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**DELIBERATIVE AGENDA**  
**LOCAL CONTROL COMMISSION**  
**CONTOIS AUDITORIUM, CITY HALL**  
**MONDAY, SEPTEMBER 13, 2010**  
**7:00 P.M.**

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1. AGENDA
2. CONSENT AGENDA
  - 2.01. COMMUNICATION: Jessica Frank, Executive Secretary, re: Local Control Sub-committee/City Council License Committee Minutes for August 4, 2010  
\*waive the reading, accept the communication and place it on file
  - 2.02. FIRST CLASS CABARET LIQUOR LICENSE RENEWALS (2010-2011):  
  
Rasputin's  
What Ales You  
  
\*waive the reading, accept the communication, place it on file and approve the 2010-2011 Cabaret Liquor License Renewals for Rasputin's and What Ales You
  - 2.03. FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWALS (2010-2011):  
  
Bangkok Bistro  
Das Bierhaus  
  
\*waive the reading, accept the communication, place it on file and approve the 2010-2011 Restaurant Liquor License Renewals for Bangkok Bistro and Das Bierhaus
  - 2.04. OUTSIDE CONSUMPTION PERMIT RENEWALS (2010-2011):  
  
Bangkok Bistro and Das Bierhaus  
  
\*waive the reading, accept the communication, place it on file and approve the 2010-2011 Outside Consumption Permit Renewals for Bangkok Bistro and Das Bierhaus
  - 2.05. EXPANSION OF OUTSIDE CONSUMPTION PERMIT (one day only):  
  
American Flatbread, 115 St. Paul Street, Thursday, September 23, 2010, 5:00 p.m. – 11:00 p.m., Oktoberfest  
  
\*waive the reading, accept the communication, place it on file and approve the expansion of the outside consumption permit for American Flatbread, Thursday, September 23, 2010, 5:00 p.m. – 11:00 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 15, 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 Schrader, Assistant CAO for Administration and Management (865-7140) or Lori Olberg, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).*

3. OUTSIDE CONSUMPTION PERMIT APPLICATION (2010-2011):

Sky Burgers, 161 Church Street

4. ADJOURNMENT

**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, SEPTEMBER 13, 2010**

1. AGENDA

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

3. CONSENT AGENDA

4. RESOLUTION: Agreements for Purchase of Fire Trucks (Board of Finance)

5. RESOLUTION: YMCA Preschool Program in Miller Center (Councilors Adrian, Kranichfeld, Dober)

6. RESOLUTION: Creation of Burlington Bike Path Task Force (Councilors Wright, Dober, Decelles, Keogh, Bushor, Paul, Mulvaney-Stanak, Kaplan)

7. RESOLUTION: March 1, 2011 Annual City Meeting—Proposed Charter Change Re: Composition of Bd. of Finance (Councilors Decelles, Kehoe, Shannon: Charter Change Committee)

8. RESOLUTION: Supplemental Budget Resolution #2011-05 Burlington Telecom Reorganization, Personnel Classification and Compensation (Board of Finance)

9. ORDINANCE: Bicycle Provisions (Councilors Shannon, Kranichfeld, Bushor: Ordinance Committee; Councilor Paul)(2<sup>nd</sup> reading)

10. COMMUNICATION: Ken Schatz, City Attorney and Gene Bergman, Senior Assistant City Attorney, re: What Constitutes a Legal Majority Needed to Take a Valid Action

11. RESOLUTION: Authorization to Submit Nomination of the Moran Municipal Generating Station to the National Register of Historic Places (Councilors Adrian, Mulvaney-Stanak: Community Development Committee; Kaplan, Kehoe, Paul: Parks, Arts & Culture Committee)

12. COMMITTEE REPORTS (5 mins.)

13. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)

14. COMMUNICATION: Mayor Kiss, re: General City Affairs (oral)(5 mins.)

15. ADJOURNMENT

**BOARD OF CIVIL AUTHORITY**  
**MONDAY, SEPTEMBER 13, 2010**

1. AGENDA
2. RESOLUTION: Designation of Polling Place for Ward 7 (Councilors Dober, Decelles)
3. ADJOURNMENT

**CITY COUNCIL WITH MAYOR PRESIDING**  
**MONDAY, SEPTEMBER 13, 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 6/30/11)
4. APPOINTMENT: Planning Commission (Term expires 6/30/11)
5. ADJOURNMENT

**BOARD OF ABATEMENT OF TAXES**  
**MONDAY, SEPTEMBER 13, 2010**

1. AGENDA
2. CONSENT AGENDA
  - 2.01. COMMUNICATION: Clerk/Treasurer's Office, re: Notice City of Burlington Board of Abatement of Taxes  
\*waive the reading, accept the communication and place it on file
  - 2.02. REQUEST FOR ABATEMENT OF TAXES: Howard Seaver  
95 St. Paul Street, Suite 405  
PPP077927  
\*waive the reading and deny the request for abatement of taxes
  - 2.03. REQUEST FOR ABATEMENT OF TAXES: Lindol M. Atkins, Jr.  
45 Murray Street  
044-1-387-000  
\*waive the reading and deny the request for abatement of taxes
  - 2.04. REQUEST FOR ABATEMENT OF TAXES: After Hours/Men's Wearhouse, Inc.  
Not in Burlington  
PPP256462  
\*waive the reading and abate \$1909.23 Taxes, Penalties & Interest
  - 2.05. REQUEST FOR ABATEMENT OF TAXES: It's Yours  
138 Church Street  
PPP256439

\*waive the reading and abate \$2002.35 Taxes, Penalties & Interest

2.06. REQUEST FOR ABATEMENT OF TAXES: Elizabeth Peter Collins  
25 Lake Forest Drive  
056-3-002-025

\*waive the reading and deny the request for abatement of taxes

2.07. REQUEST FOR ABATEMENT OF TAXES: A & R Development LLC  
189-191 So. Champlain Street  
049-1-042-000

\*waive the reading and grant the request for abatement of taxes

2.08. REQUEST FOR ABATEMENT OF TAXES: Vermont Business Magazine  
2 Church Street  
PPP223170

\*waive the reading and deny the request for abatement of taxes

2.09. REQUEST FOR ABATEMENT OF TAXES: Theresa Ingram, Jean Ingram  
16 Bittersweet Lane  
057-3-052-000

\*waive the reading and deny the request for abatement of taxes

2.10. REQUEST FOR ABATEMENT OF TAXES: Estate of Silas E. Tracy  
Near Tracy Drive  
027-3-088-000

\*waive the reading and abate \$1460.57 Taxes, Penalties & Interest

2.11. REQUEST FOR ABATEMENT OF TAXES: Estate of Wilfred Florence  
Near Staniford Road  
028-1-090-000

\*waive the reading and abate \$6460.01 Taxes, Penalties & Interest

2.12. REQUEST FOR ABATEMENT OF TAXES: Dennis & Jennifer Morehouse  
Vacant rear lot of 161-163 North St.  
044-1-351-000

\*waive the reading and abate \$44,984.11 Taxes, Penalties & Interest; have owner pay agreed amount of \$1,377.79

2.13. REQUEST FOR ABATEMENT OF TAXES: Estate of Elmere Davis  
Near Nash Place  
046-1-043-000

\*waive the reading and abate \$2676.72 Taxes, Penalties & Interest

2.14. REQUEST FOR ABATEMENT OF TAXES: Estate of Elmere Davis  
Near Nash Place  
046-1-053-000

\*waive the reading and abate \$12740.85 Taxes, Penalties & Interest

2.15. REQUEST FOR ABATEMENT OF TAXES: Estate of William Bashaw  
Near Maple Street  
049-2-006-000

\*waive the reading and abate \$7619.62 Taxes, Penalties & Interest

2.16. REQUEST FOR ABATEMENT OF TAXES: Estate of Julia Hynes

Near Spruce Street  
049-4-137-000

\*waive the reading and abate \$12944.38 Taxes, Penalties & Interest

2.17. REQUEST FOR ABATEMENT OF TAXES: Anna L. Farnsworth  
Alfred Terrace (roadway)  
058-1-013-000

\*waive the reading and abate \$6856.83 Taxes, Penalties & Interest

2.18. REQUEST FOR ABATEMENT OF TAXES: Estate of Anna R. Thibault  
Near Pine Street  
060-1-004-000

\*waive the reading and abate \$5087.56 Taxes, Penalties & Interest

2.19. REQUEST FOR ABATEMENT OF TAXES: Intervale Automotive Services  
40 Intervale Road  
PPP256525

\*waive the reading and abate \$594.80 Taxes, Penalties & Interest

2.20. REQUEST FOR ABATEMENT OF TAXES: Shawn & Erika Leblanc  
167 Curtis Avenue  
027-1-037-000

\*waive the reading and deny the request for abatement of taxes

2.21. REQUEST FOR ABATEMENT OF TAXES: Various Uncollectible Bus Pers Prop  
Various  
Various

\*waive the reading and abate \$181,253.92 Taxes, Penalties & Interest

2.22. REQUEST FOR ABATEMENT OF TAXES: Lake Champlain Chocolates  
444 Pine Street  
PPP033069

\*waive the reading and deny the request for abatement of taxes

2.23. REQUEST FOR ABATEMENT OF TAXES: Kalsang GGT  
28 Pomeroy Street  
045-1-141-000

\*waive the reading and deny the request for abatement of taxes

2.24. REQUEST FOR ABATEMENT OF TAXES: Marie Aube Smith, Trustee  
272 Plattsburgh Avenue  
024-1-046-000

\*waive the reading and deny the request for abatement of taxes

2.25. REQUEST FOR ABATEMENT OF TAXES: Frances E. Politi  
10 Crescent Beach Drive  
032-1-033-000

\*waive the reading and abate \$45.91 Penalty

2.26. REQUEST FOR ABATEMENT OF TAXES: Rich Frog Industries  
1 Mill Street  
PPP183034

\*waive the reading and deny the request for abatement of taxes

3. REQUEST FOR ABATEMENT OF TAXES: Bilmar Team Cleaners/Margaret Murray  
150 Shelburne Street  
054-2-028-000
4. REQUEST FOR ABATEMENT OF TAXES: Christopher Whitaker  
322 South Winooski Avenue  
049-4-136-000
5. ADJOURNMENT

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**CONSENT AGENDA**

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**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, SEPTEMBER 13, 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. RESOLUTION: Extending Contract for Service Installation and Repair Work from  
Eustis Cable Enterprises, Ltd. (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.03. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and  
Chairs on a Portion of the City's Right-of-way with Shalimar of India  
(Councilors Dober, Berezniak, Mulvaney-Stanak: License Committee)  
\*waive the reading and adopt the resolution
- 3.04. RESOLUTION: Authorization to Accept Grant for AIP Project Land Purchases for  
Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.05. RESOLUTION: Authorization to Contract for Second Floor Accessibility Upgrade  
Project at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution'
- 3.06. RESOLUTION: Authorization for Land Purchase in Anticipation of AIP Grant Funds  
for Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.07. RESOLUTION: Authorization to Lease Land at Burlington International Airport (Board  
of Finance)  
\*waive the reading and adopt the resolution
- 3.08. RESOLUTION: Authorization for Land Purchases in Anticipation of AIP Grant Funds  
for Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.09. RESOLUTION: Authorization to Lease Space at Burlington International Airport (Board  
of Finance)  
\*waive the reading and adopt the resolution
- 3.10. RESOLUTION: Authorization for Contract Amendments Associated with an American  
Recovery and Reinvestment Act Grant (AIP-75) for Taxiway "C"  
Construction at Burlington International Airport (Board of Finance)  
\*waive the reading and adopt the resolution

- 3.11. RESOLUTION: Amended Approval of Refinancing Certain Tax-Exempt Airport Facility Revenue Bonds by Burlington Community Development Corporation for Refunding and Financing of Some Costs of Certain Airport Facilities (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.12. COMMUNICATION: Steve Goodkind PE and Carol Weston PE, Department of Public Works, re: Champlain Parkway Design Contract Amendment  
\*waive the reading, accept the communication and place it on file
- 3.13. RESOLUTION: Authorization to Amend Champlain Parkway Design Contract (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.14. RESOLUTION: Appointment of Inspectors of Election for Wards Three and Five (Councilors Mulvaney-Stanak, Keogh)  
\*waive the reading and adopt the resolution
- 3.15. RESOLUTION: Authorization to Amend Contract for Development Services for the Moran Redevelopment Project (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.16. COMMUNICATION: Marina Collins, Retirement Administrator, re: Retirement Board Attendance Record  
\*waive the reading, accept the communication and place it on file
- 3.17. COMMUNICATION: Byron T. Murray to Mayor Kiss, re: Thank you: Sister City in Israel: Arad  
\*waive the reading, accept the communication and place it on file
- 3.18. COMMUNICATION: Steven E. Jeffrey, Executive Director, VLCT, re: Draft 2011 VLCT Municipal Policy  
\*waive the reading, accept the communication, place it on file and send a copy to the Mayor's Office for possible comments or recommendations that would be submitted to VLCT
- 3.19. COMMUNICATION: Steven E. Jeffrey, Executive Director, VLCT, re: Candidate Forum Tool Kit  
\*waive the reading, accept the communication and place it on file
- 3.20. COMMUNICATION: Felicia Martineau, Property Valuation and Review Division, State of Vermont, Department of Taxes to Court Reporters Associates, re: Edward Lamos v. City of Burlington (PVR 2008-185) Supreme Court #2010-288  
\*waive the reading, accept the communication and place it on file
- 3.21. COMMUNICATION: Marcia L. Mason, Ward Five Inspector of Elections, re: Resignation  
\*waive the reading, accept the communication, place it on file and send Marcia L. Mason a letter of appreciation thanking her for her years of service as an Inspector of Elections
- 3.22. COMMUNICATION: Bob Bolyard, Ward Three Inspector of Elections, re: Resignation  
\*waive the reading, accept the communication, place it on file and send a letter of appreciation to Bob Bolyard thanking him for his time served as an Inspector of Elections
- 3.23. COMMUNICATION: Richard H. Cate, Vice President for Finance and Administration and

University Treasurer, UVM, re: City of Burlington and University of Vermont Memorandum of Agreement Re: 2009 Zoning Amendments

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

3.24. COMMUNICATION: Sandra O'Flaherty, Member, Design Advisory Board, re: Resignation  
\*waive the reading, accept the communication, place it on file, advertise the vacancy (already did) and send Sandra O'Flaherty a letter of appreciation thanking her for her time served on the Design Advisory Board

3.25. COMMUNICATION: Gabrielle Hart, Resident of Canada to Mayor Kiss, re: Her Visit to Burlington was the highlight of her trip

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

3.26. COMMUNICATION: Council President Bill Keogh, re: Council President Memo – September 7, 2010

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

3.27. COMMUNICATION: Brian R. Searles, Director of Aviation to Mayor Kiss, re: Delay of Report  
\*waive the reading, accept the communication and place it on file

3.28. COMMUNICATION: Donal Dugan, DPW Commissioner to Mr. Council President Keogh, Ward 5, re: Delay of Report

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

3.29. COMMUNICATION: Joan Shannon, Chair, City Council Ordinance Committee, re: ZA #09-11 (Fuel Station Off-Street Parking) Report on Committee Deliberations

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

3.30. 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 as received at the August 9, 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 22, 2010

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 9, 2010 City Council Meeting

3.32. INDOOR ENTERTAINMENT PERMIT RENEWALS (2010-2011): Das Bierhaus  
Rasputin's  
What Ales You

\*waive the reading, accept the communication, place it on file and approve the 2010-2011 Indoor Entertainment Permit Renewals for Das Bierhaus, Rasputin's and What Ales You

3.33. OUTDOOR ENTERTAINMENT PERMIT RENEWAL (2010-2011): Das Bierhaus  
\*waive the reading, accept the communication, place it on file and approve the 2010-2011 Outdoor Entertainment Permit Renewal for Das Bierhaus

3.34. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council, Organization Day, April 5, 2010

\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 27, 2010 City Council Meeting



- 3.35. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator, re: Minutes, City Council Worksession, April 7, 2010  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 27, 2010 City Council Meeting
- 3.36. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council, April 26, 2010  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 27, 2010 City Council Meeting
- 3.37. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO, re: Minutes, City Council for May 10, 2010  
\*waive the reading, accept the communication, place it on file and adopt the minutes at the September 27, 2010 City Council Meeting
- 3.38. COMMUNICATION: Jonathan P.A. Leopold, Jr. CAO, re: Board of Finance Minutes for July 19, 2010  
\*waive the reading, accept the communication and place it on file
- 3.39. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for August 9, 2010  
\*waive the reading, accept the communication and place it on file
- 3.40. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for August 30, 2010  
\*waive the reading, accept the communication and place it on file
- 3.41. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, BCDC Minutes for July 12, 2010  
\*waive the reading, accept the communication and place it on file