

DELIBERATIVE AGENDA

SPECIAL CITY COUNCIL WORKSESSION

MONDAY, JUNE 6, 2011

CONFERENCE ROOM 12, CITY HALL

6:15 P.M.

PRESENT: All Councilors with Councilor Adrian participating via phone. Also, Mayor Kiss, ACAO Schrader, ACAO Goodwin, HR Director Leonard, Fire Chief Lasker, Asst. Fire Chief Bruce Bourgeois, Senior Assistant City Attorney Bergman, Mayor's Assistant Joe Reinert and Joe McNeil, Esq.

ABSENT: Councilor Hartnett

1. AGENDA
2. DISCUSSION: Joseph McNeil, Esq., re: Collective Bargaining (oral)

On a motion by Councilors Bushor and Shannon, the Special City Council Work-session went into executive session at 6:17 p.m. premature disclosure would place the City at a disadvantage. Present were: **see above.**

**\* \* \* \* EXECUTIVE SESSION \* \* \* \***

On a motion by Councilors Bushor and Mulvaney-Stanak, the Special City Council Work-session went out of executive session at 7:12 p.m.

3. ADJOURNMENT

On a motion by Councilors Bushor and Mulvaney-Stanak, the Special City Council Work-session unanimously adjourned at 7:12 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator

LOCAL CONTROL COMMISSION

MONDAY, JUNE 6, 2011

CONTOIS AUDITORIUM, CITY HALL

7:19 P.M.

PRESENT: Commissioners Keogh, Councilors Adrian, Bushor, Berezniak, Kranichfeld, Brennan, Mulvaney-Stanak, Hartnett, Wright, Shannon, Blais, Paul, Decelles, Dober and Mayor Kiss

CITY ATTORNEY'S OFFICE: Gene Bergman

CLERK/TREASURER'S OFFICE: Scott Schrader and Rich Goodwin

CITY COUNCIL PRESIDENT KEOGH PRESIDING:

1. AGENDA

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

2. CONSENT AGENDA

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

- 2.01. EXPANSION OF OUTSIDE CONSUMPTION PERMIT (**select dates only**):  
\*waive the reading, accept the communication, place it on file and grant the Expansion of Outside Consumption Permit for Asiana Noodle Shop, select dates only

3. ADJOURNMENT

On a motion by Commissioners Dober and Berezniak, the Local Control Commission unanimously adjourned at 7:21p.m.

Attest:

Amy Bovee, Executive Secretary to the CAO

ANNUAL MEETING, CITY COUNCIL  
MONDAY, JUNE 6, 2011  
7:22 P.M.

PRESENT: see above

CITY COUNCIL PRESIDENT KEOGH PRESIDING:

1. AGENDA

On a motion by Councilors Shannon and Bushor the Annual Meeting of the City Council was amended as follows: amend the action for consent agenda item 3.06. COMMUNICATION: Chris Cole, Director of Policy, Planning and Intermodal Development, State of Vermont, re: **2012 Vermont Transportation Enhancements Program Schedule and Process** to “waive the reading, accept the communication, place it on file and send it to DPW Director Goodkind and Planning & Zoning Director White to collaborate and put forth any possible qualifying projects;” add to the consent agenda item 3.11. COMMUNICATION: Mayor Bob Kiss, re: Resolution 11.0/The Hiring of A New Airport Director with the consent action to “waive the reading, accept the communication and place it on file.”

2. PUBLIC FORUM

City Council President Keogh opened the public forum at 7:40 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Robert Bristow-Johnson	7	Flooding
Phillip Merrick	1	CSM Commission Applicant

There being no one further coming forward, City Council President Keogh closed the public forum at 7:47 p.m.

3. CONSENT AGENDA

On a motion by Councilors Shannon and Berezniak, the consent agenda was unanimously 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: Authorization to Provide Dental Insurance Coverage to Dependents to Age 26 (Board of Finance)

\*waive the reading and adopt the resolution

3.03. RESOLUTION: Declaration of Official Intent Approving Reimbursement of Expenses For Electric Department Projects (Councilors Keogh, Wright, Paul, Mulvaney-Stanak: Board of Finance)

\*waive the reading and adopt the resolution

3.04. COMMUNICATION: Mayor Bob Kiss to Staff of DPW, P&R, Fire and Police, re: Thank you for your efforts on the Marathon

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

3.05. COMMUNICATION: State of Vermont Natural Resources Board District 4 Environmental Commission, re: City of Burlington, Attn: Carol Weston and State of Vermont Agency of Transportation, Attn: Wayne Davis, Application #4C0438-17: **Prehearing Conference Report and Order** 10 V.S.A. §§ 6001-6092 (Act 250)

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

3.06. COMMUNICATION: Chris Cole, Director of Policy, Planning and Intermodal Development, State of Vermont, re: **2012 Vermont Transportation Enhancements Program Schedule and Process**

\*waive the reading, accept the communication, place it on file and send it to DPW Director Goodkind and P & Zoning Director White to collaborate and put forth any possible qualifying projects

3.07. COMMUNICATION: Bernadette Ferenc, Business Manager, CCMPO to Mr. William Keogh, President, Burlington City Council, re: TAC Appointments

\*waive the reading, accept the communication, place it on file and authorize City Council President Keogh to appoint a Representative and an Alternate to the Technical Advisory Committee

3.08. COMMUNICATION: Ordinance Committee, re: Downtown Smoking Steering Committee

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

3.09. COMMUNICATION: Karen Vastine, Community Justice Coordinator, Burlington Community Justice Center, re: Party Noise Ordinance Update

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

3.10. REPORT: Burlington Board of Health Semi-Annual Report: January 1, 2011- June 30, 2011

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

4. REPORT: James Strouse, Chair, BERS and Marina Collins, Retirement Administrator, re: City Council Report for May 2011

James Strouse stated there had been some recovery in the market value of the assets in the Retirement fund. The Board recently met with the State and were working to maintain a good relationship and communicate what was going on at the State level. He stated they had added to the private equity investment to bring it into line with what they had planned to do. He stated they had worked to make technical corrections to the Retirement Ordinances. They had applied to IRS to become recognized as tax exempt and would work with them to make corrections in order to maintain this status. In the existing

ordinance, someone who returned to service might suffer a loss in benefits, as some of them had been reduced. This was not legal. The arbitration with Morgan Stanley was resolved and resulted in some addition to funds. He stated they were working to formalize procedures. There were 863 active members of the system, 477 retirees and beneficiaries, and 378 members who had left service with vested benefits and pay out about \$722,000 a month. The website was being updated to have meeting minutes and information for employees.

City Council President Keogh inquired about the underfunding of the program. Mr. Strouse stated they were about 72.8% funded. City Council President Keogh inquired how much money that amounted to. Mr. Strouse stated it was about \$48 million. City Council President Keogh inquired how that compared with previous years. Mr. Strouse stated it was down because the funding was based upon a rolling 5 year average and would likely start to turn around in the coming years. It was not a good number but it was not awful.

Councilor Shannon inquired if this would mean that in the next 5 years they could expect to be less than \$48 million underfunded. Mr. Strouse stated the years were starting to improve.

Councilor Adrian inquired about the Retirement Board's role in contract negotiations for pension benefits. Mr. Strouse stated that they were no longer involved and had not been for about 7 years. Councilor Adrian inquired if it was taken away or voluntarily relinquished. Mr. Strouse stated Board members negotiated any changes in benefits and it was not at the bargaining table. That was given up by a prior Administration. Councilor Adrian inquired if the Board had asked to enter into contract negotiations. Mr. Strouse stated they had not asked but would be willing to try to become more involved. Councilor Adrian stated he would like to see more detailed minutes. Mr. Strouse stated they were willing to do that, but they had been told to do different things over time.

Councilor Bushor inquired how long ago retirement started being negotiated and asked if the Board would consider that retirement not be negotiated. Mr. Strouse stated the Board probably would not, although he personally would. Councilor Bushor stated some employees preferred that it be negotiated and there probably would not be support for removing it. Mr. Strouse stated that in the past the goal was to keep parity between the A and B employees. That was no longer happening and with the composition of the Board that probably would not be workable. Councilor Bushor stated in the past there had been discussions about whether Retirement should be negotiated and to look at the make-up of the board. She also inquired if retirement was negotiated at the State level. Mr. Strouse stated it was not and the composition of the Board was still in conflict, as the ordinance differed from the Charter. The Charter still reflected the old composition of the Board.

Without objection, City Council President Keogh made a motion to waive the reading, accept the report and place it on file.

4.01. COMMUNICATION: Marina Collins, Retirement Administrator, re: Burlington Employees Retirement System Board Meeting Minutes April 28, 2011

Without objection, City Council President Keogh made a motion to waive the reading, accept the communication and place it on file.

5. REPORT: Jerome F. O'Neill, Chair, Police Commission, re: Annual Report of the Burlington Police Commission

Jerry O'Neill stated the department was doing well and working on a number of initiatives. The contract with the Police Officer's Union was a good move because they were losing people rapidly.

Councilor Blais inquired if there were efforts being made to assist in computer aided dispatch and if that was an effort to regionalize dispatch. Mr. O'Neill stated he believed that was the case and there were advantages to improving communication.

Councilor Hartnett inquired if the Police Department was fully staffed. Mr. O'Neill stated there were 90 officers and they were authorized to have 100. They were working to reach that number, but there was a lot of competition and Burlington was very selective. Having extra officers reduced overtime hours and kept officers from being burnt out.

Councilor Berezniak stated he attended a Commission meeting when Chief Schirling outlined a new information gathering system. He inquired when this would be implemented. Mr. O'Neill stated he had not received an update. The system was intended to put information into the system one time and would streamline the process.

Councilor Bushor inquired about the Street Outreach Interventionalist and if this was successful. Mr. O'Neill stated he thought it was. Councilor Bushor stated she was uncertain if one person was adequate. Mr. O'Neill stated having people on the street caused big improvements. Councilor Bushor inquired if there were 95 or 90 officers. Mr. O'Neill stated there were actually 95.

Without objection, City Council President Keogh made a motion to waive the reading, accept the report and place it on file.

6. REPORT: Peter L. Potts, Chair, Burlington Planning Commission, re: Annual Report of the Burlington Planning Commission, Fiscal Year 2011 (July 1, 2010 – June 30, 2011)

Peter Potts stated that the Climate Action Plan was completed as of June 1. The Commission was going to start to consider the final product and include it in the municipal development plan.

Councilor Paul inquired if the members of the Commission had all read the report. Mr. Potts stated it would have been in their packets but was unsure.

Councilor Bushor stated many people had concerns about the costs of maintaining historical buildings and having a list of pre-approved building materials would be helpful to the community. She stated many people were not aware that they own a structure on the historic register and notifying them would be helpful. Additionally, providing information about how they could access the materials would be helpful. People did not appreciate the surprise and cost associated with this. She also added she was happy to see they were going to look at wetland conservation zones to consider buffers and their report was very comprehensive. Mr. Potts stated the Commission was interested in the list and Planning and Zoning Director White had attempted to draft. David White stated they would define the pros and cons of different materials, but it depended somewhat on context. The Commission would work to define some objectives for materials. Councilor Bushor stated she had made a request to expand the design review district in Ward 1 because residents wanted that protection. There were many older residents who did not know about the process and were surprised by owning a historic structure. Mr. White stated the Commission was working to eliminate the element of surprise so the process would look at those that were listed on the registry and also make the information more available.

Councilor Decelles stated that flood victims would like dumpsters to aid with the construction process. He also inquired if there was a way to help get the word to those people about what they could and could not do. Mr. White stated there was information on the website and handouts with basic information. The important thing was that people still needed permits when making changes to buildings. The difficulty was if it was in the flood zone and if improvements were being made, there were elevation requirements that needed to be met. His office would try to organize a community meeting and to coordinate with other City agencies.

Councilor Shannon stated that discussions regarding historic buildings and materials were productive and helpful. She stated she had concerns about situations in which people lived in nearly identical homes and one was on the historic registry and another was not, and therefore people faced a different review process. Creating a link to historic registries created a disincentive to having surveys done. There were better ways to approach what was and was not historic and making information more available to the public was prudent. She noted that communications between departments seemed to have improved and perhaps this information could be communicated through the City Assessor's Office page.

Councilor Berezniak thanked the Commission for their efforts with historic materials and commented that people respected that.

Mr. Potts stated that there were others on the Commission who shared Councilor Shannon's concerns but they would like to first build a policy and then improve upon it.

Without objection, City Council President Keogh made a motion to waive the reading, accept the report and place it on file.

7. RESOLUTION: Council Involvement in Department Head Hires (Councilors Hartnett, Adrian, Dober)

Councilor Hartnett, seconded by Councilor Dober, made a motion to waive the reading and adopt the resolution.

Councilor Hartnett stated he wanted to ensure Councilors were informed, since they had to place their final seal of approval on the hiring of Department Heads. This would allow Councilors to ask more questions and have more information.

Councilor Bushor stated she did not like the language of the resolution, but the Hiring Committee could include a City Councilor. Councilor Berezniak spoke in favor of the resolution.

Mayor Kiss spoke against the resolution, stating there was no requirement to have an appointment process. The current system provided a recommendation team and it then falls to the City Council to accept the appointment of department heads. Including a City Councilor would blur their responsibilities.

Councilor Shannon stated a Mayor should not be tied to a process in the event that he needed to make a decision quickly.

Councilor Decelles thanked the Mayor for broadening his hiring process teams. He inquired whether or not the Councilor would be a voting member of the committee or if they would just be gathering information. Councilor Hartnett stated he would like them to be a member of the Hiring Committee. Councilors Decelles and Adrian spoke in favor of the resolution.

Councilor Mulvaney-Stanak stated the current process was valuable and the Council already had ways to be engaged. This would add to Councilors' duties and would make the job less accessible to the average person. Councilor Kranichfeld also spoke against the resolution.

Councilor Bushor proposed a friendly amendment to replace the word "hiring" with "selection." The amendment was friendly. Councilor Bushor stated she felt that this was a request and not a mandate and had value.

City Council President Keogh requested a roll call. The motion passed by a vote of 10-4:

Ayes: Councilors Adrian, Berezniak, Blais, Bushor, Decelles, Dober, Hartnett, Paul, Wright, and Keogh

Nays: Councilors Brennan, Kranichfeld, Mulvaney-Stanak and Shannon

The motion to adopt the resolution, as amended, passed.

8. RESOLUTION: Tax Abatement and Other Measures for Burlington Flood Evacuees  
(Councilors Wright, Decelles, Dober, Hartnett)

Councilor Wright made a motion, seconded by Councilor Decelles, to waive the reading and adopt the resolution.

Councilor Wright stated that people had suffered damage and had to evacuate their residences. This would ask the Tax Abatement Committee to alleviate the burden for evacuees.

Councilor Shannon spoke in favor of the resolution stating that one reason to abate taxes was if it was manifestly unjust, and she felt this would apply. Senior Assistant City Attorney Bergman stated the issue would be at the Council's discretion and should be based on manifest unjustness or uncollectability. The request would be for the Tax Abatement Committee to consider this based on justness and injustice.

Councilor Decelles spoke in favor of the resolution.

Councilor Bushor inquired if there were previous examples of tax abatements when a structure had been uninhabitable. Senior Assistant City Attorney Bergman stated staff would need to do some research as to when and why abatements had been given in the past. The Committee would have to weigh the factors in making a decision.

Councilor Berezniak spoke in favor of the resolution and inquired if the properties were being reassessed. City Assessor Vickery stated he had looked at pre-flood values and would be monitoring the damage. The tax abatement process typically involved submitting a written request. When possible, his office would visit the neighborhood and see how value had been affected.

Councilor Wright and Mayor Kiss spoke in favor of the resolution, stating they needed to consider the precedent this would set.

Councilor Mulvaney-Stanak inquired if there was a timeline for tax abatement or if the Tax Abatement Committee would have some discretion. Senior Assistant City Attorney Bergman stated information about the process was on the tax bill but the Administration could choose to notify people. Mr. Vickery stated he did not think there was a deadline but the need to apply in writing was a requirement.

Councilor Dober stated he would like to waive the fees on permits because people were being forced to rebuild, not choosing to.

Senior Assistant City Attorney Bergman stated there was no deadline for tax abatement, but it would be helpful for property owner to do this before taxes became delinquent.

The motion passed unanimously.

9. RESOLUTION: Creation of Classified Full Time Limited Service Burlington Telecom  
Graphic Design Coordinator NC-7 (Councilors Keogh, Paul, Wright)

Councilor Paul made a motion, seconded by Councilor Wright, to waive the reading and adopt the resolution.

Councilor Paul stated this would create an in-house graphic design coordinator and would be much more cost effective than how it was being done in the past.

The motion passed unanimously.

10. COMMUNICATION: Clerk/Treasurer's Office, re: 2011 Commission/Board Applicant Listing  
By Commission/Board

Councilors Adrian and Mulvaney-Stanak made a motion to waive the reading, accept the communication and place it on file.

Councilor Adrian stated the Council had agreed on a list and would appoint all individuals on that list as a slate.

10.02. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City  
Commissions/Boards

Councilors Adrian and Mulvaney-Stanak made a motion to waive the reading, accept the communication and place it on file.

Councilor Shannon made a motion to remove the vote on the Telecommunications Advisory Committee and re-advertise the position, as there was a late applicant. There was no second.

**City Council Appointments**

On a motion by Councilors Adrian and Paul, the slate of appointments was unanimously adopted, removing agenda item 10.06 to be voted on separately. Councilor Adrian read the slate as part of the record:

10.03. APPOINTMENT: CCTA (Term expires 6/30/14)

Bethany Whitaker was re-appointed to the CCTA.

10.04. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/14)

Lara Heath Allen was re-appointed to the Church Street Marketplace Commission.

10.05. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/14)

Ranjit "Buddy" Singh was re-appointed to the Church Street Marketplace Commission.

10.07. APPOINTMENT: Conservation Board (Term expires 6/30/12)

David Scherr was appointed to the Conservation Board.

10.08. APPOINTMENT: Conservation Board (Term expires 6/30/15)

Miles Waite was re-appointed to the Conservation Board.

10.09. APPOINTMENT: Conservation Board (Term expires 6/30/15)

Jeffrey Severson was re-appointed to the Conservation Board.

10.10. APPOINTMENT: Development Review Board (Term expires 6/30/15)

Austin Hart was re-appointed to the Development Review Board.



10.11. APPOINTMENT: Development Review Board (Term expires 6/30/15)

Michael Long was re-appointed to the Development Review Board.

10.12. APPOINTMENT: Development Review Board (Term expires 6/30/15)

Kevin Stapleton was re-appointed to the Development Review Board.

10.13. APPOINTMENT: Development Review Board-Alternate (Term expires 6/30/15)

Andrew Strauss was re-appointed to the Development Review Board-Alternate.

10.14. APPOINTMENT: Housing Board of Review (Term expires 6/30/16)

Andrew Davis Weigand was appointed to the Housing Board of Review.

10.15. APPOINTMENT: Telecommunications Advisory Comm. (Term expires 6/30/14)

Peter Jewett was re-appointed to the Telecommunications Advisory Committee.

The motion passed unanimously.

10.06. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/14)

Councilor Adrian nominated Phil Merrick.

Councilor Wright nominated Dan Latcheran.

Councilor Wright requested a roll call:

For Phil Merrick: Councilors Adrian, Berezniak, Blais and Shannon

For Dan Latcheran: Councilors Brennan, Bushor, Decelles, Dober, Hartnett, Kranichfeld,  
Mulvaney-Stanak, Paul, Wright and Keogh

Dan Latcheran was re-appointed to the Church Street Marketplace Commission by a vote of 10-4.

\*\*10 Minute Recess\*\*

### **City Council with Mayor Presiding Appointments**

Councilors Bushor and Shannon made a motion to adopt the agenda as is. The motion passed unanimously.

10.16. COMMUNICATION: Jilliam Bogert, Office Assistant II, 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 and appoint the list of Fire Wardens, term expiring 6/30/12

Councilors Wright and Decelles made a motion to accept the communication and place it on file. The motion passed unanimously.

On a motion by Councilors Wright and Decelles, the slate of appointments was adopted, removing agenda item 10.36 to be voted on separately. Councilor Wright read the slate as part of the record.

Councilors Shannon and Bushor made a motion to remove for consideration the candidates for Cemetery Commission because the applicants were late. Councilors Dober, Decelles, and Wright spoke against the amendment. The motion failed by a vote of 13-2.

10.17. APPOINTMENT: Airport Commission (Term expires 6/30/15)

Gene Richards III was re-appointed to the Airport Commission.

10.18. APPOINTMENT: Board of Assessors (Term expires 3/31/14)

Peter Schubart was re-appointed to the Board of Assessors.

10.19. APPOINTMENT: Cemetery Commission (Term expires 6/30/14)

Rita Church was re-appointed to the Cemetery Commission.

10.20. APPOINTMENT: Cemetery Commission (Term expires 6/30/14)

Paul Wallace was appointed to the Cemetery Commission.

10.21. APPOINTMENT: Design Advisory Board (Term expires 6/30/14)

Sean McKenzie was re-appointed to the Design Advisory Board.

10.22. APPOINTMENT: Design Advisory Board (Term expires 6/30/14)

Steven Offenhartz was re-appointed to the Design Advisory Board.

10.23. APPOINTMENT: Design Advisory Board-Alternate (Term expires 6/30/14)

Todd Thomas was re-appointed to the Design Advisory Board-Alternate.

10.24. APPOINTMENT: Electric Light Commission (Term expires 6/30/14)

Scott Moody was re-appointed to the Electric Light Commission.

10.25. APPOINTMENT: Electric Light Commission (Term expires 6/30/14)

Jean O'Sullivan was re-appointed to the Electric Light Commission.

10.26. APPOINTMENT: Fire Commission (Term expires 6/30/14)

Kevin McLaughlin was re-appointed to the Fire Commission.

10.27. APPOINTMENT: Fire Commission (Term expires 6/30/14)

John T. Vincent, Jr. was re-appointed to the Fire Commission.

10.28. APPOINTMENT: Library Commission (Term expires 6/30/14)

Jill Krowinski was appointed to the Library Commission.

10.29. APPOINTMENT: Parks & Recreation Commission (Term expires 6/30/14)

John Ewing was re-appointed to the Parks & Recreation Commission.

10.30. APPOINTMENT: Parks & Recreation Commission (Term expires 6/30/14)

Carolyn Hanson was re-appointed to the Parks & Recreation Commission.

10.31. APPOINTMENT: Planning Commission (Term expires 6/30/15)

Bruce Baker was re-appointed to the Planning Commission.

10.32. APPOINTMENT: Planning Commission (Term expires 6/30/15)

Harris L. Roen was re-appointed to the Planning Commission.

10.33. APPOINTMENT: Police Commission (Term expires 6/30/14)

William Bryant was re-appointed to the Police Commission.

10.34. APPOINTMENT: Police Commission (Term expires 6/30/14)

Sarah Kenney was re-appointed to the Police Commission.

10.35. APPOINTMENT: Public Works Commission (Term expires 6/30/14)

Mark Porter was appointed to the Public Works Commission.

10.37. APPOINTMENT: Retirement Board (Term expires 6/30/14)

William "Chip" Mason was appointed to the Retirement Board.

10.38. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/14)

Thomas Derenthal was re-appointed to the Board of Tax Appeals.

10.39. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/14)

Ross Andrew Feldmann was re-appointed to the Board of Tax Appeals.

10.40. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/14)

Amy Mason was re-appointed to the Board of Tax Appeals.

10.41. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/16)

Christina "Tina" McCaffrey was re-appointed to the Board for Registration of Voters.

10.42. APPOINTMENT: Board for Registration of Voters (Term expires 6/30/16)

Michelle Lefkowitz was re-appointed to the Board for Registration of Voters.

Councilor Berezniak made a motion to remove Mark Porter from the Public Works Commission slot. There was no second. The motion passed by a vote of 14-1 with Councilor Berezniak voting against.

10.36. APPOINTMENT: Public Works Commission (Term expires 6/30/14)

Councilor Mulvaney-Stanak nominated Maxwell Tracy.

Councilor Berezniak nominated Solveig Overby.

City Council President Keogh requested a roll call. Maxwell Tracy was appointed by a vote of 8-7.

For Maxwell Tracy: Councilors Brennan, Bushor, Decelles, Hartnett, Mulvaney-Stanak, Paul, Wright, and Mayor Kiss

For Solveig Overby: Councilors Adrian, Berezniak, Blais, Hartnett, Kranichfeld, Shannon and Keogh

City Council with Mayor Presiding was adjourned at 9:35pm.

11. COMMUNICATION: Mayor Bob Kiss, re: Mayoral Appointments for 2011-2012

Councilors Hartnett and Mulvaney-Stanak made a motion to waive the reading, accept the communication and place it on file and accept the appointments.

The following terms are for one year:

- 11.01. Executive Director, Church Street Marketplace: Ron Redmond
- 11.02. City Arts Director: Doreen Kraft
- 11.03. City Attorney: Kenneth Schatz
- 11.04. Senior Assistant City Attorney: Eugene Bergman
- 11.05. Assistant City Attorney: Nikki Fuller
- 11.06. Assistant City Attorney: Richard Haesler
- 11.07. Assistant City Attorney: Kimberlee J. Sturtevant
- 11.08. Director, Community & Economic Development: Larry Kupferman
- 11.09. General Manager, Burlington Electric Department: Barbara L. Grimes
- 11.10. Chief, Burlington Fire Department: Seth Lasker
- 11.11. Co-Director, Fletcher Free Library: Amber Collins
- 11.12. Co-Director, Fletcher Free Library: Robert Coleburn
- 11.13. Co-Director, Fletcher Free Library: Robert Resnik
- 11.14. Chief, Burlington Police Department: Michael Schirling
- 11.15. Director, Parks and Recreation: Mari Steinbach
- 11.16. Director, Department of Public Works: Steven Goodkind
- 11.17. City Constable: Eugene Bergman
- 11.18. Second Constable: Gordon H. Gilbert
- 11.19. City Grand Juror: Eugene Bergman
- 11.20. Assistant Grand Juror: Kenneth Schatz
- 11.21. Assistant Grand Juror: Nikki Fuller
- 11.22. Assistant Grand Juror: Richard Haesler
- 11.23. Assistant Grand Juror: Kimberlee J. Sturtevant
- 11.24. Superintendent, Cemetery Department: Mari Steinbach
- 11.25. Emergency Management/Civil Defense Director: Seth Lasker
- 11.26. City Engineer and Surveyor: Steven Goodkind
- 11.27. Harbor Master: Mari Steinbach
- 11.28. Pound Keeper: Walt Decker

The following terms are for two-year terms as required by the City Charter:

- 11.29. City Assessor: John Vickery
- 11.30. Director, Human Resources: Susan Leonard

12. COMMITTEE REPORTS (5 mins.)

Councilor Mulvaney-Stanak stated that the Tax Abatement Committee would be meeting and working to learn the process.

Councilor Paul stated the Parks Arts and Culture Committee would be meeting for the second time and would discuss the Moran Project.

Councilor Kranichfeld stated the Public Safety Committee would be discussing consolidation of the Fire Stations.

Councilor Shannon stated the Ordinance Committee would be discussing the Taxi Ordinance. At the last meeting they appointed 5 members to the Downtown Smoking Steering Committee.

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

Councilor Bushor stated that Wednesday, June 8 Ward 1 NPA would be meeting and having a legislative update from Kesha Ram and Chris Pearson. She also stated that there was a process in which people who received noise violations could have their fees waived through community service. A memo from the Community Justice Center stated this policy had resulted in 460 hours of community service being completed.

Councilor Berezniak thanked Sloveig Overby and Oscar Hernandez for applying for Boards/Commissions and encouraged them to stay active.

Councilor Mulvaney-Stanak stated Ward 2/3 NPA's were on Thursdays and preceded by a free dinner. She also noted the marathon was a great event and thanked the partners who made it happen. She also stated the police report noted there was an increase in trespasses and intoxication.

Councilor Hartnett stated he was concerned that the vote on the Burlington Electric ballot questions would take place during the busiest vacation week of the year. He also stated we would do everything possible to help flood victims. He also stated there would be a public input meeting on Recall.

Councilor Kranichfeld also mentioned the dates of the Ward 2/3 NPA's.

Councilor Wright stated he had also watched the marathon and thanked all applicants for city Boards and Commissions.

Councilor Shannon stated there had been numerous volunteers for sandbagging and would like City Councilors to spread the word about volunteer opportunities.

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

Mayor Kiss recognized the work of DPW and Parks in running the marathon and felt it was successful overall. He encouraged people to vote on June 28<sup>th</sup> for the Burlington Electric Ballot Questions. The FY12 Budget would be out soon and would be on the webpage. He also mentioned the straw free initiative by a 9 year old boy from Burlington.

15. ADJOURNMENT

With no objection from the rest of the Council, City Council President Keogh made a motion to adjourn the Annual Meeting of the City Council at 9:52 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator and Amy Bovee, Executive Secretary to the CAO