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LOCAL CONTROL COMMISSION  
CONTOIS AUDITORIUM, CITY HALL  
MONDAY, SEPTEMBER 22, 2008  
7:07 P.M.

COMMUNICATION  
DATE 12/15/08  
AGENDA ITEM # C-09

PRESENT: Commissioners Adrian, Ashe, Bushor, Berezniak, Knodell, Wright, Keogh, Shannon, Montroll, Paul, Decelles, Ellis and Mayor Kiss

ABSENT: Commissioner Davis

OFFICE OF THE CITY ATTORNEY: Ken Schatz, Gene Bergman, Kim Sturtevant

OFFICE OF THE CLERK/TREASURER: CAO Leopold (arrived at 7:58 p.m.), Ben Pacy, Lori Olberg and Sue Trainor

PRESIDENT WRIGHT PRESIDING

1. AGENDA

The agenda was approved as is.

2. CONSENT AGENDA

On a motion by Commissioners Ashe and Berezniak, the Commission voted unanimously to accept the consent agenda, thus taking the indicated actions on the following consent item:

2.01. EXPANSION OF OUTSIDE CONSUMPTION PERMIT APPLICATION (one day only):

American Flatbread, Friday, September 26, 2008, 5 p.m. – 11 p.m., Oktoberfest, Alleyway adjacent to One Lawson Lane steps

\*waive the reading, accept the communication, place it on file and approve the expansion of American Flatbread's outside consumption permit for one day only, Friday, September 26, 2008

3. FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWAL (2008-2009):

East Meets West, LLC, d/b/a The Green Room, 86 St. Paul Street

Commissioner Ashe made a motion, seconded by Commissioner Shannon, to approve the First Class Restaurant Liquor License Renewal. The motion passed unanimously.

4. OUTSIDE CONSUMPTION PERMIT RENEWAL (2008-2009):

East Meets West, LLC, d/b/a The Green Room, 86 St. Paul Street

Commissioner Ashe made a motion, seconded by Commissioner Berezniak, to approve the Outside Consumption Permit Renewal. The motion passed unanimously.

5. ADJOURNMENT

At their meeting of 12/15/08  
the Madison City Council voted to  
waive the reading, accept this communication  
and place it on file.  
Attest: Joe Oliver

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On a motion by Commissioners Ashe and Berezniak, the Commission voted unanimously to adjourn the meeting at 7:10 p.m.

Attest:

*Lori Olberg* & *Sue Trainor*

Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO

ADJOURNED MEETING, CITY COUNCIL  
MONDAY, SEPTEMBER 22, 2008  
7:12 P.M.

PRESENT: See Local Control Commission meeting, above.

PRESIDENT WRIGHT PRESIDING

1. AGENDA

On a motion by Councilors Knodell and Bushor, the Council voted unanimously to amend the agenda as follows: remove from the consent agenda item 6.12. COMMUNICATION: Larry Kupferman, CEDO Director, re: Update on the history and status of 131 Battery St./Cornell Building and place it on the October 6, 2008 City Council Deliberative Agenda; add to the consent agenda item 6.19. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, City Council Meeting, June 23, 2008 with the consent action to “waive the reading, accept the communication, place it on file and adopt the minutes at the October 6, 2008 City Council Meeting”; add to the consent agenda item 6.20. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, City Council Meeting, July 14, 2008 with the consent action to “waive the reading, accept the communication, place it on file and adopt the minutes at the October 6, 2008 City Council Meeting”; remove item 9.0. RESOLUTION: Authorization for Execution of a MOU Between the City and the Green Mountain Children’s Museum re: Moran Redevelopment Project (Board of Finance) and place it on the October 6, 2008 City Council Deliberative Agenda; add Councilor Adrian as a co-sponsor to item 13.0. RESOLUTION: Authorization for Special City Meeting November 4, 2008 Issuance of General Obligation Bonds for School Department Capital Improvements Authorized (Board of Finance).

Councilor Paul requested that her name be added as a sponsor on item 14: School Department Capital Improvements.

2. PUBLIC FORUM (Time Certain: 7:30 p.m.)

President Wright opened the public forum at 7:25 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Tom Papp	Strathmore Homeowners	Cert. of Occup./flawed process
Gary Wright.	Strathmore Resident	Appreciation to Council re: CO
Jesse Bridges		CCRPC Alternate Candidate—appreciated appt.
Andrea Todd		Opposed School Board Request

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Heather Riemer	3	Supported School Board Request
Frank Murphy	Horizon Program	Noted Issues with Taft School
Joyce Irvine	Principal	H.O. Wheeler: Supported School Bond
Charles Rathbone		Supported School Bond
Karen Downey		Supported School Bond
Mary Sullivan	5	Supported School Bond
Ellie Blais		Appreciation regarding Police Commission Appointment
Ann Tewksbury-Frye		Put School Bond on Ballot
Jared Wood	1	Opposed School Bond/No Parks Department details provided; need to protect street infrastructure
Sean Starfighter		Reconsider Moran Plant
Steve Stone	7	Proposed tax increases
Sarah Kadden		Supported School Bond
Susan Comerford		Supported School Board Request
Roger Cole	3	Put Transportation Plan in place
Loyal Ploof	3	Has Petition to Revoke Moran Plant
Donna Robert		Edmunds School/no handicapped accessibility
Michael Wood-Lewis	5	No Handicap Accessibility in Schools
Barbara Nolfi	1	Supported Penny for Parks

There being no one further coming forward, President Wright closed the public forum at 8:10 p.m.

3. COMMUNICATION: City Councilors, re: General City Affairs

Councilor Decelles informed the Council that the Ward 4/7 NPA met and had a lengthy discussion about disk golf.

Councilor Gutchell pointed out the Consolidated Annual Performance and Evaluation Report from CEDO that was in the packet. The cover letter for the document notes that 50% more people on average are working in the technology field. These are well paying jobs and while we should continue to solicit manufacturing jobs he was happy to see the increase in these jobs as well.

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Councilor Ashe expressed his appreciation to Chittenden County Solid Waste District and the Intervale Center for working out an agreement to keep composting open and available.

Councilor Bushor stated her appreciation as well for the work that was done to keep composting available for the three years.

4. COMMUNICATION: Mayor Kiss, re: General City Affairs

Mayor Kiss informed the Council that Burlington is one of eight national cities to participate in Take the Lead Program which prepares cities and their residents for the outbreak of pandemic flu. This program will put the City in the best position to make their way through this possible eventuality. Following recent pedestrian/bicyclist accidents, the Mayor again reminded Burlingtonians to share the road. He wants to commit to greater enforcement and education to ensure Burlington is bicycle and pedestrian friendly.

The Mayor then outlined the launch of the Climate Action Plan, reducing CO<sup>2</sup> in Burlington. The goal is to see a 20% reduction by 2020 and another 60% between 2020 and 2050. The environment can respond to change and he believes everyone has to participate to make it work.

5. COMMITTEE REPORTS

Councilor Shannon informed the Council that the meeting on PUD's will be held on September 23<sup>rd</sup>. Councilor Bushor stated that the Institutions Committee will be meeting during the week to discuss Champlain College.

6. CONSENT AGENDA

On a motion by Councilors Knodell and Bushor, the Council voted unanimously to accept, as amended, the consent agenda, thus taking the indicated actions on the following consent items. Councilor Bushor made a motion to amend item #6.06 Authorization to Execute Construction Contract for Burlington-Winooski Bridge Project and Accept the Grant and Appropriate Funds For Said Project (Board of Finance) to read: "authorize the Board of Finance to finalize the process and approve the resolution", as the Board of Finance was unable to get to this item prior to the City Council meeting. The amendment was approved unanimously.

6.01. RESOLUTION: Title Change & Reclassification of CEDO Department Executive Secretary Position (Board of Finance)

\*waive the reading and adopt the resolution

6.02. RESOLUTION: Title Change of Assessor Department Administrative Secretary Position (Board of Finance)

\*waive the reading and adopt the resolution

6.03. RESOLUTION: Authorization for Acceptance of Justice Assistance Grant (JAG) Funding for Crime Prevention Programs (Board of Finance)

\*waive the reading and adopt the resolution

6.04. COMMUNICATION: Mayor Bob Kiss, re: 2008 Justice Assistance Grant (JAG)

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

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- 6.05. RESOLUTION: Considering The Dog Licensing Fee Scale (Councilors Wright, Bushor, Decelles & Gutchell)  
\*waive the reading and adopt the resolution
- 6.06. RESOLUTION: Authorization to Execute Construction Contract for Burlington-Winooski Bridge Project and Accept the Grant and Appropriate Funds For Said Project (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.07. COMMUNICATION: Norman Baldwin, P.E., Assistant Director-Technical Services, re: Burlington-Winooski Bridge Resurfacing Project  
\*waive the reading, accept the communication and place it on file
- 6.08. RESOLUTION: Extending Time Period for Development of Intervale Management Plan (Councilor Paul)  
\*waive the reading and authorize the Board of Finance to finalize the process and approve the resolution.
- 6.09. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – UVM Trinity Core Campus Overlay #ZA-08-2 (Councilor Bushor) (2<sup>nd</sup> reading)  
\*waive the 2<sup>nd</sup> reading, suspend all the rules and place in all stages of passage
- 6.10. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Misc. Amendments & Corrections #ZA-08-03 (Councilor Bushor) (2<sup>nd</sup> reading)  
\*waive the 2<sup>nd</sup> reading, suspend all the rules and place in all stages of passage
- 6.11. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendments ZA08-03a re: Lots Split by District Boundary  
\*waive the reading, accept the communication, place it on file and refer to the Ordinance Committee
- 6.12. COMMUNICATION: Larry Kupferman, CEDO Director, re: Update on the history and status of 131 Battery St./Cornell Building  
\*waive the reading, accept the communication and place it on file
- 6.13. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (**one day only**):  
The Green Room, Friday, September 26, 2008, 10 p.m. -2 a.m., DJ for a Birthday Party with Dancing  
\*waive the reading, accept the communication, place it on file and approve the one day only special event indoor entertainment permit application for The Green Room, Friday, September 26, 2008
- 6.14. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (**one day only**):  
American Flatbread, Friday, September 26, 2008, 5 p.m. -11 p.m., Oktoberfest with a German style “Oompah” Band under a tent, in the alleyway adjacent to the One Lawson Lane steps  
\*waive the reading, accept the communication, place it on file and approve the one day only special event outdoor entertainment permit application for American Flatbread, Friday, September 26, 2008
- 6.15. COMMUNICATION: Dulcey Mastrangelo, Right of Way Agent, FairPoint Communications, re: FairPoint Job #9AAY5T, File #08-215, South Winooski Street & Spruce Street, Burlington, VT  
\*waive the reading, accept the communication, place it on file and approve the Petition and Order for Pole and Wire Locations

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- 6.16. COMMUNICATION: Lisa O'Day, Manager – VT OSP Engineering, FairPoint Communications, re: Removal of dual poles  
\*waive the reading, accept the communication and place it on file
- 6.17. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for September 15, 2008  
\*waive the reading, accept the communication and place it on file
- 6.18. COMMUNICATION: James T. Strouse, Chair, Burlington Employees' Retirement System, re: Extension of VPIC Contract  
\*waive the reading, accept the communication and place it on file
- 6.19. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, City Council Meeting, June 23, 2008  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the October 6, 2008 City Council Meeting
- 6.20. COMMUNICATION: Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO, re: Minutes, City Council Meeting, July 14, 2008  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the October 6, 2008 City Council Meeting

7. INDOOR ENTERTAINMENT PERMIT RENEWAL (2008-2009):

East Meets West, LLC, d/b/a The Green Room, 86 St. Paul Street

Councilor Ashe made a motion, seconded by Councilor Paul, to approve the Indoor Entertainment Permit Renewal for the Green Room. The motion passed unanimously.

8. PRESENTATION: Kim Sturtevant, Assistant City Attorney, Gene Bergman, Senior Assistant City Attorney, Kathleen Butler, Code Enforcement Director, David White, Planning & Zoning Director and Norm Baldwin, Assistant Director of Technical Services, Department of Public Works, re: Report on Certificates of Occupancy (15 – 20 mins.)

Senior Assistant City Attorney Bergman, at the beginning of the presentation, stated that the level of coordination and communication has greatly improved, not in small part to the resources that the budget continues to dedicate to the issue. Code Director Butler outlined the improvements that have been made to the process and noted the Mayor's Permitting Group which is currently working on a Certificate of Occupancy Process that issues one CO for all permits for any given project. Assistant City Attorney Sturtevant outlined four outstanding issues with Strathmore, all of which are currently being addressed. She then explained issues related to Westlake and their CO's.

Councilor Bushor asked if there was computerization that allowed each department involved to see what stage the process was in. Code Director Butler noted that the Amanda System is now being used by Code, Planning/Zoning and DPW. Councilor Bushor also requested a map for applicants outlining where each owner/developer was in the process. She would also like another presentation to the Council with any educational piece that is developed in the future.

Planning and Zoning Director White explained that the Amanda system is integral to the success of coordinating the information and significant improvements have been made over the last year. He stated that communication became much better when they began working with the Mayor's Office, Public

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Works and the Fire Marshal's Office. They also have been cross training staff within the offices. He anticipated an educational program for realtors, developers and applicants being available next spring.

Councilor Shannon expressed her frustration that there was no enforcement of violations on those who occupied Westlake without the proper permits. She then asked Planning and Zoning Director White what the responsibility is in Planning and Zoning relative to zoning ordinance violations. She criticized Planning and Zoning for having no follow-up and instead referring calls to the Code Enforcement Office. Planning and Zoning Director White explained that Code Enforcement was created specifically to undertake compliance and enforcement activities for the zoning complaints. Additionally, Planning and Zoning collaborates with Code Enforcement and participates in the site inspection.

Councilor Ellis asked why residents of Strathmore, who had been living there for many years, could not be given a Certificate of Occupancy now. Assistant City Attorney Sturtevant remarked that in order to remove conditions, Strathmore would need to go to the DRB and this, in fact, is currently happening.

Councilor Ashe then made a motion to move to another topic on the agenda, with no second.

Councilor Keogh asked if the occupant needed to have a certificate of occupancy before a water or electric meter was put on a building. Assistant Director of Public Works Norm Baldwin replied there was potential that you could because the building is safe for occupation but may not have received their full CO. That is why they are working on a unified Certificate of Occupancy and he believed that due to the work that is currently being done to improve Amanda these issues are more likely to be a thing of the past.

- 8.01. COMMUNICATION: Eugene M. Bergman, Esq., Sr. Asst. City Attorney and Kathleen Butler, Director, Code Enforcement, re: Report on Certificates of Occupancy

At the request of President Wright, and with no objection from the remaining Council, the action taken on this item was to waive the reading, accept the communication and place it on file.

9. RESOLUTION: Authorization for Execution of a MOU Between the City and the Green Mountain Children's Museum re: Moran Redevelopment Project (Board of Finance)

This item was removed and will be placed on the October 6, 2008 City Council Deliberative Agenda.

10. PUBLIC HEARING: Consolidated Annual Performance & Evaluation Report

Margaret Bozik, Assistant Director for Management, Planning & Communications explained that the following public hearing was one of two that are required in order to continue receiving approximately \$900,000 in Community Development Block Grant funds and \$500,000 in Home Investment Partnership Funds. Councilor Bushor asked about the Retail Vacancy Rate figure that was mentioned in the report. She reminded President Wright that the Council had never received a report from the Marketplace Commission and asked that the Director of the Marketplace be put on the agenda.

President Wright opened the public hearing at 9:02 p.m. Since no came forward to speak, President Wright closed the public hearing at 9:03 p.m.

- 10.01. COMMUNICATION: Margaret Bozik, Assistant Director for Management, Planning & Communications, CEDO, re: Consolidated Annual Performance & Evaluation Report

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At the request of President Wright, and with no objection from the remaining Council, the action taken on this item was to waive the reading, accept the communication and place it on file.

11. APPOINTMENT: Development Review Board (Alt.) (Term expires 6/30/11)

Councilor Knodell nominated Paul Henninge to be on the Development Review Board as an Alternate.

Councilor Shannon nominated Zander Ponzo to be on the Development Review Board as an Alternate.

Paul Henninge was appointed to the Development Review Board by a vote of six to five, with Councilors Berezniak, Adrian, Shannon, Keogh and Montroll voting for Zander Ponzo.

12. APPOINTMENT: Telecommunications Advisory Committee (Term expires 6/30/10)

Councilor Knodell made a motion, seconded by Councilor Gutchell, to postpone this item and bring it back to the Council on October 6<sup>th</sup>. The motion passed unanimously.

13. RESOLUTION: Authorization for Special City Meeting November 4, 2008  
Issuance of General Obligation Bonds for School Department  
Capital Improvements Authorized (Councilor Adrian)

President Wright wanted it noted that the Board of Finance is not a sponsor of this resolution. Councilor Adrian then made a motion to pass the resolution, seconded by Councilor Berezniak. Councilor Adrian asked the Mayor what his position was on the issue and why the Mayor felt it was not necessary to support the schools. President Wright interjected that the Board of Finance voted to defer action on this item by a unanimous vote of 5 to 0.

The Mayor began by stating that it was important to understand that it is not adversarial, that all parties have to work together to have the item be successful and benefit the entire City. \$126 million is not bondable for the City of Burlington. The School Board understood and went to a phase 1 approach of \$92 million. There has to be a better understanding of what the City's financial needs are over the next five to 10 years before putting items on the ballot. There are core issues that need to be addressed in the schools: safety, accessibility, quality and environmental. The Board of Finance talked about an express commitment for the City and the School Department to work together in order to put numbers together for March. Councilor Adrian then asked the Mayor and the CAO a number of questions regarding the voters' right to make a decision on this issue, about the bond rating and bond obligations.

Councilor Montroll remarked upon the importance of schools in the community, as well as the amount of work done by the School Board in preparing the proposal. However, he has not heard that this is financially feasible to do and, therefore, cannot support putting it on the ballot. He then made a motion to defer the resolution to the Board of Finance to work with the Schools to develop a proposal to bring to voters in March. The motion was seconded by Councilor Knodell.

Councilor Decelles stated he was taken aback by the comments he heard during the public forum about accessibility issues in the schools and was disgusted that these issues had not been addressed by the School Department long ago. He has not heard any of his constituents requesting that he support this item.

Councilor Ashe noted it was absolutely critical to know what putting out that high of a bond would mean financially to the City because the folks who are supporting this item were not necessarily thinking about what this would do to the City as a whole. He mentioned this only came to the Council a month ago and



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needed to be more fully developed. However, he fully committed to working with the School Board for a vote in March.

Councilor Knodell agreed with Councilor Ashe, stating that Act 68 could provide some benefits to the City and the financial needs of the schools, but there was no way of knowing because of the short notice of the request. She reminded the Council that the Grand List would need to grow significantly in order to spend millions of dollars on the schools. However, she was strongly committed to eventually bringing this to the voters.

President Wright passed the gavel to Councilor Knodell and pointed out that the Front Porch Forum comments are that Councilors are voting in a selfish way. He disagreed, noting that the City Council had no idea about what the School was going to propose. The citizens he spoke with would not support the ballot request and the Council's role is to protect the City. He supported referring the matter to the Board of Finance.

Councilor Gutchell thought the process would have been better to first know what the City's bonding capacity was. He agreed with other Councilors that he had not heard from anyone who supported the ballot request and he believed he had a fiduciary responsibility to his constituents. However, he would support a less expensive energy and safety bond. He supported the motion to refer to the Board of Finance.

Councilor Keogh thanked the School Board for their hard work and stated that he believed the issue should be put on the ballot to let the voters decide.

Councilor Bushor supported the motion to refer to the Board of Finance. She explained that the streets and sidewalks conversation started a year ago, with careful thought and discussion. She felt there needed to be better prioritization and that the community deserved a very good process to decide what the next steps were.

Councilor Paul thanked the School Board for the Master Plan and understood that there were many needs within the schools. She also wanted her children to inherit a fiscally sound city. She had spoken with independent counsel and they have all agreed with the CAO's assessment of the City's bonding capacity.

Councilor Adrian again asked CAO Leopold again about the amount the City could bond. He also asked the School Department/Board members about the income eligibility of Burlington's residents. He then stated he thought that if this matter were referred, it would kill the process and that Councilors Knodell and Bushor were being too conservative.

Councilor Berezniak stated his belief that this item should go on the ballot and he would consider amending the amount to be \$37.5 million which would deal primarily with safety, energy and accessibility.

Councilor Ellis stated his support of the Montroll/Knodell approach. He agreed the schools needed to be repaired but that was not what this vote was about. He noted that what the Council could do is see if the proposal is fiscally responsible and prudent.

Councilor Shannon thanked the Superintendent for the work on the plan. She noted that it is the Council's job to look at the affordability and at this time she did not feel it was fiscally responsible to support the resolution.

At this point in the meeting, 10:30 p.m., President Wright, seconded by Councilor Bushor, made a motion to suspend the rules and continue with the meeting. The motion passed unanimously.

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Councilor Wright then spoke to the confusion around income sensitivity, with Councilor Adrian and the School Board's having different opinions. He then read into the record information from Mark Brault from the Joint Fiscal Committee about debt service payments/income sensitivity. This increase would affect 80% of the homeowners in Burlington.

Councilor Adrian stated he thought that Councilor Wright may have asked the wrong question to Mr. Brault as he understood that people would pay more. He then made a motion to amend the resolution to read "Except that shall the City Council be authorized to issue general obligation bonds or notes in an amount not to exceed Thirty-Seven Million (\$37,000,000) Dollars over a two-year period" and further, "the purpose of such bonds being to implement part of Phase One of the Burlington School District's Master Plan and Visioning Process to address accessibility, safety, and health and, furthermore, that the remainder of the \$92 million be referred to the aforesaid committees for further review."

Following discussion about the contradictory nature of the amendment, Councilor Montroll stated he would not support it because it was not researched enough. Councilor Knodell then asked for a second to Councilor Adrian's amendment, with Councilor Berezniak seconding.

Councilor Ellis then called the question on ending the date of Councilor Adrian's amendment, with a second from Councilor Gutchell. The vote was 9 in favor, 4 opposed, with Councilors Keogh, Shannon, Berezniak and Adrian voting against. The vote was then taken on Councilor Adrian's motion to amend the resolution. The vote to amend failed by a vote of 11 to 2, with Councilor Adrian and Berezniak voting against.

Councilor Paul stated that referring the resolution to the Board of Finance was not the end of the matter but more the beginning of a community discussion. Councilor Ashe then called the question to end the debate. The motion passed by a vote of 12 to 1, with Councilor Berezniak voting against. The motion to refer the November bond question to the Board of Finance to work with the School Department and the Administration towards a March question on school capital improvements. The motion passed by a vote of 10 to 3, with Keogh, Adrian and Berezniak voting against.

Councilor Adrian then called for a five minute recess at 10:41 p.m.

14. RESOLUTION: School Department Capital Improvements (Councilors Knodell, Wright, Paul & Bushor)

Councilor Knodell made a motion, seconded by Councilor Bushor, to withdraw this resolution. The motion passed unanimously.

15. RESOLUTION: November 4, 2008 Special City Meeting -- Proposed Charter Change re: Penny for Parks Authorized (Parks, Arts, Culture Committee: Councilors Adrian & Paul)

Councilor Ashe made a motion to adopt the resolution, seconded by Councilor Shannon. Councilor Ashe explained that this resolution comes to the City Council after the Board of Finance voted against by a vote of 3 to 2 with Mayor Kiss, CAO Leopold and Councilor Wright voting against the resolution.

The Mayor stated that his opposition again has to do with the timing and fiscal necessity. The Mayor believed there was a better way to purchase this request and outlined the various options that were available to the Parks, which would benefit the City, the taxpayers and the Parks Department.

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A number of Councilors expressed their concerns about the needs of the City as a whole as opposed to a single dedicated tax to the Parks Department; CAO Leopold outlined why other solutions were better and, in fact, the Parks Department has received millions of dollars over the years for capital improvements. The motion passed by a 11 to 2 with Councilors Decelles and Wright voting against.

16. RESOLUTION: November 4, 2008 Special City Meeting—General Obligation Bond for Street Repaving Authorized (Board of Finance)

Councilor Montroll requested that items 16 and 17 be voted on together.

17. RESOLUTION: November 4, 2008 Special City Meeting—Proposed Increase in Maximum Tax Rate Street Purposes (Board of Finance)

Councilor Montroll made a motion, seconded by Councilor Ashe, to approve the resolution. He explained the history of the work that was done by the Board of Finance and the City Council through various work sessions, in determining the specifics of the work to be done. President Wright also stated that the Board of Finance approved this resolution by a vote of 5 to 0.

The motion to waive the reading and adopt items 16 and 17 passed unanimously.

18. RESOLUTION: Authorization to Enter into Participation Agreement with Chittenden Solid Waste District re: Biosolids (sludge) Disposal (Board of Finance)

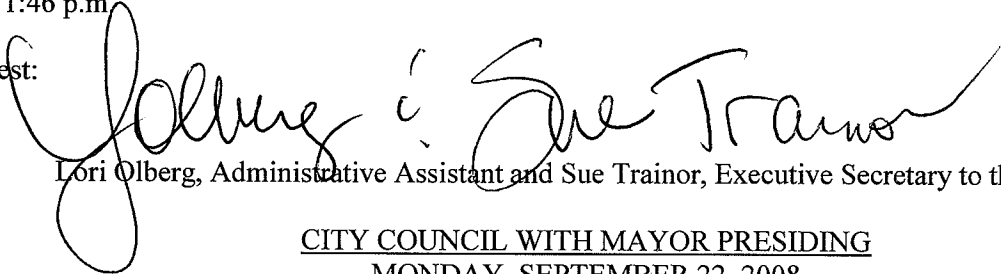
Councilor Ashe made a motion, seconded by Councilor Montroll, to waive the reading and adopt the resolution. He explained that the Board of Finance voted unanimously to adopt this resolution. The motion passed unanimously.

President Wright thanked DPW Director Goodkind, Erin Demers and Carol Duncan for all of their work on the street repaving program and the subsequent resolutions.

19. ADJOURNMENT

On a motion by Councilors Bushor and Decelles, the Council voted unanimously to adjourn the meeting at 11:46 p.m.

Attest:



Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO

CITY COUNCIL WITH MAYOR PRESIDING  
MONDAY, SEPTEMBER 22, 2008  
7:10 P.M.

MAYOR KISS PRESIDING

1. AGENDA

The City Council With Mayor Presiding adopted the agenda as is.

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2. CONSENT AGENDA

On a motion by Councilors Bushor and Knodell, the City Council With Mayor Presiding voted unanimously to accept the consent agenda, thus taking the indicated action on the following consent item:

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

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

3. APPOINTMENT: CCRPC (alternate) (Term expires 6/30/11)

Councilor Knodell nominated Jesse Bridges for the CCRPC as an Alternate.

Jesse Bridges was appointed unanimously to the CCRPC as an Alternate.

4. APPOINTMENT: Police Commission (Term expires 6/30/10)

Councilor Wright nominated Ellie Blais to the Police Commission.

Councilor Knodell nominated Alan Robinson to the Police Commission.

Ellie Blais was appointed to the Police Commission by a vote of 8 (Councilors Ellis, Keogh, Montroll, Decelles, Wright, Gutchell, Paul, and Ashe) to 6 (Kiss, Bushor, Knodell, Shannon, Berezniak and Adrian).

5. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/10)

Councilor Knodell nominated Connie Krosney to the Board of Tax Appeals.

Connie Krosney was appointed unanimously to the Board of Tax Appeals.

6. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/12)

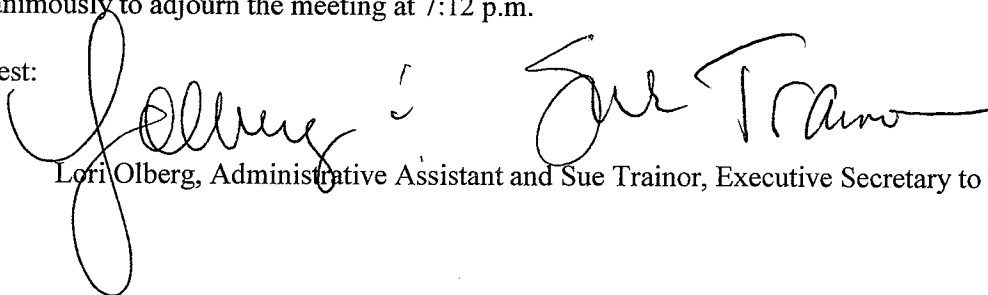
Councilor Keogh nominated Lori Frye Preston to the Board of Registration of Voters.

Lori Frye Preston was appointed unanimously to serve on the Board of Registration of Voters.

7. ADJOURNMENT

On a motion made by Councilors Ashe and Gutchell, the City Council With Mayor Presiding voted unanimously to adjourn the meeting at 7:12 p.m.

Attest:



Lori Olberg, Administrative Assistant and Sue Trainor, Executive Secretary to the CAO