
DELIBERATIVE AGENDA

CITY COUNCIL WORKSESSION
CONFERENCE ROOM 12, CITY HALL
MONDAY, OCTOBER 4, 2010
5:45 P.M. – 7:00 P.M.

1. AGENDA
2. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO and Others, re: BERS (oral)
3. ADJOURNMENT

LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, CITY HALL
MONDAY, OCTOBER 4, 2010
7:24 P.M.

PRESENT: Commissioners Wright, Berezniak, Mulvaney-Stanak (departed at 8:53 p.m.), Kranichfeld, Adrian, Bushor, Paul (departed at 9:50 p.m.), Keogh, Shannon, Dober, Decelles, Kaplan (departed at 9:50 p.m.), Commissioner Kehoe (arrived at 7:50 p.m.; departed at 9:50 p.m.) and Mayor Kiss

CITY ATTORNEY'S OFFICE: Ken Schatz

CLERK/TREASURER'S OFFICE: Lori Olberg, Scott Schrader and Jonathan P.A. Leopold, Jr. (arrived at 7:45 p.m.)

PRESIDENT KEOGH PRESIDING:

1. AGENDA

On a motion by Commissioners Dober and Berezniak the agenda was adopted as is.

2. CONSENT AGENDA

On a motion by Commissioners Dober and Berezniak, the consent agenda was adopted thus taking the following actions as indicated:

2.01. **FIRST CLASS CABARET LIQUOR LICENSE RENEWAL (2010-2011):** Esox
*waive the reading, accept the communication, place it on file and approve the First Class Cabaret Liquor License for Esox with all standard conditions along with two special conditions: remain on Watch status and no new violations to occur

2.02. **FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWAL (2010-2011):** Souza
*waive the reading, accept the communication, place it on file and approve the First Class Restaurant Liquor License Renewal for Souza with all standard conditions along with these special conditions: no cooking with grease laden vapors beneath the now-condemned hood and they keep their cooking within the electric stove, and they clean the stove regularly

3. ADJOURNMENT

Commissioner Keogh adjourned the meeting of the Local Control Commission at 7:25 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO

ADJOURNED MEETING, CITY COUNCIL
MONDAY, OCTOBER 4, 2010
7:25 P.M.

PRESENT: See above. Attorney McNeil arrived at 10:03 p.m.

PRESIDENT KEOGH PRESIDING:

1. AGENDA

On a motion by Councilors Adrian and Shannon, the agenda was amended as follows: amend the action for consent agenda item 3.06. COMMUNICATION: Lani Ravin, Associate Planner, Campus Planning Services, UVM, re: University Objection to ZA-10-08 reference to Natural Resource Overlay Map 4.5.4-1 (9/13 handout) to “waive the reading, accept the communication, place it on file and send copies to Planning and Zoning Director White and to the Planning Commission Members;” amend the action for consent agenda item 3.07. COMMUNICATION: Martha R. Lang, Ph.D., 138 Colchester Avenue, re: Relining Colchester Avenue (9/13 handout) to “waive the reading, accept the communication, place it on file and send copies to the Colchester Avenue Task Force, Department of Public Works Director Goodkind and the Department of Public Works Commission Members;” amend the action for consent agenda item 3.09. COMMUNICATION: Ken Schatz, Esq., City Attorney and Eugene M. Bergman, Esq., Senior Assistant City Attorney, re: What Constitutes a Legal Majority Needed to Take a Valid Action (9/13 Deliberative agenda item) to “waive the reading, accept the communication, place it on file and note that the Charter Change Committee has requested that the City Attorney’s Office draft, for the October 18th City Council meeting, resolutions to amend the City Council’s Rules and to place a proposed Charter Change on the March 2011 ballot, consistent with the Council’s present practice that a majority of those present and voting constitutes a legal majority to take a valid action;” add to the consent agenda item 3.15. COMMUNICATION: Andi L. Higbee, Deputy Chief, Burlington Police Department to Michael Hemond, Corporal, re: Secondary Employment with the consent action to “waive the reading, accept the communication and place it on file;” add to the consent agenda item 3.16. COMMUNICATION: Kevin Cannon, Employee, LIFT, re: Teen Nights with the consent action to “waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members;” add to the consent agenda item 3.17. COMMUNICATION: Sarah Jarvis, re: Under 21 Permits with the consent action to “waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members;” add to the consent agenda item 3.18. COMMUNICATION: Diane Flowers, re: Privilege of 18 Plus Events with the consent action to “waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members;” add to the consent agenda item 3.19. COMMUNICATION: Daniel J. Lynch, United Airlines – Government Affairs to the Mayor’s Office, re: United and Continental Merger Closes with the consent action to “waive the reading, accept the communication, place it on file and send a copy to Aviation Director Searles;” add to the consent agenda item 3.20. COMMUNICATION: Erin Grout, UVM Student, re: Ending 18 + Plus Nights is a Horrible Idea with the consent action to “waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members;” add to the consent agenda item 3.21. COMMUNICATION: Bridget Paquette, re: 18 + Plus Nights with the consent action to “waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members;” add to the consent agenda item 3.22. COMMUNICATION: Brooke Pfenning, UVM Student, re: 18 + Plus Events with the consent action to “waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee

Members; note written material for item 10. REPORT: Jonathan P.A. Leopold, Jr. CAO, re: Financial Report for FY 2010 Revenues & Expenses (oral)(10 mins.); add to the agenda item 13.5.
 COMMUNICATION: Joe McNeil, Esq., re: Collective Bargaining (oral); expected Executive Session.

Councilor Bushor noted that item 3.12. COMMUNICATION: Paul Stabler, Chairman, CSWD Board of Commissioners, re: CSWD FY11 Capital Budget – Williston Compost Facility included an amendment relative to the cost of replacing the Intervale. Councilor Bushor asked that the action be changed to “accept the communication, place it on file, and ask the City’s representative on the CSWD to report back to the Council on October 18, 2010 with their thoughts on the budget.” The agenda was then accepted unanimously.

2. PUBLIC FORUM

President Keogh opened the public forum at 7:32 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Douglas Robbie	Pedal Power Electric Bike	Bicycle Ordinances/Bike Path

There being no one further coming forward, President Keogh closed the public forum at 7:34 p.m.

3. CONSENT AGENDA

On a motion by Councilors Adrian and Kaplan, the consent agenda was adopted, as amended, thus taking the following actions as indicated:

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: Creation of a Classified Limited Service Full Time Position – Burlington Parks and Recreation – Parks Planner (Board of Finance)

*waive the reading and adopt the resolution

3.03. COMMUNICATION: Mari Steinbach, Director, Department of Parks and Recreation, re:
 Request for Limited Service Position, Parks Planner

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

3.04. RESOLUTION: The Aviation Technical Training Center (Board of Finance)

*waive the reading and adopt the resolution

3.05. COMMUNICATION: Larry Kupferman, Director, Burlington CEDO, Brian Searles, Director, Burlington International Airport and Nick Warner, Special Projects Manager to the Burlington Board of Finance, re: Funding Acceptance for Aviation Technical Training Center

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

3.06. COMMUNICATION: Lani Ravin, Associate Planner, Campus Planning Services, UVM, re:
 University Objection to ZA-10-08 reference to Natural Resource Overlay Map 4.5.4-1 (9/13 handout)

*waive the reading, accept the communication, place it on file and send copies to Planning and Zoning Director David White and to the Planning Commission Members

3.07. COMMUNICATION: Martha R. Lang, Ph.D., 138 Colchester Avenue, re: Relining Colchester Avenue (9/13/ handout)

*waive the reading, accept the communication, place it on file and send copies to the Colchester Avenue Task Force, Department of Public Works Director Goodkind and the Department of Public Works Commission Members

3.08. COMMUNICATION: Joe Reinert, Assistant to the Mayor, re: Press Release: Mayor Kiss to Hold Press Conference September 28 on the Moran Redevelopment Project (9/13 handout)

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

3.09. COMMUNICATION: Kenneth A. Schatz, Esq., City Attorney and Eugene M. Bergman, Esq., Senior Assistant City Attorney, re: What Constitutes a Legal Majority Needed to Take a Valid Action (9/13 Deliberative agenda item)

*waive the reading, accept the communication, place it on file and note that the Charter Change Committee has requested that the City Attorney's Office draft, for the October 18th City Council meeting, resolutions to amend the City Council's Rules and to place a proposed Charter Change on the March 2011 ballot, consistent with the Council's present practice that a majority of those present and voting constitutes a legal majority to take a valid action

3.10. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for September 27, 2010

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

3.11. COMMUNICATION: Brian Pine, Assistant Director for Housing (& Baseball), CEDO, re: Update on preserving Minor League baseball at Centennial Field

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

3.12. COMMUNICATION: Paul Stabler, Chairman, CSWD Board of Commissioners, re: CSWD FY11 Capital Budget – Williston Compost Facility

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

3.13. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: BCDC Minutes for September 13, 2010

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

3.14. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Board of Finance Minutes for September 13, 2010

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

3.15. COMMUNICATION: Andi L. Higbee, Deputy Chief, Burlington Police Department to Michael Hemond, Corporal, re: Secondary Employment

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

3.16. COMMUNICATION: Kevin Cannon, Employee, LIFT, re: Teen Nights

*waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members

3.17. COMMUNICATION: Sarah Jarvis, re: Under 21 Permits

*waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members

3.18. COMMUNICATION: Diane Flowers, re: Privilege of 18 Plus Events

*waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members

3.19. COMMUNICATION: Daniel J. Lynch, United Airlines – Government Affairs to the Mayor’s Office, re: United and Continental Merger Closes

*waive the reading, accept the communication, place it on file and send a copy to Aviation Director Searles

3.20. COMMUNICATION: Erin Grout, UVM Student, re: Ending 18 + Plus Nights is a Horrible Idea

*waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members

3.21. COMMUNICATION: Bridget Paquette, re: 18 + Plus Nights

*waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members

3.22. COMMUNICATION: Brooke Pfenning, UVM Student, re: 18 + Plus Nights

*waive the reading, accept the communication, place it on file and send copies to Lieutenant Art Cyr and the License Committee Members

4. RESOLUTION: November 2, 2010 Special City Meeting—Burlington Electric Department Authority to Issue Taxable Bonds for Purchase of Additional Equity in Vermont Transco, LLC (Board of Finance)

Councilor Paul made a motion, seconded by Councilor Wright, to waive the reading and adopt the resolution. Barbara Grimes, General Manager of Burlington Electric, and Daryl Santerre from BED were available to speak to the Council but the Council had no questions. Councilor Paul then added an amendment, reducing the numbers to \$5.9 million and Councilor Wright explained why this would be placed on the November ballot rather than the March ballot. The motion, with the amendment passed unanimously.

4.01. COMMUNICATION: Jonathan P.A. Leopold, Jr., CAO, re: Financing BED Investment in VELCO

Councilor Paul made a motion, seconded by Councilor Wright, to waive the reading, accept the communication and place it on file. The motion passed unanimously.

5. COMMUNICATION: Bob Kiss, Mayor, re: Proposed Charter Changes

Mayor Kiss spoke to the Council about the charter changes being discussed by the Charter Change Commission. He believed they were ill advised, were not being carefully reviewed, and would change the way business was done by the City and ultimately have a detrimental effect. Regarding the Board of Finance charter change, he reminded the Council that all decisions made by the Board of Finance are reviewed by the City Council. Additionally, decisions on expenses of \$50,000 or less can be made by the Board of Finance, but anything larger than that goes to the City Council. He did not believe this idea was well thought out or ready for action by Council.

Regarding the charter change dealing with the appointment process for department heads, the Mayor thought that providing the City Council the opportunity to eliminate department heads would have unintended consequences and would not serve the City well. He reminded the Council that the City receives accolades for the work done in Burlington. Department heads need to have a feeling of job security in order to do a worthy job. The charter change proposal would set aside standards that had been in place for years and had served the City well.

Councilor Adrian made a motion, seconded by Councilor Shannon, to waive the reading, accept the communication and place it on file. The motion passed unanimously.

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

Councilor Decelles made a motion, seconded by Councilor Shannon, to waive the reading and adopt the resolution. Councilor Decelles explained this resolution was being put forward for the best interests of the City. The Charter Change Committee had spent time reviewing other municipalities and Burlington had the only Board of Finance that was comprised in this fashion. He stated there was no accountability in the current form. The Committee believed there were individuals in the community with professional financial or accounting experience that could be of assistance to the City in this capacity, with the outside member possibly being able to provide information to the Finance Board members.

Councilor Wright was supportive of the CAO not being a voting member, but did not agree with the concept being proposed. He stated that a person from the public would not be accountable for any decisions made. Councilor Wright then made a motion to move the resolution to the City Attorney's Office to draft an alternate proposal adding a Councilor as a voting member rather than a member of the public. The motion was seconded by Councilor Dober.

Councilor Bushor noted her concern that the resolution had inconsistencies within it. Further, she believed there needed to be more historical information contained in the document. She also noted that a consultant could be used rather than a member of the public to better advantage. Councilor Kranichfeld outlined his opinion of why this charter change had been requested in the first place. He noted that while administrations change, charter changes are permanent and agreed with Councilor Wright's opinion.

Councilor Shannon expressed her frustration that this resolution had been referred to the Charter Change Committee for further discussion and that no Councilors were present to share their opinions with the Committee. She reflected on the Committee's decision making process and the amount of research they did on their own rather than relying on staff.

Councilor Adrian stated his opinion that it was important for the residents to be able to vote on this issue and did not agree with the amendment being proposed. Councilor Berezniak stated his support for the amendment. The Mayor noted that, by and large, decisions made and votes taken on the Board of Finance were unanimous. Following a question from the Council, the City Attorney stated he would have his written proposal to the Council at the next meeting.

Councilor Kaplan expressed her appreciation to the Charter Change Committee for the work they did, however, she believed that a citizen would not have the accountability that a publicly elected official had. Following discussion that Councilors could send their suggestions to the City Attorney through e-mail, Councilor Decelles reminded the Council to keep discussions of this matter in the public arena. Councilor Kehoe stated her opinion that the process being proposed, wherein the City Attorney drafted the language and the Council commented on it, was awkward and a deviation of normal practice.

The amended resolution passed by a vote of 8 to 5 with Councilors Shannon, Adrian, Kehoe, Decelles and Keogh voting against.

7. RESOLUTION: March 1, 2011 Annual City Meeting—Proposed Charter Change re:
Mayoral Appointment, Reappointment and Removal of Department
Heads (Councilors Decelles, Keogh, Shannon: Charter Change Committee)

Councilor Decelles made a motion, seconded by Councilor Shannon, to waive the reading and adopt the resolution. Councilor Decelles explained the resolution, stating that an elected mayor should be able to hire and terminate his/her mayoral appointees. However, the Council should be allowed to have a say in the matter as well. Therefore, in the event of malfeasance, a Councilor could bring about termination with 2/3rd of the 14 Councilors' approval. This resolution would give more power to a mayor in the future while also giving the Council leeway to rectify any situations they may have issues with. Councilor Shannon explained the Council was disappointed to realize that the votes of the Council on reappointment were meaningless. She explained the process the Committee went through in speaking with the department heads and the Human Resources Director in order to craft the charter change. She noted that this change would bring the Mayor more power as the Council would no longer need to approve the selection or termination of the appointees.

Councilor Kranichfeld stated the language was overly broad and would negatively politicize all department head positions. He stated the language appeared to allow the Council to step in and make changes. While there should be a way to address poor behavior of department heads, this language went too far. Additionally, he believed this confused the lines of authority. Councilor Wright expressed his view that this resolution struck the right balance for both the Mayor and the Council.

The Mayor noted his agreement with Councilor Kranichfeld by stating the language was too broad and allowed for removal for political reasons or during highly charged events. He believed it was important that the mayor be in concurrence with the 2/3rd of the Council.

Councilor Bushor outlined discrepancies in the resolution and explained that structurally the proposal was not how an organization should run. She also asked whether, as noted in the resolution, the Police Chief could be removed by a City Council. It was her understanding that because it was a quasi-military matter, the Commission and Mayor needed to be responsible for that. City Attorney Schatz noted there was a specific provision in the Charter regarding the Police Chief. The Commission would not have the initiating authority to remove someone from the position. Rather, it would be the Mayor, subject to the approval of the City Council.

Councilor Kranichfeld commented again, asking who was going to determine what qualifies malfeasance or misfeasance. Otherwise it would become a political issue. Councilor Berezniak stated the appointment process was a political process and it was important to have the counterbalance of the City Council.

City Attorney Schatz explained that the way the Charter currently read the Mayor had the authority to recommend termination, with the Council voting to approve. The new resolution would allow the City Council to initiate it. Councilor Adrian noted his surprise at other Councilors' concern about the politicization of the process.

The resolution was adopted by a vote of 10 to 3 with Councilors Kranichfeld, Bushor and Mulvaney-Stanak voting against.

8. COMMUNICATION: Richard Cate, UVM, re: Student Housing

Richard Cate, Vice President for Finance and Administration, and Mr. Thomas Gustafson, Vice President of Residential Housing, were present to answer questions of the Council about the student life issues. Mr. Cate stated enrollment was up 1% this year; that renovations had been made to McAuley Hall which provided an additional 160 beds and the Redstone Project was underway, which would add 400 beds by the fall of 2012. The intent was not to add additional students but to house existing students with these additional units.

Councilor Bushor noted that recent publications from the University outlined options to students for off-campus housing. She asked that UVM also provide a listing of options for students who wanted to stay on campus. She discussed her concerns about noise on East Avenue from the Trinity campus and expressed her opinion that first year students should not be placed on that campus as there was very little oversight. She hoped that UVM would look into a walking route for students which would alleviate walk-by noise on Colchester Avenue and East Avenue. Councilor Adrian stated that UVM's protocol on regarding a dry campus merely hid the problem of their students' drinking issues. Further, he expressed frustration that UVM's police department had limited involvement in enforcing the City's noise ordinance. He suggested UVM Police be the first responder to any housing of UVM students who lived off campus.

Following a question from Councilor Berezniak about underage drinking, Mr. Gustafson explained UVM's process of receiving notification from the Burlington Police Department of citations issued and UVM's follow up. Councilor Wright applauded UVM's efforts in meeting the requirements set forth in the MOU regarding student housing. Mayor Kiss echoed Councilor Wright's comments and noted the work that had been done by both UVM and Champlain to address this issue. Councilor Shannon expressed concern about the responses provided by UVM in their communication and requested further information in a number of areas.

9. COMMUNICATION: Larry Kupferman, CEDO Director, re: Update on Moran Project

Larry Kupferman, CEDO Director, David G. White and Kirsten Merriman-Shapiro were present to answer questions of the Council following the announcement of the Maritime Museum's withdrawal from the project.

Councilor Decelles stated his concern was with the development agreements and asked about the progress on those documents. David White stated the team was in the thick of negotiating with the Sailing Center and Ice Factor with Attorney Thomas Melloni drafting the documents. David White mentioned that the Blue Ribbon Committee on Moran slowed down the negotiations due to the energy that was focused on the committee. They were not concerned about the lack of a third tenant and saw some advantages to having the space available once the Moran Center opened. The team hoped to have documents available for review by January.

Councilor Paul questioned Mr. Kupferman on business plans and financial data, noting her frustration that financial documents were not being provided. Further she noted that the Blue Ribbon Committee was not provided any financial information on the Ice Factor.

Councilor Wright stated that financial information would need to be provided eventually and asked what would happen if the project lost another tenant. Because of the concern about the financials of the Ice Factor, David White stated that sufficient financial guarantees will be required from the Ice Factor and the tenant would not be able to proceed otherwise. Councilor Wright followed up by saying that he would not sign off on something that would be of any risk to taxpayers. David White agreed stating that, as a city taxpayer himself, the goal of all involved was not to put the taxpayers at risk. Mr. White explained the Sailing Center would most certainly be a tenant. They had been on the waterfront for fifteen years and wished to continue. Depending on the Sailing Center's fundraising campaign they would be able to do a variety of phases/projects within Moran. They were in a very strong position to be a partner in this project.

Councilor Shannon commented that the development of a large project takes a lot of courage. She wanted to be sure to express her appreciation for the outstanding job that had been done to date and was very impressed with the work done to attract outside funds to this project. However, the Council would be frustrated until they get the information on the financial soundness of the tenants. Mr. White shared with the Council that even if financials were not provided by the Ice Factor, sufficient financial guarantees

would be required of them, such as a letter of credit. Further, with the grant funding, tax credit funding and the tax increment financing, the City was protected. It was currently noted in the Blue Ribbon Report that the way Moran was currently structured the taxpayers were protected even if no tenant was found.

10. REPORT: Jonathan P.A. Leopold, Jr., CAO, re: Financial Report for FY 2010 Revenues & Expenses

CAO Leopold reported there were no significant surprises in the revenues or expenditures. The operating expenses were \$700,000 less than budgeted, with half of that coming in health insurance savings. There was \$700,000 more in revenue than budgeted. The result was a \$1.4 million surplus of revenue over expenditures. \$300,000 was impact fees which will go into designated fund balance. The remainder would increase the undesignated fund balance to \$5.5 million. The strength of the revenues and control of expenditures indicated the budget was solid with no significant problems with it. He reported revenues were 5% above budget for gross receipts and local options sales tax.

CAO Leopold stated this budget reflected all amendments. He also reported that a report that had been requested by the Council showing original versus amended budgets could not be done due to the accounting software. Councilor Adrian made a motion to waive the reading, accept the communication and place it on file, seconded by Councilor Shannon. The motion passed unanimously.

11. COMMITTEE REPORTS

There were no reports provided.

12. COMMUNICATION: City Councilors, re: General City Affairs

Councilor Dober announced the Ward 4/7 meeting being held to discuss the YMCA was moved to the Miller Center.

Councilor Wright stated he had received calls from constituents about panhandling and aggressive behavior in City Hall Park and Church Street. He informed the Council that action needed to be taken on this issue.

Councilor Shannon discussed her concern with a department head being critical in the newspaper of the Police Department's recent vehicle chase.

13. COMMUNICATION: Mayor Kiss, re: General City Affairs

Mayor Kiss discussed the historical and cultural elements of celebrating Samuel De Champlain. He expressed disappointment that the Maritime Museum needed to withdraw from the Moran Project, but again reiterated Ice Factor's determination to move forward and the Sailing Center's participation.

The City Council recessed this meeting at 10:11 p.m. to move to the Board of Civil Authority.

The City Council reconvened at 10:13 p.m.

13.5. COMMUNICATION: Joe McNeil, Esq., re: Collective Bargaining (oral)

* * * * EXPECTED EXECUTIVE SESSION * * * *

On a motion by Councilors Kranichfeld and Shannon, the Council voted 9 to 1 (Councilors Kehoe, Kaplan and Paul and Mulvaney-Stanak were absent) to enter into executive session at 10:13 p.m., to

discuss collective bargaining negotiations in which the premature public disclosure could place the City at a disadvantage. Councilor Adrian voted against. Also present was: Attorney McNeil.
On a motion by Councilors Bushor and Dober, the Council voted unanimously to come out of executive session at 10:45 p.m.

14. ADJOURNMENT

On a motion by Councilors Bushor and Dober, the Adjourned Meeting of the City Council unanimously adjourned at 10:45 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO

BOARD OF CIVIL AUTHORITY
MONDAY, OCTOBER 4, 2010
10:11 P.M.

PRESENT: See above

MAYOR KISS PRESIDING:

1. AGENDA

Board of Civil Authority Members Dober and Keogh voted to adopt the agenda as is.

2. CONSENT AGENDA

On a motion by Board of Civil Authority Members Dober and Keogh, the consent agenda was adopted, thus taking the following actions as indicated:

- 2.01. COMMUNICATION: Residents of Ward 7, Burlington, VT, re: Request to Keep the Polling Venue at the Miller Community and Recreation Center
*waive the reading, accept the communication and place it on file

3. ADJOURNMENT

On a motion by Board of Civil Authority Members Bushor and Mulvaney-Stanak, the Board of Civil Authority voted unanimously to adjourn at 10:12 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Sue Trainor, Assistant to the CAO