
DELIBERATIVE AGENDA

LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, CITY HALL
MONDAY, DECEMBER 17, 2012
7:10 P.M.

PRESENT: City Council President Shannon, Councilors Dober, Decelles, Bushor, Tracy, Siegel, Brennan, Kranichfeld, Worden, Mason, Aubin, Paul, Blais and Hartnett

CITY ATTORNEY'S OFFICE: Eileen Blackwood

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

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

On a motion by Commissioners Dober and Blais the Local Control Commission was unanimously adopted as amended as follows: note for agenda item 5. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2012-2013): Pouch Foods, LLC, d/b/a Esperanto (formerly Souza), 131 Main Street, Unit 23, Will Pouch, co-owner, completed the DLC seminar training on 11/21/12. (this information was in the packet, not written on the application)

2. CONSENT AGENDA

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

2.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (two days only):

Courtyard Burlington, 25 Cherry Street, February 1 through February 2, 2013
*waive the reading, accept the communication, place it on file and approve the outside consumption permit application for two days only at the Courtyard Burlington Harbor, Friday, February 1, 2013 and Saturday, February 2, 2013, 5 p.m. – 10 p.m., "The Ice Bar" Event

3. FIRST CLASS CABARET LIQUOR LICENSE APPLICATION (2012-2013):

Vinifera, Inc., d/b/a Uva, 126 College Street

and

4. SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2012-2013):

Vinifera, Inc., d/b/a Uva, 126 College Street

Commissioners Dober and Tracy made a motion to approve the first class cabaret and second class store licenses Vinifera, INC., d/b/a Uva.

Commissioner Dober stated that these were new applications. The applicant wished to sell wine. Because of the location of their building, they need to go through a permit process and rezoning. These licenses were being held until those processes were complete, but they did want to go through this process before investing the money.

The motion passed unanimously.

5. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2012-2013):

Pouch Foods, LLC, d/b/a Esperanto (formerly Souza), 131 Main Street, Unit 2E

Commissioners Dober and Tracy made a motion to approve the first class restaurant license for Pouch Foods, LLC, d/b/a Esperanto. The motion passed unanimously.

6. SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2012-2013):

Guild Fine Meats, LLC, d/b/a Guild Fine Meats, 197 College Street

Commissioners Dober and Tracy made a motion to approve the second class store license for Guild Fine Meats, LLC, d/b/a Guild Fine Meats.

Commissioner Dober stated that this was a new concept that the Committee has been seeing applications for. They would be selling meats as a butcher shop and would also sell bottles of beer and wine.

The motion passed unanimously.

7. ADJOURNMENT

Without objection, the Local Control Commission Meeting adjourned at 7:17 p.m.

Attest:

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

ADJOURNED MEETING, CITY COUNCIL
CONTOIS AUDITORIUM, CITY HALL
MONDAY, DECEMBER 17, 2012
7:17 P.M.

PRESENT: see above

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

City Council President Shannon held a moment of silence to recognize the incident in Newton, CT.

1. AGENDA

On a motion by Councilors Kranichfeld and Dober the agenda was unanimously adopted as amended as follows: amend the action for consent agenda item 3.15. COMMUNICATION: Report on the Fifty-Ninth Actuarial Valuation of the Burlington Employees' Retirement System Prepared as of June 30, 2012 with the consent action to "waive the reading, accept the communication, place it on file **and refer to the Board of Finance;**" note for consent agenda item 3.19. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only): Skinny Pancake, 60 Lake Street, Suite 1A, New Year's Eve **Two** Hour Extension and Dancing with the consent action to "waive the reading, accept the communication, place it on file and approve the one day only Special Event Indoor Entertainment Permit Application for Skinny Pancake, New Year's Eve, **Two** Hour Extension of the Indoor Entertainment Permit Application and Dancing;" add to the consent agenda item 3.20.

COMMUNICATION: William E. Johnson, Director, Property Valuation and Review, State of Vermont, Department of Taxes, re: Division of Property Valuation and Review Certified Equalized Education Property Value (Effective 1/1/2013) with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 3.21. COMMUNICATION: Mathew Viens, President, Preservation Burlington to Yves Bradley, Chair, Burlington Planning Commission, re: Historic Building Materials Replacement Policy with the consent action to “waive the reading, accept the communication and place it on file;” remove from the agenda item 5. PRESENTATION: Richard H. Cate, Vice President for Finance and Administration and University Treasurer, UVM, re: Zoning MOA With UVM (oral)(20 mins.) and refer it to the Community Development and Neighborhood Revitalization Committee; note **title change** and **revised version** of agenda item 7. RESOLUTION: Encouraging Conservation and Use of Cleaner Energy Sources and Divestment From Tar Sands Oil Affiliates (Councilors Brennan, Shannon, Siegel, Tracy, Worden, Aubin); note **revised version** of agenda item 8. RESOLUTION: March 5, 2013 Annual City Meeting – Advisory Referendum Regarding Opposition to Tar Sands Oil Based on Environmental Impacts.

City Council President Shannon stated that consent agenda item 3.21. COMMUNICATION: Mathew Viens, President, Preservation Burlington to Yves Bradley, Chair, Burlington Planning Commission, re: Historic Building Materials Replacement Policy had the action to waive the reading, accept the communication and place it on file, but she was not sure that was the correct action. She stated it would appear on the next agenda.

Councilors Kranichfeld and Worden made an amendment to the motion to remove consent agenda item 3.21.

Councilor Paul amended the motion for consent agenda item 3.15. COMMUNICATION: Report on the Fifty-Ninth Actuarial Valuation of the Burlington Employees’ Retirement System Prepared as of June 30, 2012 to waive the reading, accept the communication, place it on file, refer to the Board of Finance and that it would reappear on the January 7 meeting of City Council.

Councilor Bushor raised a point of information and inquired why agenda item 5 was removed from the full Council and referred to a subcommittee. City Council President Shannon stated there is an item in the CD Committee to address issues with UVM. It was put on hold because there was a new Administration at UVM. Mr. Cate will discuss this first with the CD Committee and will return to the Council in February when they will deliver the housing report. Mr. Cate is not present to give the presentation tonight. Councilor Bushor requested agenda item 5 be voted on separately. City Council President Shannon stated there is no possibility of a presentation tonight because Mr. Cate is not here and she did not receive any objections prior to the meeting. Councilor Bushor stated she did not receive that email in time to weigh in.

Councilors Kranichfeld and Worden made a motion to remove agenda item 5.

Councilor Bushor stated the reason she wanted to divide the question and will not support removing this item is because they have been waiting for this presentation since June. This is broader than a subcommittee issue. As a Ward 1 City Councilor, she has had questions for Mr. Cate regarding this communication. Because of the issues with institutions and the community, this would be better heard by the full Council. She would be inclined to request the President schedule him in January for the full Council. City Council President Shannon stated the expectation is that he will present to the full Council in February. If the subcommittee cannot report by February, Mr. Cate will still report to the full Council.

The motion passed by a vote of 12-2 with Councilors Bushor and Paul opposed.

2. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:30 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Selene Colburn	Ward 1 Resident	Library Commission Applicant
Zoe Richards	Ward 5 Resident	Conservation Board Applicant
Richard Hillyard	Ward 1 Resident	Against Redistricting Process
Alexandra Zipparo	Ward 3 Resident	Development Review Board Applicant
Andrew Simon	Ward 5 Resident	In favor of Tar Sands Oil Resolution
Kurt Wright	Ward 4 Resident	Against Redistricting Proposals
Charles Delaney-Megeso	Ward 4 Resident	In favor of Tar Sands Oil Resolution
William Scott	Ward 7 Resident	In favor of Tar Sands Oil Resolution
Emily Tompkins	Ward 2 Resident	In favor of Tar Sands Oil Resolution
Adam Brooks	SEABA Director	SEABA Activities
Kate Perry	Ward 5 Resident	In favor of Tar Sands Oil Resolution
Shelley Kath	Natural Resources Defense Council/Montreal Resident	In favor of Tar Sands Oil Resolution
John Mahoney	Ward 4 Resident	Airport Parking Garage Issues, Apartments on UVM Campus
Keith Brunner	Ward 2 Resident	In favor of Tar Sands Oil Resolution
Jean O'Sullivan	State Representative/ Ward 7 Resident	In favor of Redistricting Proposal
Emma Mulvaney-Stanak	Winooski Resident	Diversity Issues in Redistricting
Jan Schultz	Ward 6 Resident/ Burlington District Energy Service	Heating System from McNeil Station
Marc Sherman	Ward 7 Resident	Public Works Commission Applicant
Jim Holway	Ward 4 Resident	Opposed to Redistricting Proposal
Barbara Nolfi	Ward 1 Resident	Opposed to Redistricting Proposal
Don Schramm	Ward 1 Resident	In favor of Tar Sands Oil Resolution
Robert Resnik	Ward 5 Resident/	In favor of Library Director

	Library Employee	Appointment
Anne Charron	Ward 6 Resident	Problems with Redistricting Process

There being no one else wanting to speak and there being no objection from the remaining Council, City Council President Shannon closed the public forum at 8: 16 p.m.

3. CONSENT AGENDA

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

Councilors Paul and Mason were not at the table for the vote.

Councilor Bushor offered an amendment to consent agenda item 3.11 to include language referring to the attachment.

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

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

3.02. RESOLUTION: Acceptance of Ford Credit Municipal Finance Lease for Purchase of 5 Police Cruisers in FY 13, and Amending the FY 2013 Budget (Board of Finance)(pending BOF approval on 12/17)

*waive the reading and adopt the resolution

3.03. RESOLUTION: Authorization to Execute Ground Lease With Fairpoint Communications (Telephone Operating Company of Vermont LLC) for Communications Cabinet Placement on Wells Street (Councilors Dober, Tracy, Blais: License Committee)

*waive the reading and adopt the resolution

3.04. RESOLUTION: Authorization to Execute Letter of Acknowledgment Re: U.S. Army Corps of Engineers Oil Bollard Removal Project (Councilor Mason)

*waive the reading and adopt the resolution

3.05. RESOLUTION: Burlington Transit Facilities and Services Memorandum of Understanding With Chittenden County Transportation Authority Re Assignment of FTA Grant Number VT -03-047 (Board of Finance; Transportation, Energy & Utilities Committee)(pending BOF approval on 12/17/12)

*waive the reading and adopt the resolution

3.06. COMMUNICATION: Kirsten Merriman Shapiro, Special Projects Manager, CEDO, re: City Transfer of FTA Grant #VT-03-0047 to CCTA

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

3.07. RESOLUTION: Approval of Purchase Power Agreement With Encore BTV Schools Solar II, LLC (Board of Finance)

*waive the reading and adopt the resolution

3.08. COMMUNICATION: Ken Nolan, Manager of Power Resources, Burlington Electric

Department, re: Encore BTW Schools Solar II, LLC Solar PPA

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

3.09. RESOLUTION: License Agreement With KAS, Inc. to Install Six Ground Water Monitoring Wells on Portions of the Public Rights-of-way on Center Street, Bank Street, College Street and So. Winooski Ave. (Councilors Dober, Tracy, Blais: License Committee)

*waive the reading and adopt the resolution

3.10. RESOLUTION: Authorization for Utilization of City Cash Pool to Provide Funding, and to Contract for Reconstruction of Terminal Facility Roof at Burlington International Airport (Board of Finance)

*waive the reading and adopt the resolution

3.11. RESOLUTION: Approval of Schedule 21 Transmission Agreement Between BED and Green Mountain Power Corporation (Board of Finance)

*waive the reading and adopt the resolution

3.12. COMMUNICATION: Ken Nolan, Manager of Power Resources, Burlington Electric Department, re: GMP Schedule 21 – Attachment A – Form of Local Service Agreement Georgia Mountain Community Wind

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

3.13. COMMUNICATION: Chair Nancy Ellis, Democratic Committee, Ward 4 – Burlington, Vermont, re: Redistricting

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

3.14. COMMUNICATION: Ian Galbraith, Member, Board of Health, re: Resignation

*waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation thanking Ian Galbraith for his years of service on the Board of Health

3.15. COMMUNICATION: Report on the Fifty-Ninth Actuarial Valuation of the Burlington Employees' Retirement System Prepared as of June 30, 2012

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

3.16. COMMUNICATION: Laura Ziegler, re: Support for an independent review (Public Forum 12/3/12 Handout)

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

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

Manhattan Pizza and Pub, 167 Main Street, One Hour Extension of the Indoor Entertainment Permit Application for a New Year's Eve Party hosted by the local band Hopeless Radio

*waive the reading, accept the communication, place it on file and approve the one day only Special Event Permit Application for Manhattan Pizza and Pub, New Year's Eve, One Hour Extension of the Indoor Entertainment Permit Application

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

Nectar's, Dealer.com Holiday Party, General Dynamics Building, North parking lot, Outdoor Music, Friday, December 14, 2012, 6:00 p.m. – 11:00 p.m.

*waive the reading, accept the communication, place it on file and ratify the one day only

Special Event Permit Application for Nectar's

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

Skinny Pancake, 60 Lake Street, Suite 1A, New Year's Eve, **Two** Hour Extension and Dancing
*waive the reading, accept the communication, place it on file and approve the one day only
Special Event Indoor Entertainment Permit Application for Skinny Pancake, New Year's Eve,
Two Hour Extension of the Indoor Entertainment Permit Application and Dancing

3.20. COMMUNICATION: William E. Johnson, Director, Property Valuation and Review, State of Vermont, Department of Taxes, re: Division of Property Valuation and Review Certified Equalized Education Property Value (Effective 1/1/2013)

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

4. COMMUNICATION: Miro Weinberger, Mayor, re: Appointment of Fletcher Free Library Director (10 mins.)

Mayor Weinberger stated that he was excited to bring Rubi Simon forward for appointment as Director of the Fletcher Free Library. The Library is one of the oldest institutions in Burlington dating to the late 1800s. As the result of the retirement of Amber Collins who served the library for 42 years, there is an opportunity to appoint a new director. The process involved the Library Board and Friends of the Library who decided to change the model that the Library previously operated under. There will now be a single director model. That decision was a consensus decision shared by the Administration. They then had to find the right leader to bring the Library forward. He is convinced that they have found the right candidate in Rubi Simon. She has a strong background in her education and previous experience. Burlington is becoming more diverse and the Library must embrace this. She has worked in a number of communities and she herself came to America from Mexico. He thanked those involved in the process.

Rubi Simon stated she is looking forward to this new position. Burlington is a dynamic community and there have been a lot of opportunities. She has met most of the staff and is excited to get to know them. She looks forward to meeting the Council and hearing what is important to them and their communities. There have been conversations about technology and e-books around the country which will expand opportunities for services they can provide to communities.

Councilor Tracy and Ms. Simon spoke to each other in Spanish. Councilor Tracy stated that he is excited to have a bilingual Library Director. Ms. Simon stated she looks forward to working with everyone. Councilor Tracy inquired how Libraries can remain relevant in the digital age, if a large building is needed, and how digital resources can be utilized by all populations in Burlington. Ms. Simon stated that a lot of libraries have services in two areas- the traditional public library service and a virtual library. There are different populations with different needs. Those with access to technologies want an interactive library where they can do most things through the web. There are other users who do not have access to electronics and need traditional library services. Technological services can be offered by having the website in various languages. There is also an electronic gap and libraries are a part of helping people move forward with the changes that are happening today. Once she understands the needs of this community, they can begin to look at different ideas and other models to fit Burlington.

Councilors Bushor and Paul made a motion to approve Rubi Simon as the Director of the Fletcher Free Library. The motion passed unanimously.

5. PRESENTATION: Richard H. Cate, Vice President for Finance and Administration and University Treasurer, UVM, re: Zoning MOA With UVM (oral)(20 mins.)

This item was removed from the agenda and referred to the Community Development and Neighborhood Revitalization Committee.

6. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/
Boards (10 mins.)

6.01. APPOINTMENT: Conservation Board (Term expires 6/30/16)

Councilor Mason nominated Zoe Richards to the Conservation Board.

Zoe Richards was appointed to the Conservation Board.

6.02. APPOINTMENT: Development Review Board-Alternate- (Term expires 6/30/15)

Councilor Siegel nominated Alexandra Zipparo.

Councilor Mason noted he had spoken with the other person who applied, Jane Sanders but she had withdrawn her application.

Councilors Mason and Blais made a motion to re-advertise the position.

Councilor Siegel stated that Jane Sanders withdrew her application because she was excited someone else, especially a young person, had applied. She felt the other applicant should have the opportunity to serve.

Councilor Decelles stated this was not a good road to go down .There were two candidates and one decided to withdraw their application. They should not re-advertise. That would send a horrible message to the citizens of Burlington.

Councilor Dober stated there were two candidates who did everything by the book. Just because one person decided not to serve he does not feel they should discard the applications.

Councilor Hartnett inquired if her application was late or if she had actually withdrawn it. People should not be made to withdraw applications because they were late. City Council President Shannon stated the date and time are on the application.

Councilor Paul inquired what the deadline was. City Council President Shannon stated the deadline was December 12th at 4:30 p.m.

Councilor Hartnett stated he had no problem with the candidate withdrawing her name but he wanted to make sure it was for the right reason. He did not want to punish someone for being eight minutes late.

Councilor Mason stated the reason for the withdrawal was not related to the timeliness of the application.

Councilor Siegel stated the candidate probably did not even know it was late.

The motion to re-advertise failed by a vote of 4-10 with City Council President Shannon and Councilors Blais, Kranichfeld and Mason voting in favor.

Councilor Tracy stated he had met the candidate and was impressed with her love of Burlington and interest in development issues. He appreciated her willingness to serve Burlington.

City Council President Shannon stated that she would not support this candidate because this position required someone to be a resident of Burlington for some time to appreciate what this community was about. This candidate was well qualified in other aspects and she appreciated her willingness to serve, but she would prefer her to serve when she had a few more years in Burlington.

Councilor Siegel stated she had lived here officially for a year, but commuted back and forth for school for three years prior to that. She has been part of Burlington's community for four years.

Alexandra Zapara was appointed to the Development Review Board-Alternate-.

7. RESOLUTION: Encouraging Conservation Use of Cleaner Energy Sources and Divestment of Tar Sands Oil Affiliates (Councilors Brennan, Shannon, Siegel, Tracy, Worden, Aubin)(15 mins.)

City Council President Shannon stated that she has put time limits on each of these items because they have a very long meeting

Councilors Siegel and Tracy made a motion to waive the reading and adopt the revised version of this resolution.

Councilor Siegel noted the changes to the resolution. They were asking for nine action clauses and outlined them.

Councilor Tracy stated that he was excited that this had come to a vote at the Council. It has been the result of a lot of hard work. No other City in the Northeast has done anything like this. Burlington will be a leader in this effort. He recently marched around the Whitehouse to ask Obama to reconsider this. It was very exciting and he hopes they can continue this energy moving forward. There is no time to waste when it comes to climate change issues and people must work together to ensure there is meaningful progress.

Councilor Worden stated he will support this. He hopes to encourage conservation. Energy and climate change issues will affect the future. It will impact security and civil rights in the future.

Councilor Aubin stated he will support this. Some may feel that this resolution has too high of a cost in the short term, but the current energy policy will have a balloon payment at the end. People are not good at long term planning. This issue is one with difficult short term steps, such as divesting from profitable companies, but will have a long term payback.

Councilor Brennan stated he is happy to hear that people support this resolution. This has meaningful impacts on lives and the future. The State of Maine is being heavily lobbied by Canada for this pipeline to come forward. There will be pressure to exploit those resources from Canada and it will be important to stay strong and look for alternatives. The pipeline they should be talking about is the one from the McNeil plant. That is a key component for reducing the City's carbon footprint. They could shut off many chimneys in the City by doing that. The City should also work to move away from large oil corporations. There is pressure from those companies and he hopes they have a unanimous vote on the resolution.

Councilor Bushor thanked Councilor Brennan for educating her on this topic. He has talked about cogeneration and brought this forward. She also thanked protesters in July for bringing this issue to light.

City Council President Shannon thanked Mary Sullivan from BED for bringing this to her attention and connected her with helpful information.

Mayor Weinberger stated that he appreciated this work and was excited for it.

Councilor Brennan requested a roll call.

The motion passed by a vote of 10-4.

AYES: City Council President Shannon, Councilors Aubin, Brennan, Bushor, Kranichfeld, Mason, Paul, Tracy and Worden

NAYS: Councilors Blais, Decelles, Dober and Hartnett

8. RESOLUTION: March 5, 2013 Annual City Meeting – Advisory Referendum Regarding Opposition to Tar Sands Oil Based on Environmental Impacts (Councilors Aubin, Siegel, Brennan, Shannon, Tracy, Worden)(20 mins.)

Councilors Siegel and Worden made a motion to waive the reading and adopt the revised version of this resolution.

Councilor Siegel stated this will place an advisory question on the ballot. They had debated whether this should be an issue in front of the voters or in front of the Council. They decided that since it asks people in higher positions to do something, it would weigh more heavily if both City Council and the voters to weighed in. It will ask the voters if they would like to see the State phase out purchases from vendors whose oil comes from tar sands. It will also ask the Obama Administration to review tar sands related proposals.

Councilor Brennan stated there will be forty town meetings this March discussing this issue. This will be healthy debate and is an advisory question. It is worth discussing this with citizens and NPAs for upcoming elections. It is healthy to have debates on these important issues. A pipeline in the Northeast Kingdom can be hard to imagine in Burlington, but it is worth discussing. This will let the voters decide.

Councilor Dober made a motion to call to question. The motion passed unanimously.

The motion to adopt the resolution passed by a vote of 10-4 with Councilors Blais, Hartnett, Dober and Decelles voting against.

9. RESOLUTION: Burlington Ward Redistricting Plan (Councilor Shannon) (45 mins.)

City Council President Shannon stated she will accept a motion on the resolution and then will have the City Attorney explain why this is being done.

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

City Attorney Blackwood stated redistricting is being done because the U.S. Constitution guarantees each person one vote. According to the 2010 census, Burlington's wards are not giving each person one vote. Redistricting ensures all citizens have a voice in government. Because the wards are set out in the City Charter, there are limitations on the ability to change the Charter because any change must go through the Legislature. The timelines are driven by the scheduled March election and the legislative session. Prior to the March election there must be two public hearings that need to be warned thirty days in advance. There are two public hearings that would result from a plan being passed. There can be process during that time.

Lengthening the time would miss the March Election and require a special election. This could then miss the legislative session. This would prevent the City from implementing the new wards. Courts have done a number of things when there is a constitutional violation. If someone were to bring a suit to court saying their voice is not being equally heard, the court could impose an injunction until the issue is resolved, or they could write a plan they believe to be fair. That is a big risk for the City, in that the Council and the public lose their voices to weigh in. Another problem is that this is based on the census that was done in 2010. It has been nearly three years since this was complete, and waiting more than one year can be problematic. The City is already behind schedule because it has not moved forward until now. The reasons for that may hold some weight if there were a challenge.

Councilor Mason stated that she had mentioned that meaningful progress is required. There is confusion about what would be considered demonstrated progress if this were to be deferred. He inquired if delaying action and continuing to work on this until March of 2014 would be considered meaningful progress. City Attorney Blackwood stated it would depend on how a judge sees it. However, she is concerned that voters would have unfair representation in every election in 2013 and in March of 2014. She is not sure a court would consider that meaningful progress since it would be four years after the census.

Councilor Decelles stated that she mentioned case law where a judge rendered a decision. He inquired if that happened in Vermont. City Attorney Blackwood stated she is not aware of any Vermont cases, and Vermont courts tend to take a little bit of a different view in cases with community involvement. In other States, courts have stepped in and implemented plans. Councilor Decelles inquired if there would be a financial downside to this. City Attorney Blackwood stated she is not aware of any cases where monetary damages have been paid, but it could be a possibility. Councilor Decelles inquired if the voters were to vote this plan down, would a judge step in and impose a plan. City Attorney Blackwood stated the question is whether that vote would appear to be tainted depending upon who the voters are. She is unsure how someone would paint their case and make their arguments. Councilor Decelles inquired if the voters voted a plan down, would the City have to reconvene and put forth a new proposal in a special election. City Attorney Blackwood stated that is what they would do, but she is unsure if a judge would step in.

Councilor Siegel stated she would like to speak to the resolution. There are many whereas clauses that are not consistent with her memory of what happened on the Special Committee. One line states the public will be engaged. There was one Redistricting Meeting that they discussed involving NPAs for feedback. She was advised to say there will be another meeting and information is available on the website. There was not a discussion or an update on the process. That was not public engagement. Another line says they will report back to the Council to propose a Charter Change. The initial resolution called for a report back date of November to allow the Council time to consider the information. That did not happen. Another line talks about the number of Councilors remaining between 12-14, but that was not her recollection. It was also inconsistent from meeting to meeting. People mostly said they wanted to keep the Council approximately the same size. Another line asks for public engagement, which she has found sorely lacking. People in the public were interested, but there was not enough effort to reach out to them. There was no time for a formal presentation at an NPA until just last week. Another line reads there was a vote with a 3-2 majority. There was never a vote, just a straw poll. This document is misleading.

Councilor Bushor inquired if the City were to miss the deadline for the March Election, but then held a special election and made it to the legislature this session, would it be in effect for the next year. She stated she is trying to understand if having a special election would be useful. City Attorney Blackwood stated they have not worked out the numbers. They would also need to speak with someone from the Legislature about how quickly it would move. Councilor Bushor stated she feels it would be difficult to adjust boundaries and have it ready for 2014. The process was lacking in public outreach. There was an intent to notify the public earlier, but that did not happen as soon as intended. Only a few citizens were engaged early on. All of the people on the Committee made an effort to make their NPAs aware of what

was happening. There is no mandate for public engagement, but that is not the point. When talking about one person one vote, saying that the people you are representing do not need to be involved is illogical. She was one of the three votes that moved this forward. They struggled with a number of proposals. One map that did not come forward that she supported was the eight ward model. She feels that would represent people better. That is a nightmare for the City, but she does want to be responsive to voters. Having heard the information, she would have moved forward with that proposal. She had wanted to send two proposals forward because she felt the process was not complete. She says it is misleading to believe that she strongly supports the four ward model. She spoke in support of diversity and minority representation. She will not support moving this forward to the ballot. There may be opportunities for other proposals to come forward. She has received a number of comments that people are being underrepresented rather than being represented fairly. The best thing to do would be to reconfigure the committee to try to come forward with a proposal quickly. The citizens want to slow the process altogether, but there are also deadlines to consider.

Councilors Blais and Mason made a motion to substitute the 7 ward 14 councilor model that was submitted to the Council.

Councilor Blais stated this motion is the mechanism by which they can consider both plans. He will be in favor of the seven ward model. The current situation is that a significant population of the City is having their constitutional rights violated. In view of that, they should be prepared to move forward with a proposal today so that by 2015 they can have their constitutional rights returned to them. He appreciates the work that has been done, but the situation is not that difficult to understand. There is underrepresentation in the center of the City and overrepresentation in the New North End. The solution is not that complicated. The overrepresented area can lose one Councilor. That would be a poor plan. The second way to eliminate disparity is by having a wider geographical area encompassing a larger population. The four ward plan achieves that. The simplest way is to take the current configuration and make some geographic adjustments. There is no way to get around the fact that the New North End is overrepresented. The seven ward model accomplishes that. It may not be an ideal plan, but it is a constitutionally appropriate mechanism for citizens. He stated that they need to act on this soon to restore a constitutional right to voters.

Councilor Kranichfeld stated they have an obligation to pass a plan tonight. Not doing this tonight will delay this for a year. They are already three years late. Even being one year late can be problematic and open the City to lawsuit. A successful lawsuit would take this process away from democracy and impose the will of a federal court. He does not want to see that happen. There is no plan that will be without problems. He does not love either of the plans, but he does feel they are the closest to what everyone can agree on. He reminded Councilors that it will probably not get better no matter how much more work is done and they risk losing a democratic process by not passing something. He feels both plans have pros and cons, but they will not come up with anything better.

Councilor Hartnett stated they are three years behind in this process. If anyone at the polls were asked if they felt their constitutional rights were being violated, they probably would have been confused. Most people did not even know. The people doing redistricting had good intentions and were not trying to exclude the public. This process is difficult and they worked hard. Maybe next time around they should set things up better and be more engaged. Nobody is at fault.

Councilor Decelles stated he will not support the seven ward fourteen councilor version. This was the map the Committee spent the least amount of time on. No one can guess what the voters will do, but there is consensus that North Avenue does not make two different communities. Many people on Lakeview Terrace are upset by being represented by the New North End. There was one woman who suggested that adding parts of the Old North End to make the ward bigger. Others suggested doing that would just make an existing problem worse. They are different communities. If they put this in front of the voters, it will

get voted down. There were conversations about how many seats there should be and the process was very difficult. If a vote does happen and it goes down, he doubts a judge would take this away from the City. They will need to continue to do due diligence and more residents should be included. They will be needed to buy into a plan and pass it. The information was not released until March of 2011 and it took time to form the Committee. He suggested waiting.

Councilor Tracy stated he did not hear a consensus coming from the Redistricting Committee and will not support either plan. He will not support the four ward model for five reasons. The first is that enlarging the Ward makes it difficult to knock on every door in the Ward. Candidates would probably pull lists of likely voters and go to the doors of only specific voters. It would also be more costly to run an election. City Council races tend to cost around \$2,000. That is especially difficult for candidates without a party structure behind them. Doubling the size of the Ward would also increase the cost. It also makes it more difficult for independents to run without a party structure. There are enormous challenges facing the City and it is difficult to fulfill all the obligations of a Councilor. Reducing the size of the Council would make more work for fewer people. Finally, he does not believe that this would pass in the New North End. He opposes the seven wards with fourteen Councilors because it blurs the lines between the New and Old North Ends which are very different places. These differences bear the need for different kinds of representatives. He feels they should address this when there is a plan that has more support.

Councilor Aubin stated he is in favor of the four ward plan. He feels that something does need to be done, and it would be wise for the Council to move forward. This is the one plan that spreads the pain evenly without politicization. The lines are drawn in a way that reflects communities, not interests on behalf of the Council. It is not great for the New North End, but it spreads that pain within every section of the City. He will support that plan.

Councilor Mason stated he wants to move this forward and will support the seven ward plan. He does have concerns about the four ward plan. Not moving forward would be burying their heads in the sand. It is too late and something needs to be passed to publically warn this on the March ballot. Without passing something, there is a risk that the City will not be making the map. This is now on voters' minds. Only one Burlington resident bringing this to court could take this right away from the City. No plan is perfect, but a change has to be made. He feels a need to vote and move forward with a plan.

Councilor Decelles raised a point of information and inquired if the City Attorney's Office could provide something on paper to share with the Council to help clarify the legal threat. City Council President Shannon stated that is not a point of information and he can ask the question when it is his turn.

Councilor Dober stated there are members of the Committee unconvinced that they made the right decision and they are now adding more plans. This is the reason that more work needs to be done. He has received a number of emails about how quickly this process is going. Some feel the public was not involved at all. He cannot support either model at this point. There was no clear direction and people do not know where this will end up.

Councilors Dober and Decelles made a motion to amend the motion and refer this back to the Redistricting Committee.

Councilor Mason raised a point of order and inquired if the motion is allowed. City Attorney Blackwood stated the City Council rules only allow for two motions at a time. The original motion was for the four ward plan, the second motion was for the seven ward plan, and this would be the third motion. City Council President Shannon stated the rules say they can only have two amendments, so this would be the second amendment. Councilor Decelles inquired if Councilor Blais' motion was a substitution not an amendment. Councilor Blais stated it is a motion to amend. City Council President Shannon stated that two amendments are allowed, but there cannot be any more amendments after this. Councilor Mason

stated his understanding was that Councilor Blais' amendment was to substitute one plan for another. This amendment would strike the entire Redistricting Plan and propose that it be tabled. He inquired how this would be permissible. City Attorney Blackwood stated that because this is on point, it is appropriate to make a motion to amend. City Council President Shannon stated she will allow it.

Councilor Worden stated there had been a lot of work and many plans. He is concerned that none of these plans are ideal, but does not feel any plan would be. There is a prevailing sense that eight wards would be an improvement. That would resolve a lot of mathematical issues. They have been increasing the number of wards and this has left people wondering where and how they are represented. The four ward model would be much more stable for changing populations. With the eight ward model, there would already be changes needed to the size of districts because of development. He does not support four wards because it consolidates issues that would better be spread between wards. He does support the seven ward model because it causes the least change. It does impact one neighborhood significantly, but there are currently neighborhoods that are not fairly represented. Both are significant issues.

Councilor Brennan stated he is in favor of sending this back to Committee. The two plans on the table raise concerns. There is a better solution out there. Having more representation is not a bad thing. He sees that females in the Council bring rich discussion to the debates that they have. He does not always feel that the male members of Council do not always have such rich discussion. Looking at how resolutions have come forward, he feels many of them have been put forth by women. With the two proposals, he feels they would lose that opportunity for richness.

The Council took a 5 minute recess.

The motion to amend the motion to refer the resolution back to the Redistricting Committee passed by a vote of 8-6 with City Council President Shannon, Councilors Blais, Aubin, Mason, Worden and Kranichfeld voting against.

Councilor Siegel stated that if this motion passes, the Committee would convene a new Committee with a different configuration. She hopes that it will be more of an NPA based decision to allow the public to weigh in. She is not sure they will have a perfect proposal, but does feel it will be transparent and give everyone a voice at the table. There are people who feel they are being wronged, and this will involve them better and benefit the City.

Councilor Aubin stated he voted against the amendment because he feels that it is important to make a statement about the proposals before it goes back to Committee. He feels it would be helpful information.

Councilor Kranichfeld raised a point of information and inquired if the motion were to fail, nothing would happen. They would not be able to move forward on this because there will be no motion to approve either plan. City Council President Shannon stated that nothing would happen. They could take subsequent action at a later date, but nothing would happen at this meeting. Councilor Kranichfeld stated he will support this because sending it back to Committee is better than taking no action.

Councilors Dober and Hartnett made a motion to call to question. The motion passed by a vote of 12-2 with City Council President Shannon and Councilor Aubin voting against.

The motion to refer to the resolution to the Redistricting Committee passed by a vote of 9-5 with City Council President Shannon and Councilors Worden, Mason, Aubin and Blais voting against.

10. COMMITTEE REPORTS (5 mins.)

Councilor Siegel stated she is reporting on behalf of the Diversity and Equity Ad Hoc Committee. The group has been meeting and working hard. There was a lag between when the resolution passed and when the group started meeting so they have not been able to adhere with the timeline. They are continuing to work on the Diversity and Equity plan and will work on creating a Commission further down the road. She read the mission statement they created and the group has identified ten benchmarks to work towards.

Councilor Paul stated there will be a Parks Arts and Culture Committee meeting. They have been meeting monthly and she thanked the other members of her Committee. She also stated the Airport Strategic Planning Committee will report back to the Council in January.

Councilor Mason stated there is an Ordinance Committee meeting scheduled. They will be discussing Church Street Offenses and the Livable Wage Ordinance.

City Council President Shannon stated there are two openings on the Board of Tax Appeals. She encouraged people with valuation skills to serve on that Board.

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

Councilor Hartnett stated Tony Lafayette had passed away and sent his condolences to the Lafayette family.

Councilor Paul stated there was an amendment to the agenda concerning the pension valuation. This is the first year that the pension valuation has been done in early December. This is a huge improvement over the past. It used to come in June. The information is not valuable a year after the fact. The news is not particularly good. The unfunded liability grew by \$3 million and they are currently 70.1% underfunded. A former Councilor noted that this is even more important than Burlington Telecom and not much time has been spent on this. She hopes they will begin to focus on this in the coming year. She encouraged Councilors to begin to review this and start the debate.

City Council President Shannon stated she received calls and emails from some irate constituents complaining about a very loud party. Everyone seemed to feel this was happening in their backyard. It was very loud. Many people called the Police about the noise level from an entertainment permit issued by the Council. They were told that the Noise Ordinance did not apply to a permitted event. She requested some clarification about this. She felt it was very disruptive and did not believe the City Council License Committee had any idea about the volume. There needed to be better information about how the Noise Ordinance applied to permitted events to ensure there was some level of enforcement.

Councilor Dober stated that he was called on Friday night about a party in the South End. His Committee did approve that entertainment permit. Fire and Police were notified. This was an ongoing annual event and this was the first time that this establishment wanted to have it in their own backyard. This was normally held in one of the hotels. He did not expect to get a call at work. The subcommittee asked about the specifics; they did not expect that level of noise. The Committee did make sure it was sent to all parties in the City.

Councilor Worden stated that he hoped everyone who was affected by this party kept this in their memory as they discuss noise issues by the University.

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

Mayor Weinberger stated he will report back to the Council by the next time they meet. He did not believe that special event permits are exempt from the noise ordinance. There was a problem but it was addressed by 11:00 p.m.

The Airport Bond deal closed in the last week. It was a significant event and the Airport leadership, the CAO's Office, and all others involved worked hard on a very tight timeline to put the Airport on a more stable financial future. There is no longer a major fiscal threat.

They have made progress in economic development. They have hired an Assistant Director for Economic Development. They met with the Secretary of Commerce and discussed upcoming initiatives.

There were people who had been seeking stricter interpretations of the Act 250 amendment and how it applied to Waterfront Park. They had attempted to enforce this by seeking jurisdictional opinion to block Waterfront Access North progress. They reached a settlement that allowed the project to move forward with the contingency that the City make an Act 250 amendment to clarify issues with that permit. There was no agreement about the content of that amendment. The amendment robustly defended the people's right to use the Waterfront. He agreed with that approach but wanted to ensure there was broad consensus. Each member of the Parks and Recreation Commission was consulted, as was the Parks Arts and Culture Committee, before the application was submitted. The first hearing for that amendment was tomorrow and there would likely be a news reports. He welcomed any more questions.

He visited Eglin Air Force Base last week. Based on what he heard, he did not believe that the arrival of the F-35s would dramatically affect Burlington in terms of noise issues. It was a different sound in that it was deeper. Standing at the end of the runway, he did not find it dramatically different other than the change in pitch. He did press them on whether or not the planes might come to Burlington, but found that they were unlikely to know before an official announcement was made in June. These planes were very experimental. Of the three planes, one started fine, another started after some delay and one did not start at all. They were not cleared to fly more than 150 miles from the base. This helped him understand some of citizens' concerns.

The Administration was aware that they need to make a Moran report at the next meeting. CEDO was working hard to move that forward.

The CAO's Office had reported the Audit would not be completed by the end of the year, but would be completed in time to have the audit in the annual report. That office has had a confluence of events in the recent months and everyone should be thankful for their productivity.

The FY14 budget process has begun. There have been some initial meetings about that and they are getting underway. They have also been working hard on the Burlington Telecom issue.

City Council President Shannon recessed the City Council Meeting at 10:26 p.m.

City Council President Shannon reconvened the City Council Meeting at 10:48 p.m.

13. COMMUNICATION: Eileen Blackwood, City Attorney, re: BT Litigation (oral)

On a motion by Councilors Brennan and Worden the Council went into executive session at 10:49 p.m. premature disclosure would place the City at a substantial disadvantage. Present were: see above

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

On a motion by Councilors Kranichfeld and Worden the Council went out of executive session at 10:49 p.m.

14. ADJOURNMENT

Without objection, City Council President Shannon adjourned the Adjourned Meeting of the City Council at 11:55 p.m.

Attest:

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

BOARD OF ABATEMENT OF TAXES
MONDAY, DECEMBER 17, 2012
10:26 P.M.

PRESENT: see above

CITY COUNCIL PRESIDENT SHANNON:

1. AGENDA

On a motion by Board of Tax Abatement Members Brennan and Kranichfeld the agenda was unanimously adopted as amended as follows: remove from the agenda item 3. REQUEST FOR ABATEMENT OF TAXES: Hall Communications, Inc., 255 South Champlain Street (former location), PPP237140 and refer it back to the Tax Abatement Committee for further review with a recommendation being placed on a future Board of Abatement of Taxes Agenda.

2. CONSENT AGENDA

Councilor Siegel requested that agenda item 2.09 be moved to the deliberative agenda. City Council President Shannon stated that it would become agenda item 3.1.

On a motion by Board of Tax Abatement Members Blais and Bushor the consent agenda was unanimously adopted thus taking the following actions as indicated:

2.01. COMMUNICATION: Clerk/Treasurer's Office, Notice City of Burlington Board
Of Abatement of Taxes

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

2.02. REQUEST FOR ABATEMENT OF TAXES: Opportunities Credit Union
260-262 North Winooski Avenue
039-4-001-000

*waive the reading and deny the request for abatement of taxes

2.03. REQUEST FOR ABATEMENT OF TAXES: Opportunities Credit Union
256-258 North Winooski Avenue
044-3-151-000

*waive the reading and deny the request for abatement of taxes

2.04. REQUEST FOR ABATEMENT OF TAXES: William and Rebecca Haslam
114 Birch Court
024-4-117-000

*waive the reading and deny the request for abatement of taxes

2.05. REQUEST FOR ABATEMENT OF TAXES: June A. Hines
78 Northshore Drive
021-2-211-078

*waive the reading and grant the request for abatement of taxes

2.06. REQUEST FOR ABATEMENT OF TAXES: Joshua and Natasha Sky
505 North Street
045-3-102-000

*waive the reading and grant the request for abatement of taxes for the time period of asbestos only

2.07. REQUEST FOR ABATEMENT OF TAXES: Dave Walsh
61 Muirfield Road
027-2-029-000

*waive the reading and grant the request for abatement of 4% interest not the 1% interest

2.08. REQUEST FOR ABATEMENT OF TAXES: Ormer Group LLC
136 (ALT 140) Church Street
049-3-136-000

*waive the reading and grant the request for abatement of 4% interest not the 1% interest

2.10. REQUEST FOR ABATEMENT OF TAXES: Chris and Gloria Finn
295 South Prospect Street
050-4-036-000

*waive the reading and deny the request for abatement of taxes

2.11. REQUEST FOR ABATEMENT OF TAXES: Nan(cy) Patrick and Kenneth L. Geduldig
40 Glen Road
058-2-015-000

*waive the reading and deny the request for abatement of taxes

2.12. REQUEST FOR ABATEMENT OF TAXES: Brenda Gail Bergman
33 North Cove Road
021-1-004-000

*waive the reading and grant the request for abatement of taxes, penalties and interest for the entire fiscal year

2.13. REQUEST FOR ABATEMENT OF TAXES: Andre C. Martell
43 Avenue B
029-2-052-038

*waive the reading and deny the request for abatement of taxes

2.14. REQUEST FOR ABATEMENT OF TAXES: BPJS MANAGEMENT LLC
57 Hyde Street
045-1-010-000

*waive the reading and deny the request for abatement of taxes

3 REQUEST FOR ABATEMENT OF TAXES: Hall Communications, Inc.
255 South Champlain Street (former location)
PPP 237140

This item was removed from the agenda and referred back to the Board of Abatement of Taxes.

3.1. (was 2.09.) REQUEST FOR ABATEMENT OF TAXES: Martine Larocque Gulick
39 Nottingham Lane
026-4-059-000

Councilor Siegel stated the reason for the recommendation stated that payment was not made due to insufficient funds in the owners' bank account. However, when reading that, the homeowner did not mention this. She cannot see where the City contacted the bank to determine that. She requested clarification about how they knew there were insufficient funds. She also inquired why the homeowner was told the payment had gone through when she called City Hall.

City Assessor Vickery stated the owner did not attend the meeting. There were insufficient funds and the payment did not go through. Therefore, she was charged late fees. Councilor Siegel inquired why she was told that the payment was made. Mr. Vickery indicated he did not know.

Councilor Brennan stated they offer individuals the opportunity to come and speak at meetings. There were unanswered questions, but the homeowner did not come to speak her piece. They decided to move forward with the denial. Mr. Vickery stated the individual was also invited to the City Council meeting.

The motion passed unanimously.

4. ADJOURNMENT

City Council President Shannon adjourned the Board of Abatement of Taxes meeting at 10:32 p.m.

Attest:

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

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, DECEMBER 17, 2012
10:32 P.M.

PRESENT: see above

MAYOR WEINBERGER PRESIDING:

1. AGENDA

City Council President Shannon made a motion to suspend the rules to continue the meeting. The motion passed by a vote of 13-1 with Councilor Hartnett voting against.

On a motion by Councilor Bushor and City Council President Shannon the agenda was adopted unanimously as presented.

2. APPOINTMENT: Library Commission (Term expires 6/30/15)

City Council President Shannon nominated Ed Adrian.

City Council President Shannon stated she nominated Ed Adrian not because he was a former Councilor. When he was first running for Council, he knocked on the door of a Democratic friend. They asked him what the most important issue in the City was. He said it was the Library. They did not support him in that election, but it showed the degree to which he was committed to the Library. He went through a lot of

efforts to make sure they were properly funded. He had long and deeply held convictions for the Library. He will work hard and be actively engaged.

Councilor Tracy nominated Selene Colburn.

Councilor Tracy stated Selene is a librarian and they have an obligation to pick the most qualified person, although he has no problem with former Councilor Adrian. He outlined Selene's resume and involvement in library related issues. It is a very impressive resume and Burlington would benefit from having someone so knowledgeable.

Councilor Decelles nominated Peter Ireland.

Councilor Decelles stated there is no representative from Ward 4 and there should be geographic balance. The Council needs to send a clear message that former City Councilors will not automatically be appointed to Boards and Commissions. Doing that sends a bad message to the residents.

Councilor Bushor stated there was an incredible array of applicants for the Library. The Library is one of the City's best assets and she hoped that those who were not appointed did not get discouraged. Many of the applicants were from Ward 1. She hoped that all applicants would stay involved.

Councilor Dober stated he will support Ed Adrian. They went through this process and delayed the appointment process. In the prior session, Ed was the only person who submitted an application. He had only heard from one other applicant until yesterday. Selene does have an impressive resume, but he had already committed to Ed. He remembered that during the budget process Ed was committed to finding money for the Library. He felt they should be able to find money somewhere. He is hopeful Selena will apply in the future because her background would be an asset to the Committee.

Councilor Hartnett stated there is a bigger issue than selecting a commissioner tonight. They have discussed Board and Commission appointments. Two of the three individuals who applied want to get involved in the community and have not been involved in the past. If the Council continues to shut the door on new people with these backgrounds, they are doing a disservice. It would be a good process for any City Councilor to wait a year before coming back to engaging the City. Even though they are supporting Ed for reasons other than that he was a former City Councilor, perceptions are different. The Council should commit to figuring out how to select commissioners.

Councilor Paul stated she voted for a former City Councilor on the Parks and Recreation Commission. She has done an excellent job. There are many City Councilors that leave and come back as Commissioners. She also voted for a former City Councilor to be on the Airport Commission. He has attended Airport Strategic Planning Commission meetings as well as Airport Commission meetings. The fact that they were City Councilors is immaterial. She will support Ed Adrian for reasons other than the fact that he is a former City Councilor. She knows he is a hard worker and is very committed to the Library.

Councilor Siegel stated she will support Selene Colburn. Her experience lines up with the Library Director's goals, including outreach to underserved populations. She is disheartened by the process once again. It is a disservice to pledge support to a candidate without reviewing the full slate. This body should be fair about how they appoint people. She looks forward to changing this process.

Councilor Brennan stated he appreciates the comments. It is unfortunate what he is hearing across the table and the way support is being placed. He appreciates former Councilor Adrian's efforts. Ms. Colburn should be put on this Board at this time. He urged everyone to look at her qualifications one more time.

Minutes, Adjourned Meeting, City Council, December 17, 2012

Councilor Adrian received 9 votes: Mayor Weinberger, City Council President Shannon, and Councilors Kranichfeld, Dober, Aubin, Paul, Blais, Mason and Worden.

Ed Adrian was appointed to the Library Commission.

3. APPOINTMENT: Public Works Commission (Term expires 6/30/15)

Councilor Decelles nominated Tiki Archambeau.

City Council President Shannon nominated Russ Elek.

City Council President Shannon stated she only knew Russ Elek through his work on BTAC. That Board was disbanded and he is interested in serving the City.

Councilor Blais stated it is important to consider geographic balance in appointments. The South End is underrepresented. Mr. Archambeau comes from an area where there are already three members on this Commission. Having balance is critical because everyone uses the functions of Public Works. He will support Mr. Elek.

Councilor Tracy stated balance comes in many forms and there are no Progressives on the Public Works Commission. There are few Progressives on Commissions City-wide.

Tiki Archambeau received 8 votes from Councilors Decelles, Dober, Brennan, Tracy, Siegel, Paul, Kranichfeld and Bushor.

Tiki Archambeau was appointed to the Public Works Commission.

4. ADJOURNMENT

Without objection, Mayor Weinberger adjourned the City Council With Mayor Presiding meeting at 10:48 p.m.

Attest:

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