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**DELIBERATIVE AGENDA**

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**LOCAL CONTROL COMMISSION**  
**CONTOIS AUDITORIUM, CITY HALL**  
**MONDAY, SEPTEMBER 14, 2009**  
**7:00 P.M.**

1. AGENDA
2. CONSENT AGENDA

2.01. REQUEST FOR ADDITIONAL SPACE FOR SECOND CLASS STORE LIQUOR LICENSE (2009-2010):

Dedalus Wine Shop, 209 Battery Street

\*waive the reading, accept the communication, place it on file and approve the request for additional space for Dedalus Wine Shop at 209 Battery Street

2.02. FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWALS (2009-2010):

Green Room, Manhattan Pizza and Souza

\*waive the reading, accept the communication, place it on file and approve the 2009-2010 First Class Restaurant Liquor License Renewals for Green Room, Manhattan Pizza and Souza with all standard conditions and Fire Marshal approval

2.03. OUTSIDE CONSUMPTION PERMIT RENEWALS (2009-2010):

Green Room and Manhattan Pizza

\*waive the reading, accept the communication, place it on file and approve the 2009-2010 Outside Consumption Permit Renewals for Green Room and Manhattan Pizza with all standard conditions and Fire Marshal approval

3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2009-2010):

BJ Rooney, LLC, d/b/a Rooney's Café, 173 College Street

4. ADJOURNMENT

**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, SEPTEMBER 14, 2009**

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

*Members of the public may speak when recognized by the Chair, during the Public Forum (time certain: 7:30 p.m.) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 on September 16, 2009 at 8:00 p.m., repeating at 1 a.m., 7 a.m. and 1 p.m. the following day. For information on access, call Ben Pacy, Assistant Chief Administrative Officer-Administration and Operations (865-7013) or Lori Olberg, Administrative Assistant (865-7136) (TTY 865-7142).*

3. COMMUNICATION: City Councilors, re: General City Affairs (oral) (15 mins.)
4. COMMUNICATION: Mayor Kiss, re: General City Affairs (oral) (10 mins.)
5. COMMITTEE REPORTS (10 mins.)
6. CONSENT AGENDA
7. PRESENTATION: Chris Donnelly, Director of Community Relations, Champlain Housing Trust, re: Community Land Trust Innovation in Burlington, USA: International Study Visit: 13<sup>th</sup> – 19<sup>th</sup> September 2009 (10 mins.)
  - 7.01. COMMUNICATION: Champlain Housing Trust, re: Community Land Trust Innovation in Burlington, USA: International Study Visit: 13<sup>th</sup>-19<sup>th</sup> September 2009
8. COMMUNICATIONS (2): Clerk/Treasurer's Office, re: Openings Burlington City Commissions/Boards
  - 8.01. APPOINTMENT: Housing Board of Review (Term expires 6/30/14)
  - 8.02. APPOINTMENT: Development Review Board (Alt.)(Term expires 6/30/11)
  - 8.03. APPOINTMENT: Telecommunications Advisory Comm. (Term expires 6/30/11)
  - 8.04. APPOINTMENT: Telecommunications Advisory Comm. (Term expires 6/30/11)
9. RESOLUTION: Open Government Committee's Recommendations About Information Technology (Councilors Bushor, Keogh)
10. RESOLUTION: Recommendations from the Open Government Committee to the Department of Planning & Zoning (Councilor Bushor)
11. COMMUNICATION: Larry Kupferman, Director and David Weinstein, Special Projects Coordinator, CEDO, re: BEDI Grant – Moran Project
  - 11.01. RESOLUTION: Authorization to Execute the 2009 BEDI Grant Award Obligation for the Moran Redevelopment Project (Councilors Keogh, Davis, Decelles: BOF: Berezniak, Ellis, Mulvaney-Stanak: Community Development Committee)
12. COMMUNICATION: Larry Kupferman, Director and Brian Pine, Assistant Director for Housing, CEDO, re: Salmon Run preservation and rehab project
  - 12.01. RESOLUTION: Support for Salmon Run Apartments Loan Restructuring (Councilors Berezniak, Ellis, Mulvaney-Stanak: Community Development Committee)
13. RESOLUTION: Replacing the Homestead Property Tax for Non-Education Spending (Councilor Bushor)
14. ORDINANCE: FIRE PROTECTION AND PREVENTION Chapter 13 Revisions (Councilors Shannon, Bushor, Mulvaney-Stanak: Ordinance Comm.) (2<sup>nd</sup> reading)

- 14.01. COMMUNICATION: BC Terence Francis, Fire Marshal, re: B.C.O Chapter 13 Fire Protection and Prevention
- 14.02. COMMUNICATION: Assistant Fire Marshal Tom Middleton, re: Summary of the Fire Safety Ordinance Revisions
15. COMMUNICATION: Gene Bergman, Senior Assistant City Attorney and Chief O'Neil, re: City Emergency Response Plans (oral)

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

16. COMMUNICATION: Bill Ellis, Esq. and Jonathan P.A. Leopold, Jr., CAO, re: Burlington Telecom (oral)

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

17. ADJOURNMENT

**CITY COUNCIL WITH MAYOR PRESIDING**  
**MONDAY, SEPTEMBER 14, 2009**

1. AGENDA
2. APPOINTMENT: Design Advisory Board (Term expires 6/30/10)
3. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/10)
4. ADJOURNMENT

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**CONSENT AGENDA**

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**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, SEPTEMBER 14, 2009**

- 6.01. ORDINANCE: OFFENSES AND MISCELLANEOUS PROVISIONS Re: Noise Control Ordinance (Police Department)(1<sup>st</sup> reading)  
\*consider this 1<sup>st</sup> reading and refer to the Ordinance Committee
- 6.02. COMMUNICATION: Richard W. Haesler, Esq., Assistant City Attorney, re: Noise Ordinance Amendment  
\*waive the reading, accept the communication and place it on file
- 6.03. RESOLUTION: Step Placement for the Manager of Marketing and Customer Service at Burlington Telecom (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.04. RESOLUTION: Consideration of Changes to the City Charter to Clarify the Mayoral Appointment and Reappointment Process (Councilor Shannon)  
\*waive the reading and adopt the resolution
- 6.05. RESOLUTION: Concerning the Burlington Farmers' Market (Councilors Adrian, Kaplan, Kehoe, Ellis, Keogh, Berezniak, Decelles, Paul, Dober)  
\*waive the reading and adopt the resolution

- 6.06. RESOLUTION:           Reclassification of the Burlington Electric Department Purchasing and Inventory Specialist –Production (McNeil) (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.07. RESOLUTION:           Step Placement for the CEDO Assistant Director of Finance (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.08. RESOLUTION:           Authorization to Accept Grant for Land Purchases and to Contract for Relocation Services at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.09. RESOLUTION:           Authorization to Accept Grant for Taxiway Lighting Upgrade and to Contract for Services at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.10. RESOLUTION:           Authorization for Land Purchases in Anticipation of Federal FY 2009 AIP Grant Funds for Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.11. RESOLUTION:           Authorization for Land Purchases in Anticipation of Federal FY 2010 AIP Grant Funds for Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.12. RESOLUTION:           Authorization to Accept Grant Offer and for Execution of Agreements for Taxiway “C” Reconstruction at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.13. RESOLUTION:           Authorization to Accept Grant Offer and for Execution of Agreements for Taxiways “J” and “G” Construction at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.14. RESOLUTION:           Authorization to Accept An American Recovery and Reinvestment Act Grant and for Execution of Agreements for Taxiway “C” and “G” Intersection Construction at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 6.15. RESOLUTION:           Improvements to the Southern Entrance to the Route 127 Bike Path (Councilor Berezniak) **(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution
- 6.16. RESOLUTION:           Supplemental Budget Resolution #2009 General Fund Step Increase and Cost of Living Allowance Adjustments (Board of Finance)  
**(material to be sent under separate cover)**  
\*waive the reading and adopt the resolution
- 6.17. RESOLUTION:           Supplemental Budget Resolution #2009-Final Budget Reconciliation (Board of Finance)  
\*waive the reading and adopt the resolution

- 6.18. COMMUNICATION: Tom Buckley, BED, and Larry Kupferman, CEDO, re: Implementation Plan for the Clean Energy Assessment District  
\*waive the reading, accept the communication, place it on file and refer to the Transportation, Energy and Utilities Committee
- 6.19. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re: Accountability List  
\*waive the reading, accept the communication and place it on file
- 6.20. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed Zoning Amendments: ZA-09-08 Parking Lot Shading and ZA-09-17 Street-Facing Garage Wall Design Standards  
\*waive the reading, accept the communication, place it on file and warn a public hearing for the October 5, 2009 City Council Meeting
- 6.21. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: Special Meeting, City Council Minutes for January 21, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2009 City Council Meeting
- 6.22. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for April 27, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2009 City Council Meeting
- 6.23. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for May 11, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 21, 2009 City Council Meeting
- 6.24. COMMUNICATION: Margaret Poirier, Clerk BRV, re: Board for Registration of Voters Mid-Summer Update, August 18, 2009  
\*waive the reading, accept the communication and place it on file
- 6.25. COMMUNICATION: Johnathan Croft, AOT GIS Database Administrator, State of Vermont, Planning, Outreach and Community Affairs Division, re: Guidance Document  
\*waive the reading, accept the communication and place it on file
- 6.26. COMMUNICATION: Timothy George, Chair, Telecommunications Advisory Committee, Re: Resignation of Kirstin McCracken  
\*waive the reading, accept the communication, place it on file, advertise the vacancy (already did) and send a letter of appreciation to Kirstin McCracken thanking for her time served on the Telecommunications Advisory Committee
- 6.27. COMMUNICATION: William Perkins, VLCT President, Vermont League of Cities and Towns, Re: Proposed Vermont League of Cities and Towns Bylaws Changes  
\*waive the reading, accept the communication and place it on file
- 6.28. INDOOR ENTERTAINMENT PERMIT RENEWALS (2009-2010): see attached list  
\*waive the reading, accept the communication, place it on file and approve the 2009-2010 Indoor Entertainment Permit Renewals for Green Room, Manhattan Pizza and Souza

6.29. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (9/11/09):

Scuffer Steak and Ale House @BED Parking Lot, Friday, September 11, 2009, 6 p.m. – 11 p.m.,  
Art Hop Rotary Club Fundraiser, Band playing from 8 pm to 11 pm under tent

\*waive the reading, accept the communication, place it on file and ratify the Special Event Outdoor Entertainment Permit Application for the Scuffer Steak and Ale House

6.30. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (9/12/09):

Scuffer Steak and Ale House @BED Parking Lot, Saturday, September 12, 2009, 5 p.m. – 11 p.m.,  
Art Hop Fashion Show, Dancing, DJ spinning music from 5 p.m. – 11 p.m. under tent

\*waive the reading, accept the communication, place it on file and ratify the Special Event Outdoor Entertainment Permit Application for the Scuffer Steak and Ale House

6.31. COMMUNICATION: Brian Pine, Assistant Director for Housing, CEDO, re: Champlain  
Housing Trust (CHT) evaluation: *Lands in Trust, Homes That Last*

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

6.32. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for  
August 10, 2009

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

6.33. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for  
August 24, 2009

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

6.34. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for  
August 31, 2009

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