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**DELIBERATIVE AGENDA**  
**CITY COUNCIL WORKSESSION**  
**CONFERENCE ROOM 12, CITY HALL**  
**MONDAY, JUNE 7, 2010**  
**6:00 P.M. – 7:00 P.M.**

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1. AGENDA
2. COMMUNICATION: Ken Schatz, City Attorney, re: Litigation (oral)  

\* \* \* \* **EXPECTED EXECUTIVE SESSION** \* \* \* \*
3. COMMUNICATION: Joseph E. McNeil, Esq., re: Collective Bargaining (oral)  

\* \* \* \* **EXPECTED EXECUTIVE SESSION** \* \* \* \*
4. ADJOURNMENT

**LOCAL CONTROL COMMISSION**  
**CONTOIS AUDITORIUM, CITY HALL**  
**MONDAY, JUNE 7, 2010**  
**7:00 P.M.**

1. AGENDA
2. CONSENT AGENDA
  - 2.01. COMMUNICATION: Jessica Frank, Executive Secretary, re: Local Control Sub-Committee/City Council License Committee Minutes for May 5, 2010  
\*waive the reading, accept the communication and place it on file
  - 2.02. COMMUNICATION: Jessica Frank, Executive Secretary, re: Local Control Sub-Committee/City Council License Committee Minutes for May 19, 2010  
\*waive the reading, accept the communication and place it on file
  - 2.03. APPLICATION FOR SPECIAL EVENT PERMIT (**July 16 and 17, 2010**):  

Vermont Brewers Association, d/b/a Vermont Brewers Festival, Waterfront Park,  
July 16 and 17, 2010, Three Sessions

\*waive the reading, accept the communication, place it on file and approve the  
application for special event permit for the Vermont Brewers Festival, July 16 and  
17, 2010

*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 June 9, 2010 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).*

- 2.04. COMMUNICATION: Ron Redmond, Executive Director, Church Street Marketplace District, re: Sidewalk Café Expansion for Asiana Noodle Shop, Halvorson's Upstreet Café, Leunig's Bistro, RiRa Burlington & Three Tomatoes Trattoria

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

- 2.05. EXPANSION OF OUTSIDE CONSUMPTION PERMITS FOR CERTAIN DATES ONLY:  
Asiana Noodle Shop, Halvorson's Upstreet Café, Leunig's Bistro, RiRa Burlington & Three Tomatoes Trattoria

\*waive the readings, accept the communications, place them on file and approve the outside consumption permit expansions for the above-mentioned establishments, certain dates only

3. ADJOURNMENT

**ANNUAL MEETING, CITY COUNCIL**  
**MONDAY, JUNE 7, 2010**

1. AGENDA

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

3. CONSENT AGENDA

4. PUBLIC HEARING: Allocation Method and Standards for CSM Common Area Fees for Fiscal Year 2011

- 4.01. RESOLUTION: Allocation Method and Standards for Common Area Fees of the Church Street Marketplace for Fiscal Year 2011 (Councilor Shannon)

- 4.02. COMMUNICATION: Clerk/Treasurer's Office, re: Public Hearing Notice for CSM Common Area Fees

5. RESOLUTION: The Election of a Mayor by Majority of Voters (Councilors Shannon, Kehoe)

6. RESOLUTION: Necessary Improvements to the Burlington Waterfront Bikepath (Councilor Wright)

7. RESOLUTION: Establishing the Downtown Tax Increment Financing District and Authorization to Make Application to the Vermont Economic Progress Council for Approval (Community Development and Neighborhood Revitalization Committee: Councilors Berezniak, Mulvaney-Stanak, Adrian)

- 7.01. COMMUNICATION: Larry Kupferman, CEDO Director, re: Downtown Tax Increment Financing (TIF) district application and resolution

8. COMMUNICATION: Mayor Bob Kiss, re: Mayoral Appointments for 2010-2011
- |       |   |                         |
|-------|---|-------------------------|
| 8.01. | Director of Aviation, Burlington International Airport: | Brian Searles           |
| 8.02. | Chief Administrative Officer:                           | Jonathan Leopold        |
| 8.03. | Executive Director, Church Street Marketplace:          | Ron Redmond             |
| 8.04. | City Arts Director:                                     | Doreen Kraft            |
| 8.05. | City Attorney:  | Kenneth Schatz          |
| 8.06. | Senior Assistant City Attorney:                         | Eugene Bergman          |
| 8.07. | Assistant City Attorney:                                | Nikki Fuller            |
| 8.08. | Assistant City Attorney:                                | Richard Haesler         |
| 8.09. | Assistant City Attorney:                                | Kimberlee J. Sturtevant |
| 8.10. | Director, Community & Economic Development:             | Larry Kupferman         |
| 8.11. | General Manager, Burlington Electric Department:        | Barbara L. Grimes       |
| 8.12. | Chief, Burlington Fire Department:                      | Michael O'Neil          |
| 8.13. | Co-Director, Fletcher Free Library:                     | Amber Collins           |
| 8.14. | Co-Director, Fletcher Free Library:                     | Robert Coleburn         |
| 8.15. | Co-Director, Fletcher Free Library:                     | Robert Resnik           |
| 8.16. | Chief, Burlington Police Department:                    | Michael Schirling       |
| 8.17. | Director, Department of Parks and Recreation:           | Mari Steinbach          |
| 8.18. | Director, Department of Public Works:                   | Steven Goodkind         |
| 8.19. | City Constable:   | Eugene Bergman          |
| 8.20. | Second Constable:                                       | Gordon H. Gilbert       |
| 8.21. | City Grand Juror:                                       | Eugene Bergman          |
| 8.22. | Assistant Grand Juror:                                  | Kenneth Schatz          |
| 8.23. | Assistant Grand Juror:                                  | Nikki Fuller            |
| 8.24. | Assistant Grand Juror:                                  | Richard Haesler         |
| 8.25. | Assistant Grand Juror:                                  | Kimberlee J. Sturtevant |
| 8.26. | Superintendent, Cemetery Department:                    | Mari Steinbach          |
| 8.27. | Emergency Management/Civil Defense Director:            | Michael O'Neil          |
| 8.28. | City Engineer and Surveyor:                             | Steven Goodkind         |
| 8.29. | Harbor Master:  | Mari Steinbach          |
| 8.30. | Pound Keeper:   | Walt Decker             |

**City Council Appointments**

9. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/Boards
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|-------|----------------|---|
| 9.01. | COMMUNICATION: | Clerk/Treasurer's Office, re: 2010 Board/Commission Application Listing (By Board/Commission) |
| 9.02. | COMMUNICATION: | Amy Jewell, Administrative Manager, CSWD, re: Appointment/Terms of Office                     |
| 9.03. | COMMUNICATION: | Board and Commission Negotiating Team, re: 2010 Commission/Board Worksheet (CC)               |
| 9.04. | APPOINTMENT:   | CCMPO (Term expires 6/30/12)  |
| 9.05. | APPOINTMENT:   | CCMPO-Alternate (Term expires 6/30/12)  |
| 9.06. | APPOINTMENT:   | CCTA (Term expires 6/30/13)   |
| 9.07. | APPOINTMENT:   | CSWD (Term expires 5/31/12)   |

- 9.08. APPOINTMENT: CSWD-Alternate (Term expires 5/31/12)
- 9.09. APPOINTMENT: Conservation Board (Term expires 6/30/14)
- 9.10. APPOINTMENT: Fence Viewer (Term expires 6/30/11)
- 9.11. APPOINTMENT: Fence Viewer (Term expires 6/30/11)
- 9.12. APPOINTMENT: Telecommunications Advisory Comm. (Term expires 6/30/13)
- 10. REPORT: Burlington International Airport Board of Commissioners, re: Commission Annual Report, FY-2010
- 11. REPORT: Jerome F. O'Neill, Board of Police Commissioners, Annual Report of the Burlington Police Commission to the Burlington City Council June 2009 through May 2010
- 12. REPORT: Telecommunications Advisory Committee
- 13. COMMITTEE REPORTS (5 mins.)
- 14. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)
- 15. COMMUNICATION: Mayor Kiss, re: General City Affairs (oral)(5 mins.)
- 16. ADJOURNMENT

**BOARD OF CIVIL AUTHORITY**  
**MONDAY, JUNE 7, 2010**

- 1. AGENDA
- 2. CONSENT AGENDA
- 3. RESOLUTION: Designation of Polling Place for Ward 3 (Councilors Mulvaney-Stanak, Caldwell)
- 4. ADJOURNMENT

**CITY COUNCIL WITH MAYOR PRESIDING**  
**MONDAY, JUNE 7, 2010**

- 1. AGENDA
- 2. CONSENT AGENDA
- 2.01. COMMUNICATION: Bruce E. Bourgois, Deputy Chief, Burlington Fire Department, RE: LISTING OF FIRE WARDENS TO BE APPOINTED AT THE JUNE MEETING OF THE CITY COUNCIL

\*waive the reading, accept the communication, place it on file and appoint the current list of Fire Wardens with the term expiration date of June 30, 2011

2.02. COMMUNICATION: Charles Baker, Executive Director, CCRPC, re: Appointments  
\*waive the reading, accept the communication, place it on file and re-appoint William N. Aswad  
as the CCRPC Representative and re-advertise the CCRPC Alternate Representative

2.03. COMMUNICATION: Board and Commission Negotiating Team, re: 2010  
Commission/Board Worksheet (CCM)  
\*waive the reading, accept the communication and place it on file

3. APPOINTMENT: Airport Commission (Term expires 6/30/14)
4. APPOINTMENT: CCRPC-Representative (Term expires 7/31/12)
5. APPOINTMENT: Cemetery Commission (Term expires 6/30/13)
6. APPOINTMENT: Cemetery Commission (Term expires 6/30/13)
7. APPOINTMENT: Electric Light Commission (Term expires 6/30/11)
8. APPOINTMENT: Electric Light Commission (Term expires 6/30/13)
9. APPOINTMENT: Electric Light Commission (Term expires 6/30/13)
10. APPOINTMENT: Fire Commission (Term expires 6/30/13)
11. APPOINTMENT: Fire Commission (Term expires 6/30/13)
12. APPOINTMENT: Board of Health (Term expires 6/30/13)
13. APPOINTMENT: Board of Health (Term expires 6/30/13)
14. APPOINTMENT: Library Commission (Term expires 6/30/13)
15. APPOINTMENT: Parks & Recreation Commission (Term expires 6/30/13)
16. APPOINTMENT: Parks & Recreation Commission (Term expires 6/30/13)
17. APPOINTMENT: Police Commission (Term expires 6/30/13)
18. APPOINTMENT: Police Commission (Term expires 6/30/13)
19. APPOINTMENT: Public Works Commission (Term expires 6/30/13)
20. APPOINTMENT: Public Works Commission (Term expires 6/30/13)
21. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/13)
22. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/13)
23. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/15)
24. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/15)
25. ADJOURNMENT

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**CONSENT AGENDA**

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**ANNUAL MEETING, CITY COUNCIL**

**MONDAY, JUNE 7, 2010**

- 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. COMMUNICATION: Larry Kupferman, CEDO Director, re: Lease with Chittenden Solid  
Waste District **(this item will be voted on at the 6/3/10 BOF meeting)**  
\*waive the reading, accept the communication and place it on file
- 3.03. RESOLUTION: Lease Agreement with CSWD (Board of Finance) **(this item will be  
voted on at the 6/3/10 BOF meeting)**  
\*waive the reading and adopt the resolution
- 3.04. RESOLUTION: Resolution Relating to General Obligation Bonds for Public  
Improvements for City Fire Department (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.05. COMMUNICATION: Bruce Seifer, Assistant Director for Economic Development, CEDO,  
Re: Jobs and People IV: Towards a Sustainable Economy, Nancy Brooks  
& Richard Schramm, April 2010  
\*waive the reading, accept the communication and place it on file
- 3.06. COMMUNICATION: Sue Trainor, Assistant to the CAO, re: Minutes, Special City Council,  
December 3, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the  
May 17, 2010 City Council Meeting
- 3.07. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed  
Municipal Development Plan Amendment: **MDP-10-01 Burlington  
Transportation Plan**  
\*waive the reading, accept the communication, place it on file and warn a public hearing for the July 12,  
2010 City Council Meeting
- 3.08. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re: Proposed  
Zoning Amendment: ZA-10-08 Special Flood Hazard Area Regulations  
Update  
\*consider 1<sup>st</sup> reading and refer to the Ordinance Committee
- 3.09. COMMUNICATION: Jean Poulin, Customer Service Associate, re: Dogs Unlicensed for 2010  
\*waive the reading, accept the communication and place it on file
- 3.10. COMMUNICATION: Patricia Braine, Board Member, Board for Registration of Voters, re:  
Resignation  
\*waive the reading, accept the communication, place it on file, advertise the vacancy and send Patricia  
Braine a letter of appreciation thanking her for her time served on the Board for Registration of Voters
- 3.11. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue  
Trainor, Assistant to the CAO, re: Minutes, City Council for December  
7, 2009  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the June 14, 2010  
City Council Meeting

- 3.12. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for December 14, 2009

\*waive the reading, accept the communication, place it on file and adopt the minutes at the June 14, 2010 City Council Meeting

- 3.13. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (**one day only**):

One Half, Inc., d/b/a Bevo, Waterfront Park, Saturday, June 26, 2010, 11:00 a.m. – 8:00 p.m., Burlington Food & Wine Fest, Band, No dancing

\*waive the reading, accept the communication, place it on file and approve the Special Event Outdoor Entertainment Permit Application for One Half, Inc., d/b/a Bevo, for one day only

- 3.14. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (**one day only**):

MPW Enterprises LLC, d/b/a The Scuffer Steak and Ale House, Firehouse Gallery Patio in City Hall Park, Wednesday, June 9, 2010, 6:00 p.m. – 9:00 p.m., Birthday Party, Three/Four Piece Band, No dancing

\*waive the reading, accept the communication, place it on file and approve the Special Event Outdoor Entertainment Permit Application for MPW Enterprises LLC, d/b/a The Scuffer Steak and Ale House, for one day only

- 3.15. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (**Jazzfest only**):

Miguels on Main, 30 Main Street, June 4<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> only, 7:00 p.m. – 10:00 p.m., Jazz-based music, No dancing

\*waive the reading, accept the communication, place it on file and approve the Special Event Outdoor Entertainment Permit Application for Miguels on Main for five days only

- 3.16. COMMUNICATION: Church Street Marketplace District Commission, re: Ron Redmond's Reappointment as Executive Director of the Church Street Marketplace District

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