

****** CITY COUNCIL WORKSESSION ******
CITY HALL, CONFERENCE ROOM 12
MONDAY, DECEMBER 14, 2009
5:00 P.M. TO 7:00 P.M.

1. AGENDA
2. PRESENTATION: Moran Redevelopment Finances (including discussion of New Markets Tax Credits and Tax Increment Financing)
3. COMMUNICATION: CEDO, re: Moran Tenant Negotiations (oral)

*** * * * EXPECTED EXECUTIVE SESSION * * * ***
4. COMMUNICATION: Bill Ellis, Esq., re: Confidential Report on Negotiations with the Public Service Department (oral)

*** * * * EXPECTED EXECUTIVE SESSION * * * ***
5. ADJOURNMENT

DELIBERATIVE AGENDA

LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, CITY HALL
MONDAY, DECEMBER 14, 2009
7:15 P.M.

1. AGENDA
2. CONSENT AGENDA
 - 2.01. EXTENSION OF HOURS AND SERVICE (**one day only**):

Benjy Adler, Owner, The Skinny Pancake, 60 Lake Street, Thursday, New Year's Eve
*waive the reading, accept the communication, place it on file, approve the extension of hours and service for The Skinny Pancake for New Year's Eve only
3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (**2009-2010**):

Saint Nicholas, LLC, d/b/a Sky Burgers, 161 Church Street
4. ADJOURNMENT

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 December 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, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).

ADJOURNED MEETING, CITY COUNCIL
MONDAY, DECEMBER 14, 2009

1. AGENDA
2. PUBLIC FORUM (Time Certain: 7:30 p.m.)
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: Clem Nilan, General Manager, City Market/Onion River Co-op, re: City Market Update (up to 10 mins.)
8. COMMUNICATION: Tom Buckley, BED & Larry Kupferman, CEDO, re: Establishment of a Clean Energy Assessment District (up to 10 mins.)
 - 8.01. RESOLUTION: March 2, 2010 Annual City Meeting—Referendum Re Clean Energy Assessment District (Councilors Paul, Keogh, Caldwell: Transportation, Energy, Utilities Committee) (up to 10 mins.)
9. RESOLUTION: AIDS Awareness and Blood Safety on World AIDS Day (Councilors Mulvaney-Stanak, Davis, Caldwell, Paul, Adrian, Berezniak, Bushor, Keogh, Kaplan) (up to 3 mins.)
10. RESOLUTION: Moran Plant Project – Responsible Contracting (Councilor Mulvaney-Stanak) (up to 5 mins.)
11. RESOLUTION: Supplemental Budget Resolution #2010-03 Payments in Lieu of Taxes/ BT Connectivity Services (Board of Finance) (up to 15 mins.)
12. RESOLUTION: Policies for the Audit, Management Letter and Response to Management Letter (Councilor Paul) (up to 15 mins.)
13. RESOLUTION: Burlington Telecom – Request for Proposal to Refinance Burlington Telecom’s Debt (Councilors Adrian, Berezniak, Kehoe, Decelles) (up to 30 mins.)
14. RESOLUTION: Appointment of Blue Ribbon Committee to Recommend External Consultant (s) on Burlington Telecom Viability, Finance Structure Options and to Serve as Liaison to the Council on Litigation Pending Before the Public Service Board (Councilors Shannon and Kehoe)
15. RESOLUTION: Power of the Chief Administrative Officer (CAO) to Vote on the Board of Finance (Councilors Decelles, Dober, Adrian, Kaplan, Kehoe) (up to 5 mins.)
16. RESOLUTION: Prohibition of Smoking in City Parks, Beaches and the Church Street Marketplace (Councilors Paul, Shannon, Kaplan, Ellis, Kehoe, Adrian) (up to 5 mins. for both)

16.01. ORDINANCE: HEALTH – Smoking in City Parks, Beaches and Church Street Marketplace (Councilor Paul) ***Proposed action: consider this the 1st reading and refer to the Ordinance Committee**

17. ADJOURNMENT

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, DECEMBER 14, 2009

1. AGENDA

2. CONSENT AGENDA

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: Board for Registration of Voters (Term expires 6/30/13)

4. ADJOURNMENT

CONSENT AGENDA

ADJOURNED MEETING, CITY COUNCIL
MONDAY, DECEMBER 14, 2009

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

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

6.02. RESOLUTION: Supplemental Budget Resolution #2010-02 Appropriation Changes to Assessor's Budget Program #107014 (Board of Finance)

*waive the reading and adopt the resolution

6.03. RESOLUTION: Authorization for Land Purchases and Relocation Services in Anticipation of AIP Grant Funds for Burlington International Airport (Board of Finance)

*waive the reading and adopt the resolution

6.04. RESOLUTION: Authorization for Land Purchase and Relocation Services Included in Airport Improvement Program Grant AIP-74 for Burlington International Airport (Board of Finance)

*waive the reading and adopt the resolution

6.05. RESOLUTION: Appointment of Ward Six Ward Clerk (Councilors Kehoe, Paul)

*waive the reading and adopt the resolution

6.06. RESOLUTION: Supplemental Budget Resolution #2010-4 Planning & Zoning Flood Insurance Rate Map (Board of Finance)

*waive the reading and adopt the resolution

6.07. RESOLUTION: Supplemental Budget Resolution #2010-5 Community Development Specialist Position Transfer to Police Department (Board of Finance)

*waive the reading and adopt the resolution

- 6.08. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for June 15, 2009
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2009 City Council Meeting
- 6.09. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: City Council Minutes for June 22, 2009
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2009 City Council Meeting
- 6.10. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council Meeting of July 13, 2009
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2009 City Council Meeting
- 6.11. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Sue Trainor, Assistant to the CAO, Minutes, City Council Meeting, August 10, 2009
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the December 7, 2009 City Council Meeting
- 6.12. COMMUNICATION: Bob Kiss, Mayor, re: BT Action Items—Letter of Intent Agreement Piper Jaffray(**distributed at the December 3, 2009 Special City Council Meeting**)
*waive the reading, accept the communication and place it on file
- 6.13. COMMUNICATION: Bob Kiss, Mayor, re: BT Action Items—Authorization to Pursue Burlington Telecom Financing and Appointment of an Ad-Hoc Committee to Recommend External Consultant(s) on The Burlington Telecom Refinancing Proposal and to Serve as Liaison to the Council on Litigation Pending before the Public Service Board Resolutions (**distributed at the December 7, 2009 City Council Meeting**)
*waive the reading, accept the communication and place it on file
- 6.14. COMMUNICATION: Amber Thibeault, Contract and Governmental Affairs Specialist, Burlington Telecom, re: Federal Communications Commission (FCC) Petitions and CPG Compliance (**distributed at the December 7, 2009 City Council Meeting**)
*waive the reading, accept the communication and place it on file
- 6.15. COMMUNICATION: Lieutenant Kristian Carlson, Unit Supervisor, Burlington Police Department, Street Crimes Unit (SCU), re: Operational Overview *Six Month Executive Summary May-October 2009*
*waive the reading, accept the communication and place it on file
- 6.16. COMMUNICATION: Karen Paul, Ward Six Councilor, re: Farmers Market Expansion Resolution (**distributed at the December 7, 2009 City Council Meeting**)
*waive the reading, accept the communication and place it on file
- 6.17. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance December 7, 2009 Minutes of Meeting
*waive the reading, accept the communication and place it on file

6.18. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Open Government – Dept. of Planning and Zoning Resolution

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

6.19. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Open Government Committee Report – Dept. of Planning and Zoning Update

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

6.20. COMMUNICATION: Karen Lafayette & Erhard Mahnke, Legislative Liaisons, re: 2009 Burlington Legislative Review

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

6.21. COMMUNICATION: Benjy Adler, Owner, The Skinny Pancake, re: New Year's Eve Request-Dancing-

(See Local Control Commission consent agenda item 2.01)

*waive the reading, accept the communication, place it on file and approve the New Year's Eve Request for dancing at the Skinny Pancake—no more than 46 people at one time in the establishment—