor of Airport Carve-out
Connie Krosney	Ward 6 Resident/In favor of Livable Wage Ordinance, Against Airport Carve-out
Alexandra Zipparo	Ward 3 Resident/Against Airport Carve-out
Jude	Ward 3 Resident/In favor of Livable Wage Ordinance
Kelly Mangan	Vermont Fair Food Campaign/In Favor of Livable Wage Ordinance, Against Airport Carve-out
Larry Davis	Willard Street Inn/In favor of Airport Carve-out
Jonathan Leavitt	Ward 2 Resident/Against Airport Carve-out
Linda Ayer	Ward 6 Resident, Peace and Justice Center/In favor of Livable Wage Ordinance, Against Airport Carve-out
Jen Berger	Ward 2 Resident/In Favor of Livable Wage Ordinance

With no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 6:30 p.m.

ADJOURNED MEETING, CITY COUNCIL
CONTOIS AUDITORIUM, CITY HALL
MONDAY, SEPTEMBER 23, 2013
7:02 P.M.

PRESENT: City Council President Shannon; Councilors Bushor, Worden, Tracy, Brennan, Sigel, Aubin, Hartnett, Mason, Blais, Paul, Ayres, Decelles and Knodell (via phone)

CITY ATTORNEY'S OFFICE: Eileen Blackwood

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

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

City Council President Shannon held a moment of silence for victims of domestic violence.

1. AGENDA

On a motion by Councilors Mason and Bushor the agenda was unanimously adopted as amended as follows: remove from the consent agenda item 4.02. RESOLUTION: Authorization for Execution of Application for 2014 Municipal Planning Grant from the Vermont Department of Economic Housing and Community Development (Councilors Mason, Paul, Shannon) and place it on the Deliberative Agenda as item 8.5; add to the agenda item 5.07. RESOLUTION: Re-districting; note the **revised version** and **title change** of agenda item 11. OFFENSES & MISCELLANEOUS PROVISIONS – ARTICLES VI. LIVABLE WAGES (Councilors Mason, Bushor, Paul: Ordinance Committee)(1st reading); note **red-lined and revised version** of agenda item 11.01. COMMUNICATION: Red-lined copy of Ordinance: Offenses & Miscellaneous Provisions – Articles VI. Livable Wage; add to the agenda item 11.02. COMMUNICATION: Jesse Bridges, Director Parks and Recreation, re: Proposed Ordinance Revision Livable Wage 21-81; add to the agenda item 11.03. COMMUNICATION: Chapin Spencer, Director of Public Works, re: Response to the Ordinance Committee's question about the effect on the budget of the proposed change as to seasonal/temporary employees; note revised version of agenda 14. RESOLUTION: Finalize A Strategic Plan for Diversity, Equity and Inclusion for the The City of Burlington (Councilors Siegel, Brennan, **Tracy**); remove item 6. COMPREHENSIVE DEVELOPMENT ORDINANCE— Residential Side/Rear Yard Setback Encroachments ZA 14-01 (Planning Commission; Planning Department)(1st reading)(Proposed action: consider 1st reading and refer to the Ordinance Committee); change agenda item 13 to item 2.5 REPORT: Yumiko Jakobcic, Executive Director, Winooski Valley Park District, re: Annual Report: July 1, 2012 – June 30, 2013.

Councilor Blais requested that they not add agenda item 5.07.

2. PUBLIC HEARING: Consolidated Annual Performance & Evaluation Report

City Council President Shannon opened the public hearing at 7:07 p.m.

Marcy Krumbine, Assistant Director, CEDO, stated that she was there to present the Consolidated Annual Performance and Evaluation Report (CAPER). This is a report to HUD on how they have expended their Community Development Block Grant and Home Investment Funds. This year they have spent over \$1 million on activities in priority order. The priorities were housing activities, economic development and suitable living environment. Highlights in the report include completing Thayer Commons which will provide an additional 30 units for seniors. They purchased South Meadow, which will result in 64 affordable units, 52 market rate units, and 32 condos for homeownership. They have 40 scattered affordable units in the area, 30 of which are in Burlington. They also purchased Wharf Lane Apartments

so they would remain affordable. The Burlington Lead Program worked on 48 housing units this year. With the Community Development Block Grant funds they helped 2,500 residents remain housed and living independently. They created 28 new full time equivalent jobs with economic development initiatives. They helped the Vermont Flight Academy receive their 501(c)(3) status and retain 8.5 full time jobs. The Intervale Center, which has a total of 10 farms with 55 workers, added another 2.5 workers. They grossed over \$1.3 million this year. Mercy Connections helps with entrepreneurial training for women. 21 women were served and 7 new businesses were started. They assisted four local agencies with early child care and education for 113 children for working families. They work with a tax service office with CVOEO. Over 1,100 low income families and taxpayers received tax credits saving over \$100,000 in fees. In the suitable living environment category, they provided service and funding for 2,200 homeless residents, groceries for over 5,200 residents, after school and summer programming, renovations at both senior centers and continued the Moran planning process. There were 24 sub-grants to community non-profits, funded 5 programs within CEDO, and completed 3 neighborhood projects. CAPER is a required report to HUD that is due at the end of the month. They will accept public comments and are seeking approval to send this to HUD.

Councilor Bushor requested that they identify which goals have been exceeded and which have not been realized. She inquired which items that they have not met their goals for are of particular importance and what the obstacles may be. Ms. Krumbine stated they have not achieved all of their objectives under the Housing category. An example is the South Meadow housing units. They were acquired this year but the 140 units will not be counted until the whole project is complete. That is the primary issue under housing with the exception of a homebuyer's assistance and homeownership. The last few years have been a difficult time for homeownership. This year, working with Champlain Housing Trust and Burlington Housing Authority, they have had their most successful year ever. The final area is in Brownfield remediation because it takes a long time. They have to count completions, so there are times when fields have been remediated and they are waiting for housing to go up. They have to wait for the housing to be built before they can count it. Councilor Bushor stated that the executive summary talked about home share and home based senior services to keep people in their houses and living independently. There was reference to a target of 2,500 people that they hoped to serve. She inquired what percent of seniors that would be. Ms. Krumbine stated that there are about 5,600 seniors in Burlington. She attended an open house for Thayer Commons, and the 36 units were rented out in 25 minutes and they have a waiting list of 900. The need is very great.

Councilor Tracy stated that these programs are incredibly effective and useful but he has concerns about their continued sustainability in light of questions about whether Community Development Block Grants will continue to exist at the federal level. He inquired if CEDO has had conversations about how to continue these services if federal dollars decline. Ms. Krumbine stated that they are looking at ways to fund internal projects in other ways so that they can take diminishing funds and push them out into the community.

City Council President Shannon closed the public hearing at 7:15 p.m.

- 2.01. REPORT: Marcy Krumbine, CEDO, re: 2012 Consolidated Annual Performance & Evaluation Report City of Burlington, Vermont *Draft*

Councilors Ayres and Worden made a motion to approve sending the report to HUD. The motion passed unanimously.

- 2.02. COMMUNICATION: Marcy Krumbine, Assistant Director for Community Development, re: Consolidated Annual Performance & Evaluation Report

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

2.03. COMMUNICATION: Public Hearing Notice re: CAPER

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

2.5 (was 13.) REPORT: Yumiko Jakobcic, Executive Director, Winooski Valley Park District, re: Annual Report: July 1, 2012 – June 30, 2013

Yumiko Jakobcic stated that they manage 18 parks in the Winooski River Valley including 6 in Burlington. They added two new parks this year and were able to get grant funding to do that. Six parks are located in Burlington and they are used by Burlington residents as well as residents from other member municipalities. Burlington residents have signed in at other parks as well. They are home to the Ethan Allen Homestead Museum. They are also a site for a number of community gardens. They were able to reach out to 1,400 residents with their education programs. They host monthly events. This could not be done without Burlington's support and they are grateful for it.

Councilor Bushor inquired where the Donahue Sea Caves are. Ms. Jakobcic stated that they are located across from Burlington High School and are most visible when driving on Route 127. There is a small water body with caves across them. Councilor Bushor inquired if they are large enough for people to go inside. Ms. Jakobcic stated in the winter when the water freezes you can walk to the caves. The inside of the caves do not freeze.

Councilors Siegel and Brennan made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

3. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:20 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Joshua Chasan	Ward 1 Resident	Against F-35s
Peter Cook	Ward 1 Resident	Against F-35s
Jen Berger	Ward 2 Resident	In Favor of Renewable Energy, Opposed to Fracking
Keith Brunner	Ward 2 Resident	Opposed to Fracking
Martha Lang	Ward 1 Resident	Proposed Sale of Property by School Department
Valerie Woodhouse	Ward 2 Resident	Opposed to Fracking
Emma Mulvaney-Stanak	Winooski Resident	Livable Wage Ordinance
Paul Fleckenstein	Ward 3 Resident	Against F-35s

Rosanne Greco	S. Burlington Resident	Against F-35s
Charles Simpson		Against F-35s
Christian Noll	Ward 6 Resident	Against F-35s
Jude	Ward 3 Resident	Thanks to CHT, Local Motion, NAMI
Kurt Wright	Ward 4 Resident	Redistricting

With no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 7:55 p.m.

4. 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:

- 4.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re: Accountability List
*waive the reading, accept the communication and place it on file
- 4.03. COMMUNICATION: Sandrine Thibault, AICP, Comprehensive Planner, Department of Planning and Zoning, re: Municipal Planning Grant Authorization to apply
*waive the reading, accept the communication and place it on file
- 4.04. COMMUNICATION: Kimberlee J. Sturtevant, Assistant City Attorney, re: Municipal Planning Grant Authorization to Apply Resolution
*waive the reading, accept the communication and place it on file
- 4.05. RESOLUTION: Approval of Fletcher Free Library Reorganization Plan (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.06. COMMUNICATION: Julie Hulburd, Human Resources Generalist and Susan Leonard, Human Resources Director, re: Reorganization of the Fletcher Free Library Personnel
*waive the reading, accept the communication and place it on file
- 4.07. RESOLUTION: Creation of Regular Full Time Customer Service Specialist Position and Elimination of Customer Service Field Representative Position – Burlington Electric Department (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.08. COMMUNICATION: Benjamin Pacy, Human Resources Generalist and Susan Leonard, Human Resources Director, re: Burlington Electric Department – Creation of Regular, Full Time Customer Service Specialist Position and Elimination of one of the two Customer Service Field Representative Positions
*waive the reading, accept the communication and place it on file

- 4.09. RESOLUTION: Authorization to Execute Contract with Travelers Insurance Company (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.10. COMMUNICATION: Susan Leonard, Director of Human Resources, re: Recommendation to City Council for Approval of Worker's Compensation Contract with Traveler's Insurance Company
*waive the reading, accept the communication and place it on file
- 4.11. RESOLUTION: Authorization to Enter into License Agreement to Maintain Table, Chairs, Awning and Lights on a Portion of the City's Right-of-way with Guild Fine Meats (Councilors Blais, Tracy, Ayres: License Committee)
*waive the reading and adopt the resolution
- 4.12. RESOLUTION: Creation of Limited Service Full Time Capital Improvement Program Manager Position – Department of Public Works (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.13. COMMUNICATION: Stephanie Reid, Interim Human Resources Generalist and Susan Leonard, Human Resources Director, re: Department of Public Works – Creation of Limited Service, Full Time Capital Improvement Program Manager Position
*waive the reading, accept the communication and place it on file
- 4.14. RESOLUTION: Acceptance of Americorps Competitive Grant for “We All Belong Americorps State Program” (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.15. COMMUNICATION: Peter Owens, CEDO Director, re: AmeriCorps Competitive Grant Agreement #03400-13ACHVT001
*waive the reading, accept the communication and place it on file
- 4.16. RESOLUTION: Acceptance of 2013 Victims of Crime Act (VOCA) Victim Assistance Grant: 02160-13VOCA16 (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.17. COMMUNICATION: Karen Vastine, Community Justice Center Coordinator, Burlington Community Justice Center, re: 2013 Victims of Crime Act Victim Assistance Grant: 02160-13VOCA16
*waive the reading, accept the communication and place it on file
- 4.18. RESOLUTION: Approval of the Act 80 Settlement of Disputes Over Amounts Identified in June 4, 2012 Report of the Office of the State Auditor (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.19. COMMUNICATION: Act 80, Tax Increment Financing Legislation
*waive the reading, accept the communication and place it on file

- 4.20. COMMUNICATION: Mayor Miro Weinberger, re: S.37, Tax Increment Financing Legislation
Re: City Council Ratification
*waive the reading, accept the communication and place it on file
- 4.21. RESOLUTION: Appoint A Voting Delegate to Vote for the City of Burlington for the
Vermont League of Cities and Towns Annual Meeting (Councilor
Shannon)
*waive the reading and adopt the resolution
- 4.22. RESOLUTION: Final Adoption of Outstanding Internal Service and Capital Budgets
(Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
- 4.23. COMMUNICATION: Martha R. Lang, Ward One Resident, re: Champlain College (9/9/13
cc handout)
*waive the reading, accept the communication and place it on file
- 4.24. COMMUNICATION: Benjamin Pacy, Human Resources Generalist and Susan Leonard,
Human Resources Director, re: Communication – Step placement for
Jeremy Patrie, Division Manager of Technical Operations and
Commercial Sales – Burlington Telecom
*waive the reading, accept the communication and place it on file
- 4.25. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/
Boards
*waive the reading, accept the communication and place it on file
- 4.26. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee,
Executive Secretary, re: Minutes, Regular City Council Meeting, June
10, 2013, Draft
*waive the reading, accept the communication, place it on file and adopt the minutes at the October 7,
2013 City Council Meeting
- 4.27. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee,
Executive Secretary, re: Minutes, Adjourned Meeting, City Council for
June 24, 2013, Draft
*waive the reading, accept the communication, place it on file and adopt the minutes at the October 7,
2013 City Council Meeting
- 4.28. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee,
Executive Secretary, re: Draft Minutes, Organization Day, April 1, 2013
*waive the reading, accept the communication, place it on file adopt the minutes as received at the
September 9, 2013 City Council Meeting
- 4.29. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee,
Executive Secretary, re: Draft Minutes, Recessed Organization Day
Meeting, City Council, April 8, 2013
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the
September 9, 2013 City Council Meeting
- 4.30. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee,
Executive Secretary, re: Draft Minutes, Regular City Council Meeting,

April 15, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.31. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council Meeting, April 29, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.32. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Regular City Council Meeting, May 6, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.33. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council, May 20, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.34. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Draft Minutes, Annual City Council Meeting, June 3, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes as received at the September 9, 2013 City Council Meeting

4.35. COMMUNICATION: Louis Mannie Lionni, re: Redistricting public feedback

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

4.36. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

Arts Riot, 400 Pine Street parking lot, 09/27/13, 4:30 p.m. – 9:00 p.m., Community Food Truck Stop, amplified music

*waive the reading, accept the communication, place it on file and approve the one day only special event outdoor entertainment permit application for Arts Riot

4.37. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (October):

Arts Riot, 400 Pine Street parking lot, 10/4, 10/11, 10/18, 10/25, 4:30 p.m. – 9:00 p.m., Community Food Truck Stop, amplified music

*waive the reading, accept the communication, place it on file and approve the four day only (Fridays in October) special event outdoor entertainment permit application for Arts Riot

4.38. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (October):

Pacific Rim, 161 Church Street, 10:00 p.m. – 2:00 a.m., DJ, dancing, amplified music, 10/2, 10/3, 10/4, 10/5, 10/9, 10/10, 10/11, 10/12, 10/16, 10/17, 10/18, 10/19, 10/23, 10/24, 10/25, 10/26, 10/30 and 10/31

*waive the reading, accept the communication, place it on file and approve the special event indoor entertainment permit application for Pacific Rim for the above-mentioned dates in October only

4.39. COMMUNICATION: Sue Alenick, Ward Clerk, Ward One, re: Leo Yandow's Resignation
*waive the reading, accept the communication, place it on file, place the vacancy on the March 2014 Annual City Election ballot and send a letter of appreciation to Leo Yandow in care of Norma Yandow, his wife and an election worker as well, thanking Leo for years of service as an Inspector of Election for Ward One

4.40. COMMUNICATION: Bob Rusten, Chief Administrative Officer and Rich Goodwin, Assistant Chief Administrative Officer of Finance, re: Overview of Investment Policy and Standard Operating Procedures for Investments
*waive the reading, accept the communication and place it on file

Councilors Bushor and Brennan made a motion to move agenda item 12. Andy Montroll, Representative, Chittenden County RPC re: FY 2013 Annual Report to the City of Burlington to agenda item 4.5. The motion passed unanimously.

4.5. (was item 12.) REPORT: Andy Montroll, Representative, Chittenden County RPC re: FY 2013 Annual Report to the City of Burlington

Andy Montroll, CCRPC Representative, stated that the Regional Planning Commission has had some major changes. The Regional Planning Commission and the Metropolitan Planning Commission merged together. As that finished, Hurricane Irene happened and they were tasked with spearheading the cleanup, particularly in regards to transportation. They then began work on the ECOS Project which is an overall plan for the region. That is an exciting comprehensive plan that ties together the vision for our County for the next number of years. It will be updated every 5 years. It is a new way of looking at the region. It consolidates different planning processes into one document. The task is to look at the specific items and beginning to implement them. Burlington is doing well in the region and is always looked to as a leader. There are exciting projects that are coming forward such as looking at the parking plan for the City.

Councilor Bushor inquired if the new model is a more effective way of doing business. Mr. Montroll stated it is much more effective. Previously, the Regional Planning Commission was looking at broad planning and the Metropolitan Commission was looking at just transportation. It does not make sense to do those things separately. They have been able to integrate them and that enabled ECOS to happen. Councilor Bushor inquired if the large membership still works. Mr. Montroll stated that there are some people who have served long terms and others that change more frequently. It works well overall. The meetings are run loosely and there is a lot of focus on committee structure.

Councilor Siegel stated that they referred to diversity and equity training for Leadership for People of Color with Vista staff. She inquired if there will be any longevity for that program and what plans for the future are. Mr. Montroll stated that those concepts are put into the ECOS plan in an effort to make sure those efforts are continuous.

Councilor Worden stated that there are representatives on the Committee from the housing sector. There are issues with affordable housing and they are also talking about the livable wage. There is an imbalance between availability and affordability of housing. There are transportation issues because people cannot afford to live near where they work. He feels they might be a good commission to look at the disparity in housing and in the broad community. Mr. Montroll stated that there is a component in the ECOS plan that talks about housing which is a critical issue in the future of the community. They have looked at where this housing should be and there is a sense it should be in growth centers.

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

5. RESOLUTION: Burlington Ward Redistricting Plan (Councilor Shannon)

Councilor Ayres and Decelles made a motion to waive the reading and adopt the resolution with the amendment to state they will adopt the 8 Ward, 4 Precinct, 12 City Councilor Plan.

Councilor Ayres stated that the community has worked together for the past year to forge a plan that they can all agree upon. He thanked the members of the Ward Redistricting Committee for their work. The 8 Ward, 4 Precinct, 12 Councilor plan represents a hybrid of two of the three plans that the Committee recommended. This speaks to the interests of those who want representation from 8 small wards with the ability to have neighborhood conversations with their City Councilors. It also represents the concerns for citizens who want a smaller and more deliberative City Council. The community has come together around this plan with tri-partisan support.

Councilor Blais stated simple problems have simple solutions. There has been a lot of time and effort devoted to redistricting, but the problem is simple. One part of the City, the New North End, is overrepresented. Another part of the City, the central part, is underrepresented. Those parts of the City are geographically contiguous to each other. The solution is simple- they have to blend those areas to bring representation on an equal basis. He is bringing forward a 7 ward, 14 councilor plan. This will keep the current 7 ward and 14 councilor situation while achieving the goal of redistricting by moving a few lines. The plan he has presented is a simple one. The 4/8/12 plan is confusing, convoluted and complex. It is a complicated resolution to a simple problem. He has not heard an outcry that citizens are dissatisfied with the 7 ward 14 councilor model. This model also affects the School Board and NPAs. There is no more basic civil right than the right to vote. It is already daunting to figure out where to go to vote. This will further complicate it by adding precincts. People looking at this new plan say it is mandated by the need to keep neighborhoods intact, which he feels is dangerous. In Ward 6, there are million dollar homes and neighborhoods that are all rentals. That has not caused problems, and that kind of diversity should be welcomed. He urged the Council to reject the 4/8/12 plan and choose a plan that is simple and results in little change from the current model.

Councilor Brennan stated he will support the motion that is on the floor. It is not the plan that he wanted at the beginning of this process. At the same time, they have to come to a compromise. It is a pleasure to work with people looking to compromise. Stakes are high and decisions that are made will be in play for the next decade. He believes they can maintain the integrity of their neighborhoods and voting blocks as they are now. There has been a fear that the four precinct positions will have greater power, but he does not believe that is necessarily true. He will support this plan.

Councilor Hartnett stated any plan is confusing and complicated if they do not support it. This will not be difficult to understand. It will be good for the voters and will engage more people. It will result in higher turnout and strengthen the NPAs. It will do more good than bad for the City, even though it was not his first choice. This plan is good because it was written by a citizen of Burlington, George Gamache, who was on the Redistricting Committee. City Councilors should not be drawing boundary lines. George put politics aside and put a plan forward that could be supported by all parties. It is fair, brings neighborhoods together, and strengthens the political process.

Councilor Mason stated he will not support this plan. Ward 5 was fortunate that almost every plan put forward had little impact on them. As a result, most of his constituents were silent. He is sensitive to the fact that change is hard. He had concerns about the 4 Ward 12 Councilor model in the way that would change campaigning and the cost. The combined precinct will consist of Wards 5 and 6, which is a very large area. He appreciates that would be a daunting task to engage the community at that level. He has kept an open mind to see what his constituents thought about the proposed model. The NPA had negative comments, so he does not feel he can support this plan. He and his constituents would have preferred to move the lines to keep the configuration they have always had.

Councilor Decelles stated he is not excited about the outcome. He had a different plan that he liked, but it was going nowhere. It speaks volumes that they have Democrats, Republicans, Progressives and Independents that support this plan. He feels that the Old North End and the New North End are very different and not contiguous. Changing that line to jerrymander and make sure one political party always wins does not serve democracy well. They often speak about equity, and this is the most equitable plan for the entire City. This is not confusing. Going this route keeps neighborhoods intact. He asked members of the Committee what they disliked about this plan. The issues people raised were a few streets here and there. This is the most equitable plan and his tri-partisan support.

Councilor Bushor stated she will not support this plan and that this was not George Gamache's plan. She believes that 8 wards work because that is what she has heard from the people she represents. She has asked people what they are looking for and has heard they want small wards with lots of representation. It is only around the Council table that there is opposition to having a larger Council. This plan combines NPAs, which may not be a happy marriage because they are different. There could potentially be only four voting places. People identify with the polls. She has heard from constituents that in this plan, the person who is elected at the precinct level will live within one of the wards. That gives that ward more representation than the other ward within that precinct. Another question is how four people representing larger districts and eight people representing smaller districts is equal. This should be better thought out. If she were to vote the way that the people want her to, she would support an 8 ward 16 councilor plan. She thinks the Mayor would veto it, but she feels that is anti-democratic because it is what she is hearing that the people want.

Councilor Tracy stated it is often said that the political process is the art of the possible. The same applies to redistricting and this represents a compromise. It brings together political factions across the City in a plan that represents significant interests. They heard loud and clear that the Old and New North Ends should not be combined. An advantage of this plan is that it brings the Lakeview Terrace neighborhood back into the Old North End. In his ward, there is a wide swath of people with largely student neighborhoods at one end and a mix at the other end. The student neighborhoods generate issues that get ignored by representatives who live deeper into the Old North End. Creating the 8th ward will recognize a legitimate community of interest and provide residents in that area with representation. Putting it in a precinct with Ward 1 will recognize that community of interest as well because those residents often tell him they feel more connected with the issues of Ward 1. There is some complexity to this plan, Burlington voters have shown that they are intelligent. There are still details about how this will work that will be reviewed by the Charter Change Committee. Whatever they vote on tonight will have to have process questions answered. There is a lot of room to deal with the concerns that have been expressed. Whatever is put forward will go to the voters, and they will ultimately have their say.

City Council President Shannon stated the plan that they are voting on was not drawn by George Gamache. She believes it was drawn by Robert Bristow-Johnson. She inquired if polling places are specifically outlined in the Charter. Senior Assistant City Attorney Bergman stated specific voting places are not identified. They can structure this so that they have 4 wards and 8 precincts. There are a number of changes that they will have to look at. City Council President Shannon inquired if School Board members should be addressed through the Charter Change Committee. Senior Assistant City Attorney Bergman stated that should be addressed.

City Council President Shannon requested the motion be amended to say that they will address the application to school board members at the Charter Change Committee. Councilors Ayres and Decelles accepted the amendment as friendly.

Councilor Bushor inquired if the School Board knows about this plan. Councilor Decelles stated the School Board had little involvement in any of the plans and never gave any insight. Councilor Bushor

stated she believes that whatever is passed should be forwarded to the School Board so that they have the ability to comment. City Council President Shannon stated they can forward this to the School Board and they can be invited to the Charter Change Committee meetings.

Councilor Worden stated that if they are going to consider new plans after they have asked a committee to citizens to draw a plan, they should run their new plan by the citizen committee. This is the merger of two different plans, so it is the same as if they had seen them. A lot of members of the committee were not actively advocating for one plan or another because most of the plans represented only small changes that did not impact their ward. He has not heard concerns about this issue from Ward 1. This was drawn up last minute by Councilors. He is concerned that it did not get the proper vetting and people will be subjected to a significant change in how they are represented. If this passes, it does not mean it is guaranteed, as it will have to go to a public vote. If it is not supported by voters, they will have to go back to the drawing board. He thinks that the status quo is what most people are looking for. There is a significant change in the populations in the affected wards since the census. They are acting late and under old data.

Councilor Siegel stated that she is fatigued with this process. It would be great to keep something close to what they have, but disagrees that citizens are ok with melding the Old and New North Ends. She read the surveys and the public clearly said that they should not do that. She still believes that the 6 or 7 ward, 13 councilor plan was the best, but the New North End had strong feelings against it. She does not like the 8 ward, 16 councilor model because the wards will be so small that they will likely have to redo this next census. She has also heard that the Mayor would veto that plan. She does not like any of the plans that are on the table and feels conflicted. She liked a proposed plan that had 3 at-large councilors rather than the 4 semi-at-large Councilors. She feels voters are very confused. She also noted that this will result in an even number of Councilors, which she had hoped to move away from.

Councilor Hartnett stated that Robert Bristow-Johnson drew the 8/4/12 model, but George Gamache came up with the concept. It was not concocted by City Councilors late in the game. It was brought forward by citizens.

Councilor Ayres stated that the first time he heard about this idea was from George Gamache. He used Robert Bristow-Johnson's map with his own idea.

Councilor Siegel stated that she believes the Mayor came up with the 8/4/12 plan.

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

Councilor Mason requested a roll call.

The motion passed by a vote of 8-6.

AYES: Councilors Aubin, Ayres, Blais, Brennan, Decelles, Hartnett, Knodell, Siegel and Tracy

NAYS: City Council President Shannon, Councilors Blais, Bushor, Mason, Paul and Worden

5.01. COMMUNICATION: 4 Wards, 12 City Councilors, referred by Redistricting Committee

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

5.02. COMMUNICATION: 6 Wards, 13 City Councilors, referred by Redistricting

Committee

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

- 5.03. COMMUNICATION: 8 Wards, 16 City Councilors, referred by Redistricting Committee

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

- 5.04. COMMUNICATION: 7 Wards, 14 City Councilors, submitted by Councilor Blais

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

- 5.05. COMMUNICATION: 8 Wards, 4 Precincts, 12 City Councilors, submitted by Councilors Ayres, Hartnett, Knodell, Tracy, Brennan, Decelles and Aubin

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

- 5.06. COMMUNICATION: 7 Wards, 13 City Councilors, submitted by Councilor Siegel

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

- 5.07. RESOLUTION: Re-districting (Councilor Blais)

No motion was made on this resolution.

6. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Residential Side/Rear Yard Setback Encroachments ZA 14-01 (Planning Commission; Planning Department)(1st reading)(Proposed action: consider 1st reading and refer to the Ordinance Committee)

This item was removed from the agenda.

7. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Conditional Uses in Mixed Use Districts ZA 14-03 (Planning Department; Planning Commission) (1st reading)(Proposed action: consider 1st reading and refer to the Ordinance Committee)

Councilors Mason and Bushor made a motion to consider this first reading and refer to the Ordinance Committee. The motion passed unanimously.

8. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Downtown Transition District Expansion ZA 14-04 (Planning Department; Planning Commission)(1st reading)(Proposed action: consider 1st reading and refer to the Ordinance Committee)

Councilors Mason and Bushor made a motion to consider this first reading and refer to the Ordinance Committee. The motion passed unanimously.

8.5. (was 4.02.) RESOLUTION: Authorization for Execution of Application for 2014 Municipal Planning Grant from the Vermont Department of Economic Housing and Community Development (Councilors Mason, Paul, Shannon)

Councilors Mason and Bushor made a motion to waive the reading and adopt the resolution.

Councilor Bushor stated she understands the timelines of this item and that it will be referred to the Board of Finance because of a matching amount. She inquired if the match amount will be \$20,000. Sandrine Thibault, Planning and Zoning, stated this only authorizes them to apply for the grant. If they do get the award for the grant, they would come to the Board of Finance and City Council to amend their department budget. Councilor Bushor stated that certain grants can move through without coming to the Board of Finance and others with a match requirement need to go through a process. It is most appropriate that they are aware of what the dollar amount could be if the grant is awarded. In the future, she would like it to be clear what the potential dollar amount would be. Ms. Thibault stated the award will be for \$20,000 and the matching amount can be in kind with the use of staff time.

The motion passed unanimously.

9. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendments

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

10. ORDINANCE: HOUSING – Sanitation (Code Enforcement, Councilor Tracy; Councilors Mason, Bushor, Paul: Ordinance Committee)(2nd reading)

Councilors Tracy and Worden made a motion to waive the second reading and adopt the ordinance.

Councilor Tracy stated that this is the second reading of an ordinance that will require larger covered recycling totes. The Ordinance Committee reviewed this plan which is a phased implementation for requiring all rental properties to have adequate recycling facilities for their tenants. There are over 9,000 rental properties in the City which makes it complex. They have decided to start with larger complexes first and then work their way down to smaller ones. They have pushed the start date back to December to allow adequate time to order and deliver the totes. This will accomplish two goals. The first is eliminating trash in the neighborhoods. On windy days trash blows around and creates a feeling of a dingy City. Putting a cover on the totes will help to eliminate that. The current bins we brought in at a time when recycling was less common, but now that everything can be combined people recycle more. It makes sense to have larger bins at those properties. It will help diminish code violations while allowing tenants to recycle more and divert more waste from landfills.

The motion passed unanimously.

11. ORDINANCE: OFFENSES & MISCELLANEOUS PROVISIONS – ARTICLE VI. LIVABLE WAGES (Councilors Mason, Bushor, Paul: Ordinance Committee)(1st reading)

revised version

Councilors Mason and Bushor made a motion to consider this first reading and refer to the Ordinance Committee.

Councilor Mason stated they are proposing a series of amendments to the Livable Wage Ordinance. The Council originally passed the Livable Wage Ordinance in 2001. Although the law was on the books, it was not really enforced. This came to light when the Skinny Pancake requested an exemption. The Administration then instructed the City Attorney's Office to research the livable wage and make a report. The Ordinance Committee reviewed the report and began a series of hearings to solicit comment from Department Heads. They heard many comments from groups representing employers, affected employees, and the public. They heard universal support for continuation of the Livable Wage and suggestions on how to revise it. Not everyone will be happy with the amendments, but they will strengthen the ordinance and reinforce the City's commitment to the Livable Wage. It also respects the use of taxpayer dollars and the delicate financial condition of the Airport. The amendments treat the leased property at the Airport uniquely, provide a livable wage to seasonal employees who have a number of years of service, strengthen the enforcement mechanism, provide a third party monitor to educate employees as to the applicability of the ordinance, a third party monitor to pre-screens complaints, strengthen the City Attorney's Office's ability to investigate threats and require a report which is subject to appeal by the employer. It provides a private cause of action for employees who feel they were not treated appropriately with the right to collect damages and attorney's fees. They added an anti-retaliation clause to make sure that no one could be terminated for availing themselves for the benefit of the livable wage. They revamped the exemption process and have limited it to a two year period. They have changed it so that the Board of Finance will only recommend and not decide whether someone qualifies for exemption. They will also require an annual report from the City Attorney's Office which will list the number of covered employers, contracts with the required language, and the number of complaints and investigations. He requested comments to take back to the Ordinance Committee.

Councilor Tracy stated that there is still information that they need to receive in order to justify elements of the Ordinance. There was some confusion around seasonal workers and it felt like some information was being generated on the fly. He feels that the Airport exemption is particularly troubling because they had asked for information about the wages paid by the airlines and did not receive it. There was no adequate justification provided for removing the Airport.

Councilors Tracy and Siegel made a motion to reinstate language in the red lined copy so that the Airport would no longer be exempt. The motion failed by a vote of 4-10 with Councilors Tracy, Brennan, Siegel, and Knodell voting in favor.

Councilor Bushor stated that she did not feel she could support the amendment but would like Councilor Tracy's request for more information to be honored.

Councilor Paul thanked everyone involved for their work. They discussed the issue of seasonal employees at length. She had suggested that those employees who work 10 hours per week on a seasonal basis and have been employed with the City for a period of four years shall be paid under the terms of this Ordinance. Councilor Bushor proposed a different amendment, which is what is before them tonight. They agreed to that contingent upon knowing what the cost of her amendment will be. They did receive information from the Parks Department and Public Works that shows the cost of doing this is significant.

Councilors Paul and Mason made a motion to amend the ordinance to stated that seasonal employees working 10 or more hours per will receive a livable wage in the next fiscal year after reaching five years of service.

Councilor Hartnett stated that he is glad that they are discussing this but feels they need more time. It gets confusing when they are making amendments on the floor. He is glad that this is the first reading and not set in stone. He will keep an open mind going forward.

Councilors Bushor and Brennan made a motion to amend the motion to change the effective date to July 1, 2014 to anticipate the next budget year. It would give those who have worked four years and are returning for their fifth year a livable wage. Effective July 1, 2015, those going into their fourth year would be paid a livable wage. Effective July 1, 2016, those going into their third year would be paid a livable wage.

Councilor Bushor stated that this will be a phase in and will allow Departments to look at how to accomplish this. It also allows the City and community to get behind paying a livable wage. This money could come from the general fund and not by eliminating programs or raising fees. They can collectively look at how to fund this. When the School Department broadened who was going to be paid a livable wage, they approached it with a phase in. She realizes that seasonal employees piece together jobs so that they are ultimately fully employed. This is an important part of their income. They come back each year and have a skill set that is valued. Most people think that college students do not need the money but the reality is that not everyone comes from an affluent family. Just because someone is a student does not mean that they should not be paid fairly. Those who are committed and return do not need to be trained, which is a savings. She hopes they will contemplate this and understand the value. The City wanted to be a model employer and pay a livable wage. By embracing some seasonal employees they will be doing that.

Councilor Knodell requested that the Mayor explain how this would fit into his budget priorities. Mayor Weinberger stated that the City is on the edge of junk bond status and straining to meet existing financial commitments. They have not resolved their substantial unfunded pension liability issue. They have not resolved the Burlington Telecom situation. The change that they are talking about is a lot of money. It would increase the Parks and Recreation Budget between 3-15%. That is a large new commitment. Phasing it in does not diminish the size of the impact. It would be more prudent to see where they stand in 2015 and 2016 and weigh this addition against other priorities that the Council may have. Doing this now would be a leap of faith that things will be better when they get to that point. He recognizes the point that there are many people who fall into this category who they should have an ambition to compensate better. They have many things to balance, and this is one of those situations that they have to make tough choices. Councilor Paul's language is a modest expansion that they know they can accommodate. Councilor Knodell stated as much as she would like to expand the coverage, they have to be aware of their existing commitments to employees, including pension obligations. Those should be foremost in their minds at this time. She would worry about making a commitment tonight that will force their hands in future budgets. She will support Councilor Paul's amendment.

Councilor Brennan stated that he would like to see them go further than what is being presented. He respects the Mayor and Councilor Knodell's thoughts. When he was on the School Board, they did do a phase in approach. There was a lot of pressure at the time about how they would do it. It narrowly passed. Food service workers are now paid higher wages and they have longevity of workers and higher quality work. They are now hiring chefs in those positions and their food service program that is touted across the nation. Looking at seasonal workers, they have a situation where some of the workers in schools are left unemployed in the summer. They take some of the jobs that are offered by Parks and Recreation. Some people have full time year round jobs, but there are a lot of 9 month jobs too. Being paid a livable wage for only 9 months significantly reduces their wage. He urged the Council and Ordinance Committee to consider the phase in approach. He believes they will all be better off. It was a painful push for the School Board, but they have had good results. There was recently a bi-partisan vote to cut food stamps, which many seasonal workers may rely on. It is a shame that they are even contemplating this. He hopes they will all consider the phase in approach.

Councilor Siegel stated she will support this and wishes it went even further to cover first year seasonal employees.

The amendment for the phase in approach failed by a vote of 4-10 with Councilor Bushor, Siegel, Brennan and Tracy voting in favor.

The amendment to pay a livable wage during the fifth year of service passed by a vote of 11-3 with Councilors Tracy, Brennan and Siegel voting against.

Mayor Weinberger stated that this represents a balanced, responsible effort to address flaws in enforcement of the livable wage while being respectful of the City's economic interests and budget constraints. It will transform the livable wage ordinance from a hollow promise to a hard commitment for many workers covered by the ordinance. It also says that the City will not gamble with the future of the Airport. It shows that they have the strength to say no to future financial commitments while they are struggling with the ones that they have.

Councilor Knodell stated she will support the amended ordinance. She thanked those who have participated in the process. The ultimate test is if more people will benefit from the livable wage as a result of what they do tonight. She thinks that the answer is yes. They will have a more effective enforcement mechanism to allow workers to become more aware of the ordinance. They have restricted the coverage by excluding those who lease space from them, but they will benefit more people than they have in the past. She was disappointed not to receive more information about the Airport, but they do have to acknowledge that they are competing with other airports. They need more action at the federal level to increase minimum wages which are poverty wages. She hopes that they put pressure on their congressional delegations to move on this issue. This would help put them on a level playing field and not compete against fellow cities.

Councilor Tracy stated that he does not like all of the changes to the ordinance. He does like the compliance measures. He hopes they can get some of the information that they requested to provide greater clarity on some of the other issues.

Councilor Siegel stated that she likes certain parts of this a lot, such as the accountability measures and that exemptions will come to the full Council. She does not like that they are giving a blanket exemption to multi-million dollar corporation while asking small businesses to apply for exemptions. She finds that completely offensive. She displayed a poster of the U.S. wealth distribution. 1% of the population in the U.S. has 47% of the wealth. The next 19% has 44% of the wealth, which means that only 20% of people have 91% of the wealth. 40% of people have -1% of the wealth, meaning they are in debt.

Councilor Hartnett stated that if this were the final vote, he would vote against it. He is concerned that Councilors have not received information that they requested. He is uneasy about current employees at the Airport who are currently making a livable wage but will not be required to be paid one in the future. He feels better that it is the first reading. This came back to them because it was not being enforced. They will try to put the best plan forward for everyone. He will vote in favor of it.

The motion to consider this first reading and refer to the Ordinance Committee passed unanimously.

11.01. COMMUNICATION: Red-lined copy of Ordinance: Offenses & Miscellaneous Provisions – Article VI. Livable Wage

*red-lined and revised version

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

11.02. COMMUNICATION: Jesse Bridges, Director Parks and Recreation, re: Proposed

Ordinance Revision Livable Wage 21-81

Councilors Mason and Bushor made a motion to waive the reading, accept the communication and refer to the Ordinance Committee. The motion passed unanimously.

- 11.03. COMMUNICATION: Chapin Spencer, Director of Public Works, re: Response to the Ordinance Committee's question about the effect on the budget of the proposed change as to seasonal/temp employees

Councilors Mason and Bushor made a motion to waive the reading, accept the communication and refer to the Ordinance Committee. The motion passed unanimously.

14. RESOLUTION: Finalize A Strategic Plan for Diversity, Equity and Inclusion for the The City of Burlington (Councilors Siegel, Brennan, **Tracy**)

*revised version and added co-sponsor

Councilors Siegel and Bushor made a motion to waive the reading and adopt the resolution.

Councilor Siegel stated that they had passed resolutions to create a Strategic Plan for Diversity and Equity in 2011 and 2012 but it did not happen. There is now some money to put into it, so they will hire someone and make it happen according to the timeline in the resolution.

Councilor Brennan stated that he has been working on this issue for a long time within the City and the Schools. It is an issue that tends to be hard at times. Everyone sitting at this table has white privilege. He appreciates the Mayor's efforts in hiring someone to put this in place. When he was on the School Board, his eyes were opened as to how white privilege affects people of color. This weekend there was a march on Church Street and there are people in the community who are not getting a fair shake. He encouraged everyone to open their eyes as to what they are facing. He worked to develop the Strategic Plan for Diversity, Equity and Inclusion. Not everyone stayed committed to seeing the recommendations come through. It is a hard issue when confronted with people saying to you that there are racial inequities. Even though it is hard, it needs to be done and he hopes they will see positive change. When there are openings for positions, he hopes there is a fully vetted search so that people of color have an opportunity to get that job. That should be true for all City Departments.

Mayor Weinberger stated that there have been efforts to do this that were not finished. A committee worked hard and gave good direction to this effort. This is in the process of happening and they will hire a professional to finish that work. It is difficult for anyone to do on their own, and this will provide us with the tool we need to finish the job. The idea is to have some items back for a decision in time for ballot items in March.

The motion passed unanimously.

- 14.01. COMMUNICATION: Office of Mayor Miro Weinberger, City of Burlington, re: Strategic Planning Services for Diversity & Equity Plan Completion

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

15. RESOLUTION: In Favor of Renewable Energy Sources and Opposed to Fracking (Councilors Siegel, Tracy, Brennan)

Councilor Siegel stated that there are seven things that this resolution seeks to do. It says that they prefer renewable energy, oppose transporting fracked gas through Vermont, oppose the project that the Public Service Board is considering, discourage the State and Vermont Gas from buying from companies that do fracked drilling, will ask the Transportation, Utilities, and Energy Committee and the Electric Commission to look into buying from companies that do not frack, they will have the Retirement Board look at divesting from companies that frack, and encourages Vermont Gas Systems to invest in renewable energy. She has a sense there is more support for the things that look at what the City can do to rather than telling the Public Service Board not to do something. She has heard that it would be hypocritical for us in Chittenden County who have the option to use natural gas to tell them that they cannot have that option. She does not want them to have what we have. Natural gas is not a great option, environmentally, especially because they cannot separate fracked gas from non-fracked gas. It is worse now that they have moved on to fracking. The people do not want this, it is the big companies. She feels Vermont Gas Systems has been deceptive about putting certain things on their website and not others. If they allow this expansion to happen, they will allow more infrastructure to be put into fossil fuels. As they continue to grow that infrastructure, there will be less of a move towards renewables.

Councilor Decelles made a motion to call to question. There was no second.

Councilor Aubin stated that he is in favor of renewable energy and not in favor of fracking. He has trouble with this resolution because he feels they will be telling a different county what they can and cannot have. He is not sure of the cost of heating a home. There has been a reduction in lye heat and the State has not been able to make up for that reduction. He has personal experience with people in his family struggling to pay for heating oil and propane. Burlington is a place with financial privilege, and he finds it funny that they would tell the people of Addison County that they should have to pay double the amount per BTU while renewable energy is still being figured out. They were just presented with information about the distribution of wealth that showed the bottom 40% of the U.S. is in debt. The cost of heating is one of the reasons that is the case. He cannot support this resolution. There is a feeling outside of this area that Chittenden County dictates what will happen in the rest of the state. This will just perpetuate another problem that the rest of the State should not have to suffer.

Councilor Brennan stated they have a Climate Action Plan and he believes this lives within the spirit of that plan. There are certain fossil fuels that they should just leave in the ground. Trying to exploit natural gas by fracking just prolongs what will be inevitable for all of us. They need to truly combat climate change and not push it off to the next generation. He encouraged them to think about this. The renewables that they have at the McNeil Plant still create CO₂ and they should think about reducing that in any way possible. Renewables are easier to harvest and do not require them to exploit natural toxins under the ground. They were under the ground for a reason. Now that they have been exploited, they are harmful.

Councilor Tracy that he appreciates what Councilor Aubin said and he had not thought about it in that light. He does still support the resolution. Vermont was the first state to ban fracking, but people do want cheap energy. He does not want them to generate or use it, as this is the most consistent approach.

Councilor Knodell stated this is an important issue for the City of Burlington. Burlington has a very forward looking energy policy which promotes renewable energy and conservation. The resolution makes claims about the impact of the proposed pipeline on emissions which she believes are complex to judge. There is some evidence that the pipeline could actually reduce emissions. There are a lot of people in Burlington who are very smart about energy policy. She would think it wise to get their views.

Councilors Knodell and Siegel made a motion to refer the resolution to the Burlington Electric Department, Burlington Electric Commission and the Transportation, Energy and Utilities Committee.

Mayor Weinberger stated he agrees that there are elements of this resolution that are worthy of further consideration. He would support having a policy about fracking and would be willing to discuss it further. He feels it is very important that they vote down this resolution. He does not want Burlington to consider a resolution that is as hypocritical as this is. They cannot be in a position of using and enjoying the benefits of natural gas while opposing the extension of that to communities with less means. It could have implications on other issues when they attempt to work with other communities in Montpelier. Burlington and Chittenden County have image issues when dealing with the Legislature. This could seriously worsen those image issues.

Councilor Worden stated that he appreciates the intent of Councilor Knodell's motion and agrees with the Mayor's statement. He would support continuing the discussion of fracking and natural gas. He believes that the solution is not mentioned in this resolution – conservation. In Germany they have made a move towards renewable energy, but they still have high emissions at high costs. They have not talked enough about conservation. Heating with wood or a gas is not the solution. They need to do more with less.

Councilors Worden and Decelles made a motion to call the amendment to question. The motion passed unanimously.

The motion to refer the resolution to the Burlington Electric Department, Burlington Electric Commission and the Transportation, Energy and Utilities Committee failed by a vote of 5-9 with Councilors Knodell, Bushor, Brennan, Siegel and Tracy voting in favor.

The motion to adopt the resolution failed by a vote of 3-11 with Councilors Siegel, Tracy and Brennan voting in favor.

16. COMMITTEE REPORTS (5 mins.)

Councilor Blais stated that the License Committee will be holding a second hearing to address the issue of the distinction between cabarets and restaurants. They have invited all first class liquor license holders to attend. Anyone who may wish to consume alcoholic beverages or dance in the future may want to attend to see how their decision may impact those activities.

Councilor Tracy stated that the Transportation, Energy and Utilities Committee met to discuss the summer paving program. Most of that work will be completed in the next 1-2 weeks. They appreciate the patience of residents of streets that were paved. They have paved a lot of main arterial streets, and they will be shifting their attention to more neighborhood streets in the coming years. They also discussed stormwater and wastewater backups. Massive storm events are happening with greater frequency within a system that was not designed to handle them. They will be dealing with the added flow of these stormwater events. The Department has reached out to those who have been impacted by these events to help them know how to install valves in their basements to prevent backups. When there are backups, they have provided pumps for people to use. They discussed the issue of parking and no parking in bike lanes. No parking signs have gone in next to bike lanes. Enforcement has been spotty, but the directive is not to park in bike lanes. They also have looked at several corridor studies that are still in process.

Councilor Paul stated that the Parks Arts and Culture Committee will be meeting. They have been discussing the Parks Master Plan. There will be a public forum on this. They also discussed Imagine City Hall Park. That has been put on hiatus and will be addressed in the next budget year because of the number of items that are already being addressed this year. They talked about smoking on beaches. There were areas that were specifically for no-smoking. They will be discussing further no smoking on the beaches at all. They will be discussing the Public Investment Action Plan. That is largely revolving around available TIF money. The deadline for the RFP submissions is coming up. That issue will come

before the Council to vote on putting a ballot item on the ballot for March. There is up to \$7 million of TIF available and those are the projects that will advance.

Councilor Mason stated that the Ordinance Committee will be holding a hearing on the no parking downtown proposal. He assumes they will be taking up the livable wage at that time.

Councilor Worden stated that the Institutions and Human Resources Committee will be meeting. The Community Development and Neighborhood Revitalization Committee will be meeting. They will continue their discussion on bringing balance to their neighborhoods and housing around downtown. They will also hear an update on U.S. Ignite.

City Council President Shannon stated that the new system for public forum went well. She is expecting a larger turnout at their next two meetings. She plans to hold public forums from 6:00 p.m. -7:00 p.m. before their next meetings to discuss F-35s and Gun Control.

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

Councilor Bushor stated that the Mayor's discretionary funds are no longer in the budget. That was a surprise for her. She thinks that the New World computer system has been challenging. She is continuously surprised by what is and is not in the budget. She learned this because there was a small item that was hoping to make it through that process. She will try to find another way to see if they would support a budget amendment or the use of Council funds. She thinks that the budget process with New World is not there yet and she is disappointed. There is a new investment policy that was on the consent agenda. People should note that the Administration and Council have worked hard on budgets. The cash balance is the highest it has been in over 7 years. They need to weigh how using caution with how they manage their money. When they have excess money, there is an opportunity to invest some of it to collect interest.

Councilor Blais congratulated Judge Geoffrey Crawford on his appointment to the Vermont Supreme Court. He has lived in Ward 6 and has been an active community member. He has had a distinguished tenure on the trial bench and will bring his intelligence, hard work, and devotion to the Supreme Court. He is the first Burlington resident to be appointed in about 20 years.

Councilor Hartnett stated that they talked about childhood hunger in the past Mayor's race. He was reminded of that when a member of the Burlington High School Cross Country Team walked in and told him she had not had breakfast and had a meet. She asked for something to eat and he gave it to her. That is a problem in Burlington that they can and should fix. The Burlington Schools have done an outstanding job in this area, but they need to do more. There are homes where children do not have food on days that they do not attend school. It is something that they need to think about year round.

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

Mayor Weinberger stated that he supports the toter roll out with the action they took tonight. They are committed to ensuring that the first phase of that implementation works well.

The monthly financial reporting is now available on the Clerk/Treasurer's Office website.

The City has taken a step that the Climate Action Plan called for by joining the Campus Area Transportation Management Association (CATMA). They offer City employees alternative transportation options and incentives. It is an exciting new benefit for employees that costs the City very little.

They had an event at the First Congregational Church to commemorate the 50th anniversary of the Birmingham Sixteenth Street Baptist Church bombings. It was an opportunity for them to report out on progress on race and diversity issues. There are three additional events coming up. The first will be a teach-in at UVM on race and diversity issues. The City will be convening an event at ECHO called "Working Together we can do Better" to have a broad discussion of race issues in the City. Champlain College is hosting Tim Wise, a national spokesperson on race and diversity issues.

They began the first stages of the Waterfront Access North project. They are building stormwater outfalls and clearing some areas. They are beginning environmental cleanup. The serious work will begin next spring.

CEDO celebrated its 30th anniversary. It was an opportunity to reflect and show pride for the progress the community has made in the past 30 years. The most interesting part was speeches made by Senator Sanders and John Davis, an early member of CEDO. They talked about the atmosphere of energy and commitment that marked the early years of the Sanders Administration and the CEDO Office.

He will be looking into the issue the Councilor Bushor raised in her comments.

19. COMMUNICATION: Eileen Blackwood, City Attorney, re: Burlington Telecom update (oral)

City Attorney Blackwood stated that she would also like to discuss the status of collective bargaining and the status of pending or threatened litigation.

On a motion by Councilors Brennan and Paul the Council went into executive session to discuss pending and threatened litigation and collective bargaining. Premature disclosure would place the City at a substantial disadvantage. Present were: see above, Mayor Weinberger, Mike Kanarick, Mayor's Office and Brian Lowe, Mayor's Office; ACAO Goodwin, ACAO Schrader and City Attorney Blackwood.

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

On a motion by Councilors Decelles and Bushor the Council went out of executive session at 11:05 p.m.

20. ADJOURNMENT

On a motion by Councilors Decelles and Bushor the Adjourned City Council Meeting unanimously adjourned at 11:05 p.m.

Attest:

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