
DELIBERATIVE AGENDA

LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, CITY HALL
MONDAY, AUGUST 9, 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 April 22, 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 July 7, 2010
*waive the reading, accept the communication and place it on file
 - 2.03. APPLICATION FOR SPECIAL EVENT PERMIT (**August 13-15, 2010**):

Saxtons River Distillery, LLC, at Waterfront Park—part of the Lake Champlain Maritime Museum Event, August 13 through 15, 2010, 10 a.m. to 6:30 p.m.
*waive the reading, accept the communication, place it on file and approve the Application for Special Event Permit for Saxtons River Distillery, LLC for three days only
3. SECOND CLASS STORE LIQUOR LICENSE APPLICATION (**2010-2011**):

Third Place Inc., d/b/a American Flatbread, 115 St. Paul Street
4. STIPULATED PROPOSED FINDINGS, CONCLUSIONS OF LAW & ORDER:

JD Mikes LLC, d/b/a Mr. Mike's Pizza, 206 Main Street
 - 4.01. FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWAL (**2010-2011**):

JD Mikes LLC, d/b/a Mr. Mike's Pizza, 206 Main Street
5. 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 June 30, 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 Scott Scradar, Assistant CAO for Administration and Management (865-7140) or Lori Olberg, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).

REGULAR MEETING, CITY COUNCIL
MONDAY, AUGUST 9, 2010

1. AGENDA
2. PUBLIC FORUM (Time Certain: 7:30 p.m.)
3. CONSENT AGENDA
4. PUBLIC HEARING: COMPREHENSIVE DEVELOPMENT ORDINANCE:
ZA-10-07b Pine and Flynn NMU Shared Use Parking District
 - 4.01. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—
Pine and Flynn NMU Shared Use Parking District #ZA 10-07b
(Planning & Zoning Dept. & Ordinance Committee)(1st reading:
Proposed action: to suspend the rules and place in all stages of
Passage)
 - 4.02. COMMUNICATION: Public Hearing Notice-Burlington Comprehensive Development
Ordinance: ZA-10-07b Pine and Flynn NMU Shared Use
Parking District
5. PUBLIC HEARING: MDP-10-01 Transportation Plan
6. PRESENTATION: David E. White, AICP, Director of Planning and Zoning, re:
Downtown and Waterfront Master Plan
 - 6.01. RESOLUTION: Supplemental Budget Resolution #2011-02 HUD Grant &
Budget Amendment for Downtown Planning Activities
(Board of Finance)
 - 6.02. COMMUNICATION: David E. White, AICP, Director of Planning & Zoning, re:
Downtown and Waterfront Master Plan, HUD Community
Challenge Planning Grant
 - 6.03. COMMUNICATION: City of Burlington Downtown & Waterfront Plan Study Area
7. PRESENTATION: Ed Antczak, CEDO, Stephanie Hainley and David G. White of White
+ Burke Real Estate Investment Advisors, Inc., re: Downtown TIF
District Plan
 - 7.01. PUBLIC HEARING: Downtown TIF District Plan
 - 7.02. RESOLUTION: Approving the Downtown Tax Increment Financing District
Plan and Making a Finding as to the Purpose of the District
(Councilors Adrian, Berezniak, Mulvaney-Stanak: Community
Development & Neighborhood Revitalization Committee)
 - 7.03. COMMUNICATION: Proposed Tax Increment Financing District Downtown
Burlington
8. APPOINTMENT: Development Review Board (Alternate)(Term expires 6/30/11)
9. INDOOR ENTERTAINMENT PERMIT RENEWAL (2010-2011):

JD Mikes LLC, d/b/a Mr. Mike's Pizza, 206 Main Street

10. ORDINANCE: OFFENSES AND MISCELLANEOUS PROVISIONS Re Fletcher Free Library Ordinance (Fletcher Free Library & Ordinance Committee) (2nd reading)
11. RESOLUTION: Creation of a Pilot Program re Maintaining a Pedestrian Right of Way In the Inner City Fire District (Councilors Shannon, Bushor, Kranichfeld: Ordinance Committee)
12. RESOLUTION: Approval of Power Purchase Agreement with H.Q. Energy Services (U.S.) Inc. (Board of Finance)
 - 12.01. COMMUNICATION: William F. Ellis, Esq., Law Offices McNeil, Leddy & Sheahan, re: Burlington Electric Department Contract with HQUS
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, AUGUST 9, 2010

1. AGENDA
2. RESOLUTION: Appointment of Acting Justice of the Peace (Councilor Keogh)
3. ADJOURNMENT

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, AUGUST 9, 2010

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: Design Advisory Board (Term expires 6/30/13)
4. APPOINTMENT: Library Commission (Term expires 6/30/13)
5. ADJOURNMENT

CONSENT AGENDA

REGULAR MEETING, CITY COUNCIL

MONDAY, AUGUST 9, 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: Mari Steinbach, Director, Department of Parks and Recreation, re:
Cemetery Ordinance Revisions
*waive the reading, accept the communication, place it on file and send a copy to the Ordinance
Committee
- 3.03. ORDINANCE: CEMETERIES (Cemetery Commission)
*consider this first reading and refer to the Ordinance Committee
- 3.04. RESOLUTION: Honoring The Memory of Lieutenant Steven N. “Vinny” Costello
(Full City Council)
*waive the reading and adopt the resolution
- 3.05. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and
Chairs on a Portion of the City’s Right-of-way with Manhattan Pizza
(License Committee: Dober, Berezniak, Mulvaney-Stanak)
*waive the reading and adopt the resolution
- 3.06. RESOLUTION: Authorization for a Cost of Living Adjustment for Non-union Employees
(Board of Finance)
*waive the reading and adopt the resolution
- 3.07. COMMUNICATION: Patrick Buteau, Asst. Director, Parking & Fleet Services, DPW, re:
Award of College Street Parking Garage Phase II Repairs
*waive the reading, accept the communication and place it on file
- 3.08. RESOLUTION: Award of College Street (Hilton) Parking Garage Phase II Repairs
(Board of Finance)
*waive the reading and adopt the resolution
- 3.09. RESOLUTION: Recategorization of the Community Development Specialist for VISTA
Position from Regular Full Time to Limited Service Part Time (Board of
Finance)
*waive the reading and adopt the resolution
- 3.10. RESOLUTION: Procurement of Road Salt for Fiscal Year 2011 (Board of Finance)
*waive the reading and adopt the resolution
- 3.11. RESOLUTION: Appointment of Ward Six Inspector of Election (Councilor Paul)
*waive the reading and adopt the resolution
- 3.12. RESOLUTION: Approving Collection of Attorneys Fees for the Preparation for and
Conduct of Tax Sales (Board of Finance)
*waive the reading and adopt the resolution
- 3.13. COMMUNICATION: Bob Kiss, Mayor to Charlie Baker, Executive Director, CCRPC, re:
Letter of Commitment – HUD Sustainable Communities Regional

Planning Grant

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

- 3.14. RESOLUTION: Authorization to Submit Letter of Commitment to Join Regional Consortium of Municipalities & Planning Organizations re Application for HUD Sustainable Communities Regional Planning Grant (Councilors Berezniak, Adrian, Mulvaney-Stanak: Community Development & Neighborhood Revitalization Committee)

*waive the reading and adopt the resolution

- 3.15. RESOLUTION: Creation of a Classified Limited Service Full Time Position – Burlington Parks and Recreation – Waterfront Coordinator (Board of Finance)

*waive the reading and adopt the resolution

- 3.16. RESOLUTION: Authorization to Purchase Replacement for the 1994 Sludge Tanker Truck (Board of Finance)

*waive the reading and adopt the resolution

- 3.17. RESOLUTION: Authorization of Burlington Electric Department for Renewal of Contract for Property/Boiler and Machinery Insurance (Board of Finance)

*waive the reading and adopt the resolution

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

*waive the reading and adopt the resolution

- 3.19. RESOLUTION: Authorization of Assistant Chief Administrative Officers to be Delegated Authority By Chief Administrative Officer (Board of Finance)

*waive the reading and adopt the resolution

- 3.20. RESOLUTION: Reclassification of CEDO Lead Program Coordinator Position (Board of Finance)

*waive the reading and adopt the resolution

- 3.21. RESOLUTION: Champlain College's Proposal to Acquire or Lease Property at 175 Lakeside Avenue (Councilors Paul; Berezniak, Adrian, Mulvaney-Stanak: Community Development & Neighborhood Revitalization Committee)

- 3.22. RESOLUTION: Supplemental Budget Resolution #2010-12 General Fund Accounts Amendments for Step Increase and Cost of Living Adjustments (Board of Finance)

*waive the reading and adopt the resolution

- 3.23. COMMUNICATION: Erin Demers, Project Manager, re: Lower Church Street and St. Paul Street Improvements STP 5000 (16) Bid Results and Contract Award

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

- 3.24. RESOLUTION: Lower Church Street & St. Paul Street Improvements STP 5000(16) Earmark Project (Board of Finance) (**material to be sent under separate cover**)

*waive the reading and adopt the resolution

- 3.25. COMMUNICATION: Mari Steinbach, Director, Department of Parks and Recreation, re: Equipment Purchase – “D” Dock
*waive the reading, accept the communication and place it on file
- 3.26. RESOLUTION: Authorization for Execution of Contract with the Dock Doctors re: Replacement of “D” Dock (Board of Finance)
*waive the reading and adopt the resolution
- 3.27. COMMUNICATION: Mari Steinbach, Director, Department of Parks and Recreation, re: Equipment Purchase – Harbormaster Boat
*waive the reading, accept the communication and place it on file
- 3.28. RESOLUTION: Authorization for Execution of Contract with Workskiff for the Purchase of a “Harbormaster” Boat (Board of Finance)
*waive the reading and adopt the resolution
- 3.29. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Sue Trainor, Assistant to the CAO, re: Minutes, City Council for February 8, 2010
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the July 12, 2010 City Council Meeting
- 3.30. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Sue Trainor, Assistant to the CAO, re: Minutes, City Council for February 11, 2010
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the July 12, 2010 City Council Meeting
- 3.31. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Sue Trainor, Assistant to the CAO, re: Minutes, City Council for March 8, 2010
*waive the reading, accept the communication, place it on file and adopt the minutes at the September 13, 2010 City Council Meeting
- 3.32. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Sue Trainor, Assistant to the CAO, re: Minutes, City Council for March 22, 2010
*waive the reading, accept the communication, place it on file and adopt the minutes at the September 13, 2010 City Council Meeting
- 3.33. COMMUNICATION: Mark L. Boucher, South Burlington City Council, Chair to Mr. William Keogh, Burlington City Council President, re: Inter-staff cooperation to abate airport noise
*waive the reading, accept the communication, place it on file and send copies to the Airport Commission Members
- 3.34. COMMUNICATION: Sanford Miller, President VLCT Board of Directors, VLCT, re: Voting Delegates at the VLCT Annual Business Meeting
*waive the reading, accept the communication, place it on file and designate Mayor Bob Kiss at the Voting Delegate at the 2010 Annual Business Meeting
- 3.35. COMMUNICATION: Larry Kupferman, CEDO Director, re: Moran Center Project: Blue Ribbon Committee Report Synopsis & Implementation Plan
*waive the reading, accept the communication and place it on file
- 3.36. COMMUNICATION: Ute Regan, 46 Chittenden Drive, re: Ownership of Chittenden Drive
*waive the reading, accept the communication and place it on file

- 3.37. COMMUNICATION: Robyn Miller, Member, Cemetery Commission, re: Resignation
*waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Robyn Miller thanking for her time served on the Cemetery Commission
- 3.38. COMMUNICATION: Holly Sullivan, Executive Director, Champlain Senior Center to Mayor Bob Kiss, re: Thank you for FY 2010 – 2011 Funding
*waive the reading, accept the communication and place it on file
- 3.39. COMMUNICATION: Mari Steinbach, Director, Department of Parks and Recreation, re: City Council Parks Passes
*waive the reading, accept the communication and place it on file
- 3.40. REPORT: Fletcher Free Library 2010 Commissioner's Report
*waive the reading, accept the report and place it on file
- 3.41. COMMUNICATION: Patricia J. Crowley, Clerk/Burlington Electric Commission, re: Generation Interconnection Agreement (Leunigs)
*waive the reading, accept the communication and place it on file
- 3.42. COMMUNICATION: Steven Goodkind, DPW Director, re: Permit to Remove Dead Bodies
*waive the reading, accept the communication and place it on file
- 3.43. REPORT: Chittenden County Metropolitan Planning Organization Update for the Burlington City Council June 2010
*waive the reading, accept the report and place it on file
- 3.44. COMMUNICATION: Felicia Martineau, Property Valuation and Review Division, State of Vermont Department of Taxes to Edward Lamos, 137 Bluebird Drive, Colchester, VT 05446, re: Edward Lamos v. City of Burlington (PVR 2008-185)
*waive the reading, accept the communication and place it on file
- 3.45. COMMUNICATION: Felicia Martineau, Property Valuation and Review Division, State of Vermont Department of Taxes to Catherine Gattone, Docket Clerk, Vermont Supreme Court, re: Edward Lamos v. City of Burlington (PVR 2008-185)
*waive the reading, accept the communication and place it on file
- 3.46. COMMUNICATION: Carol Weston, PE, Department of Public Works, re: Champlain Parkway Public Process Update
*waive the reading, accept the communication and place it on file
- 3.47. UMBRELLA ENTERTAINMENT PERMIT APPLICATION (**two days only**):

South End Arts and Business Association, September 10, 2010, 6 p.m. – 11 p.m. and September 11, 2010, 9 a.m. – 11 p.m., Parking Lot behind the Maltex Building and Various Entities around the South End, Various Types of Music, Dancing
*waive the reading, accept the communication, place it on file and approve the Umbrella Entertainment Permit Application for two days only
- 3.48. COMMUNICATION: Doreen Kraft, Executive Director, Burlington City Arts, re: Resolution Requesting City-wide Arts Plan including request for South End Arts District
*waive the reading, accept the communication and place it on file

3.49. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for
August 2, 2010

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

3.50. RESOLUTION: Supplemental Budget Resolution #2011-13 Burlington Telecom
Reorganization (Board of Finance)

*waive the reading and adopt the resolution