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DELIBERATIVE AGENDA

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REGULAR MEETING, CITY COUNCIL

MONDAY, JUNE 27, 2011

CONTOIS AUDITORIUM, CITY HALL

6:30 P.M.

PRESENT: Mayor Kiss, City Council President Keogh, Councilors Adrian, Bushor, Berezniak, Kranichfeld, Brennan, Mulvaney-Stanak, Hartnett, Wright, Keogh, Shannon, Blais, Decelles, Dober and Councilor Paul (via Skype)

CITY ATTORNEY'S OFFICE: Ken Schatz and Gene Bergman

CLERK/TREASURER'S OFFICE: CAO Leopold, ACAOs Schrader and Goodwin and Lori Olberg

CITY COUNCIL PRESIDENT KEOGH PRESIDING:

1. AGENDA

Councilor Shannon made a motion to add to the agenda item 4.5 RESOLUTION: Retirement of CAO Jonathan Leopold sponsored by the full Council; add to the consent agenda item 6.19. RESOLUTION: Burlington Telecom Reorganization (Board of Finance) with the action to "waive the reading and adopt the resolution" and remove from the agenda item 18. COMMUNICATION: Joseph McNeil, Esq, re: Collective Bargaining (oral).

On a motion by Councilors Shannon and Bushor, the agenda was unanimously adopted as amended.

2. REPORT: Gene Richards, III, Chair, Burlington International Airport Board of Commissioners through Robert McEwing, Interim Director of Aviation, re: Burlington Airport Chairman's Annual Report, FY-2011

Gene Richards, Chair of the Airport Commission, introduced Airport Commissioners and Airport Staff members. Bob McEwing, the Airport Interim Director, made a presentation to the Council noting the following: the Airport celebrated its 90<sup>th</sup> anniversary this year; there were 651,251 enplanements and 41 daily departures in the last year; there had been ongoing efforts to recruit new airlines in the last six months and that would continue; non-stop service to key hubs and one stop service to the world were available; bus service to and from Montreal had been added in the past year with four arrivals and departures to and from Montreal daily. Canadians saved an average of \$226 a ticket because the taxes were higher in Canada. Mr. McEwing explained the master plan anticipated growth of 1.6 million people in the next 20 years. The master plan had been designed to be a blueprint to guide decision making. The recently completed parking garage had created 600 new spaces. Further, Mr. McEwing noted there had been a \$23 million project to repair the runway with crews working 24 hours a day and recent energy efficiency projects had been done to reduce energy consumption in the garage, terminal, and airfield by 20%. The Aviation Technical Center was in the final phases of approval. The Heritage facility was now LEED certified after completion of a \$24 million project. Finally, Mr. McEwing stated the Airport was also involved in the taxi administration and inspections.

Airport Commission Chairman Richards stated the debt ratio was going to be the largest challenge in the coming year. They would continue to review ways to reduce expenses and increase revenue, with renegotiated contracts being a big piece of that work. He stated it was mandatory to make changes so the Airport would continue to run well. Chairman Richards also discussed the implementation of the new taxi ordinance as being beneficial.

Councilor Shannon asked if the \$24 million Heritage facility was private redevelopment. Mr. Richards stated it was. She thanked the Airport for the communication.

Councilor Bushor asked about the solar array on the parking garage rooftop and how it would be utilized. Heather Kendrew stated the Airport used five megawatts of electricity a year and that while the funding was not available at this time the proposed project would power the parking garage and a portion of the terminal building. Councilor Bushor then asked if enplanements were down by 12% since 2009. Mr. McEwing stated they were slightly below the peak in 2008. Councilor Bushor stated she was skeptical about the growth projections provided and had worried that the additional parking spaces would not be necessary. She asked if the growth projection was conservative. Mr. McEwing stated it was a middle of the road projection. He noted that a lot depended on Canada and the price of fuel.

Councilor Bushor asked about the Airport's relationship with South Burlington. Mr. Richards stated the Airport Commissioner from South Burlington was very supportive. Councilor Bushor stated there needed to be better communication between the two towns. She noted that the South Burlington City Council had issues with property acquisition to provide noise barriers for the Airport and she wondered if one Commissioner from South Burlington provided an adequate link. Mr. Richards stated he was aware of the need to increase communication and the Airport had had some good meetings. He was confident the Airport would come up with solutions to the noise issue, but they might not be the solutions South Burlington was hoping for.

Councilor Mulvaney-Stanak inquired about the F35 issue and when the environmental impact studies would be completed. Mr. Richards stated he believed this issue was likely to go in a different direction and he would pass information to the Council as soon as it was received. Councilor Mulvaney-Stanak asked about apparent issues with a privately-run shuttle and what lessons were learned from that experience. City Attorney Schatz explained that the Airport had a contract for a surface parking shuttle that was run by CAH and there were problems with that company reimbursing the Airport for revenue received. The City was currently in litigation in Chittenden Superior Court and the Airport was attempting to be reimbursed between \$600,000 and \$900,000. Councilor Mulvaney-Stanak asked if the Airport Commission had learned lessons about entering contracts. Mr. Richards stated the current commission was diligent in every venue.

Councilor Blais inquired if the Airport Commission had been aware that the bonding was not in place at the time construction on the parking garage began. Mr. Richards stated they were.

Councilor Hartnett asked what the three top priorities would be in the coming year. Mr. McEwing stated getting more airlines and seats, improving relations with South Burlington, and ensuring that finances were in order. Miro Weinberger, Airport Commissioner, agreed the time to worry about whether to take on debt with the Airport garage would have been before it was built. However, he felt the Commissioners had been left out of the decision making process. Accountability was important to ensure this mistake was not repeated and to contend with future challenges. He believed the bond anticipation note was only a temporary fix.

Councilor Adrian and City Council President Keogh thanked the Airport Commission and stated they look forward to further discussion.

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

3. REPORT: Mark Saba, Burlington Fire Commission Chair, re: 2011 Annual Report of the Burlington Fire Commission to the Burlington City Council

Mark Saba, Fire Commission Chairman, stated a new Fire Chief had been hired. He noted that due to the training provided by Chief O'Neil, for the first time in twenty years, four candidates within the department were qualified to apply. He hoped this type of skill development would continue.

Fire Commission Chairman Saba then presented the highlights of the Department, noting there were 6,666 emergency calls of which 3,900 were for emergency services and 2,766 were for other emergencies. There were 120 structure fires and no loss of life occurred due to a fire in Burlington in the past year.

Councilor Decelles inquired if there had been conversations about consolidating fire houses. Fire Chief Lasker stated the Commission had been briefed on the report. There had not been any further dialogue but the Fire Commission would be meeting with the Public Safety Committee in August. Mr. Saba stated the issue had been put on the back burner because of the expense involved. It was also important to ensure that response time remained within the three minute response time.

Councilor Bushor asked about the response time for the portion of Ward 1 closest to Winooski if the Mansfield Avenue station closed. Residents of Burlington wanted response time to be better than the national average and it was important to remember that in the discussion. She also noted that discussion with UVM and Fletcher Allen was taking place about having a fire station in their areas.

Councilor Hartnett thanked the Fire Department for helping flood victims and stated it was great the City had been able to hire both the Police and Fire Chiefs from within Vermont.

CAO Leopold stated any plan for consolidation would have to address the issue of effectiveness of the department. Most discussion about consolidation had been about responding to an area of the City within three minutes, however, the second part of the issue was how effective the unit could be once they were on site. The primary goal would be to enhance effectiveness. If you could have more people per vehicle, without increasing the staffing, you would have a more effective department. While the response time might go up, it was possible the department could be more effective upon arrival at the scene.

Following up on that, Councilor Bushor suggested that reviewing the issue of whether a fire truck needed to respond alongside all ambulance calls could be reviewed as a part of the consolidation plan.

Mr. Saba stated that fire doubles every ten seconds and that extra half minute could make a big difference in the fire.

Councilor Kranichfeld stated the Public Safety Committee would meet August 2<sup>nd</sup> to explore the next steps in consolidation.

Mr. Saba stated CAO Leopold had always been very supportive of the Fire Department and thanked him.

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

#### 4. PRESENTATION: CEDO and David G. White, re: Moran Update

Larry Kupferman, Community and Economic Development Director, introduced the team working on the project. In addition, Phil McCulley from the Ice Factor and Mark Naud from the Sailing Center were present.

Beginning with information on the Waterfront North Project, Kirsten Merriman-Shapiro noted information in the packet outlined funding and schedule for the improvements. The project would be upgrading the infrastructure, including realigning the bike path, adding sidewalks, upgrading the lighting and road surfaces, stormwater treatment, and parking consolidation. The project started several years ago and involved going through a process to identify community needs. Construction would likely begin in the fall and there were a variety of funding sources, approximately twelve in total, with the majority being a TIGER Grant. She noted there have also been discussions about using TIF Money on this as well, as it was a very good match for the use of that funding.

David G. White emphasized that all debt would be repaid with TIF money, a stable and reliable source of funds. The other funding sources do not require repayment. This project would repay the City all of the funds it had put into the project in pre-planning. Other than the cost of the site acquisitions, all funds would be repaid. Mr. White reminded the Council that using money from the TIF district would not impact individual property taxes.

Councilor Decelles asked about the pre-development costs. Mr. White stated the City had, over the last several years, paid \$670,000 in pre-development from the capital and operating budgets. The funds would be repaid through this project. Councilor Decelles asked Mr. McCauley from the Ice Factor to inform the Council of other projects the Ice Factor was involved in. Mr. McCauley explained that his company had been to thirty to forty meetings in Burlington to define what their company was involved in. Mr. McCauley stated his company currently had climbing gyms around the world, had done contract work in Texas, and would like to open a gym in Burlington, Vermont. Councilor Decelles inquired how long it took the Scotland project to get underway. Mr. McCauley stated it was very similar to the Burlington project and took three to four years and he noted that the project had won many awards. Councilor Decelles asked if all their projects were profitable. Mr. McCauley stated they were and they were very careful to ensure that they were.

Councilor Hartnett inquired how much money the company was putting towards the project. Mr. McCauley stated they would be contributing about \$6.5 million. Councilor Hartnett asked the CEDO staff where the \$600,000 of City money already used had come from. Mr. White stated it was part of the City Council appropriation process over the past few years. Councilor Hartnett asked if the City would be paid back. Mr. White stated it was the intent and expectation that it would be done. Councilor Hartnett asked Mr. White to be more specific. Mr. White stated it was part of the entire financing package and he would be happy to review it with Councilor Hartnett, as he had with other Councilors, because there were a multiple of funding sources.

Councilor Hartnett inquired who the tenants were. Mr. White stated Ice Factor and the Community Sailing Center. The City would have two community rooms and a public viewing terrace. There would also be room for another tenant that the City would seek after construction was completed. Councilor Hartnett asked about the Community Sailing Center's fundraising efforts. Mark Naud and Yves Bradley from the Community Sailing Center stated they had raised preliminary funds and needed to complete a feasibility study and a development agreement to do more. Councilor Hartnett inquired why an agreement had not been signed. Yves Bradley of the Community Sailing Center stated it was complicated and took time. Councilor Hartnett stated he would like to see some progress and the community was frustrated. Mr. Naud stated there had not been an agreement with the Ice Factor either and they had been working on both. The project had been going on for over three years and the Sailing Center had wanted to be in that space for fifteen years. Councilor Hartnett asked how much the cost of cleanup was. Mr. White stated the cleanup budget was just under \$540,000 and was coming in as budgeted.

Councilor Berezniak asked for information on the funding sources for repayment of pre-development costs. Mr. White stated the tenants would make a payment, per the Memorandum of Understanding, upon signing an agreement. The remainder of the repayment would come from portions of the funding package. Councilor Berezniak inquired about the Ice Factor's contracts with the City of Boston. Mr. McCauley stated they were doing contract work for another group and would like to be firmly established in Burlington before moving forward elsewhere.

Councilor Bushor stated residents were concerned with the project actually being completed. Part of the delay had been the City Council reconfirming the financing and costs. She then asked when the development agreements would be ready. Mr. White stated they were still negotiating the business terms and it would depend on the Attorneys' timeline. Councilor Bushor then asked about the timeline for new market tax credits. Mr. White stated they could work on this simultaneously with other tracks of the project including financing, negotiations with tenants, final design, details of permitting, and the Waterfront North project. It was beneficial to get as many of these things done early as possible.

Councilor Bushor inquired if members of the City could be part of that business venture. Mr. White said they could not have a controlling representation but would play a role.

Councilor Brennan inquired about the progress of the drawings. Mr. White stated design drawings had been completed and construction designs were halfway completed. He stated they would be ready by fall, with another round of estimating before going out to bid. Councilor Brennan asked if there were any concerns about traffic at the Sailing Center and whether they would be able to get enough business. Mr. Naud stated the Sailing Center had grown and other community sailing centers had looked at the Burlington model as innovative and opportunistic. All analysis suggested that a facility with a finished floor elevation would be quite successful.

Councilor Wright asked about risks to taxpayers. Mr. White stated the Blue Ribbon Committee supported the project and felt it was a prudent and supportable project. The only debt that would need to be paid would be paid out of TIF and was not dependent on the income of tenants. Councilor Wright stated the Blue Ribbon Committee requested financial statements from the tenants. Mr. White stated they had done financial reviews. Councilor Wright inquired if everything the Blue Ribbon Committee requested had been done. Mr. White stated he believed so. Councilor Wright inquired when construction would begin. Mr. White stated next summer.

Councilor Hartnett inquired how much his firm has billed the City; Mr. White stated around \$200,000.

- 4.01. COMMUNICATION: David G. White, White + Burke Real Estate Investment Advisors, re: Moran – summary update
- 4.02. COMMUNICATION: Larry Kupferman, CEDO Director, re: Moran Center Update – Expenditures and Predevelopment Budget **as of June 14, 2011**
- 4.03. COMMUNICATION: Larry Kupferman, CEDO Director, re: Waterfront Access North (phase 1) Update – Funding and Schedule

Without objection, City Council President Keogh made a motion for agenda items 4.01., 4.02. and 4.03. to be waive the readings, accept the communications and place them on file.

4.5. RESOLUTION: Retirement of Chief Administrative Officer Jonathan Leopold.

Councilors Adrian and Mulvaney-Stanak made a motion to waive the reading and adopt the resolution. Councilor Adrian read the resolution into the record. Councilors Adrian, Shannon, and Wright thanked CAO Leopold for his service. The motion then passed unanimously.

CAO Leopold thanked the Council and expressed appreciation for being able to serve the City of Burlington.

## 5. PUBLIC FORUM

City Council President Keogh opened the public forum at 7:47 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Mary Zompetti-Lowe	Photography Director	Supported BCA Budget
Robin Perla	Photography Teacher	Supported BCA Budget
Steve Conan	BCA Board Member	Supported BCA Budget

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Ben Aleshire	Ward 3 Resident	Supported BCA Budget
Gary Hall	BCA Teacher	Supported BCA Budget
Doreen Kraft	BCA Department Head	Supported BCA Budget
Michael Jager	Ward 6 Resident	Supported BCA Budget
Jonathan Killacky	Flynn Center	Supported BCA Budget
Jay Vos	Ward 5 Resident	Asked for Fairness with Cuts
Ron Ruloff	Ward 3 Resident	Opposed BED Bond
Al Gobeille	Business Owner	Supported BCA Budget
Albert Petrarca	Burlington Resident	Opposed Obama Fundraiser

There being no one further coming forward and no objection from the remaining Council, City Council President Keogh closed the public forum at 8:07 p.m.

6. CONSENT AGENDA

On a motion by Councilors Shannon and Mulvaney-Stanak, the consent agenda was unanimously adopted, as amended, thus taking the following actions as indicated:

Councilor Shannon stated they were working to create a new taxi ordinance so it could be included in the new licenses.

6.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re: Accountability List

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

6.02. COMMUNICATION: Megan Moir, DPW Burlington Stormwater Program, re: Easement Deed and Agreement for the Placement of Permeable Interlocking Concrete Pavers in City ROW at 180 Battery Street

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

6.03. RESOLUTION: Authorization to Execute Easement for Placement and Maintenance of Permeable Interlocking Pavers for 180-188 Battery Street Construction Project (Councilors Dober, Blais, Berezniak: License Committee)

\*waive the reading and adopt the resolution

6.04. COMMUNICATION: Megan Moir, DPW Burlington Stormwater Program, re: Request for approval to execute contract related to Stormwater and Water Infrastructure Mapping

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

6.05. RESOLUTION: Authorization to Execute Agreement with Weston & Sampson to Update Stormwater and Water Distribution Systems Maps (Board of Finance)

\*waive the reading and adopt the resolution

6.06. COMMUNICATION: Kirsten Merriman Shapiro, Special Projects Manager, CEDO, re: Grant Application to CCMPO Sidewalk Program for Waterfront Access North

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

6.07. RESOLUTION: Application for CCMPO Sidewalk Grant Funds (Councilors Wright, Keogh)

\*waive the reading and adopt the resolution

6.08. RESOLUTION: Appointment of Alternate Ward Clerk for Ward One/Appointment of Acting Inspectors of Election for Various Wards for June 28, 2011 Special City Election (Councilor Keogh)

\*waive the reading and adopt the resolution

6.09. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of the City's Right-of-way with Das Bierhaus (Councilors Dober, Blais, Berezniak: License Committee)

\*waive the reading and adopt the resolution

6.10. RESOLUTION: Extension of All Tax-related Licenses and Permits to August 31, 2011 (Councilor Dober)

\*waive the reading and adopt the resolution

6.11. RESOLUTION: Authorization to Execute Construction Contract for Cherry Street Intersection Improvement Project (Board of Finance)

\*waive the reading and adopt the resolution

6.12. RESOLUTION: Recognition of Service by Americorps VISTA Members (Full City Council)

\*waive the reading and adopt the resolution

6.13. COMMUNICATION: Wayne L. Davis, LTF Project Supervisor, State of Vermont, Program Development Division, re: 2012 Municipal Park-and-Ride Grant Program

\*waive the reading, accept the communication, place it on file and send the application to DPW Director Goodkind for potential funding

6.14. COMMUNICATION: John Vickery, City Assessor to Sandra and Todd Labombard, re: Possible tax abatement for victims of the spring 2011 flood

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

6.15. COMMUNICATION: Andy Weigand, re: Housing Board of Review Appointment

\*waive the reading, accept the communication, place it on file and re-advertise this vacancy

6.16. COMMUNICATION: Scott Schrader, Assistant Chief Administrative Officer, re: Automatic Changes in Taxicab Rates

\*waive the reading, accept the communication, place it on file and advertise in Seven Days with the changes in taxicab rates being effective August 1, 2011

6.17. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Sue Trainor, Assistant to the CAO, re: Minutes, City Council, March 28, 2011

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 20, 2011 City Council Meeting

6.18. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary to the CAO, re: Minutes, City Council, April 11, 2011

\*waive the reading, accept the communication, place it on file and adopt the minutes as received at the June 20, 2011 City Council Meeting

6.19. RESOLUTION: Burlington Telecom Reorganization (Board of Finance)

\*waive the reading and adopt the resolution

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

Councilor Berezniak nominated Oscar Hernandez.

Councilor Bushor asked what the applicant's preferred position was, as he applied for other positions. Councilor Berezniak stated this was his first choice.

Oscar Hernandez was unanimously appointed to the Development Review Board-Alternate.

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

Councilor Dober nominated Philip Lavigne.

Philip Lavigne was unanimously appointed to the Housing Board of Review.

9. PEDDLER LICENSE APPLICATION: Dallas Woods, Spot #14, Bank Street

Councilor Dober made a motion, seconded by Councilor Blais, to approve the Peddler License Application for Dallas Woods.

The motion passed unanimously.

10. RESOLUTION: Annual Appropriation and Budget for Fiscal Year Beginning July 1, 2011 (Board of Finance)

Councilor Mulvaney-Stanak made a motion to waive the reading and adopt the resolution, seconded by Councilor Bushor. Councilor Mulvaney-Stanak then stated there was a correction to the enterprise revenue sheet and should be placed in their binders.

Councilor Adrian made a motion, seconded by Councilor Hartnett, to amend the Burlington City Arts budget by level funding the dark room at \$50,000 making \$18,537 available to transfer to the Library, cut the proposed FY2012 increase in mentor arts from \$44,730 to \$37,730 for a total appropriation of \$90,183, up from \$59,453 in FY11, and transfer the available \$7,000 to the library. A further amendment was proposed stating that if Burlington City Arts accepted funds for FY2012 budget, it should ensure that board meetings were open to the public.

Councilor Adrian stated he supported Burlington City Arts (BCA). He noted this proposal was about making good decisions for government. He stated that nothing was being cut from BCA. They were being level funded in one area and increased in another area. Further, he believed that he had been personally attacked by a department head through the dissemination of misinformation. He then addressed questions to CAO Leopold about the proposed budget transfer from BCA to the Library and where that appeared in the budget binder. CAO Leopold stated it was from a sub-program ledger and was not part of the budget but was rolled up under the Object Code, Subsidiary Code and Account Code sections. The document that was distributed by Councilor Adrian was an internal accounting mechanism used by departments.

Councilor Adrian asked if it was an internal sheet that was not provided to the City Council. CAO Leopold stated there were many sub-ledgers for departments of the City that were used for internal



management of budgets. It was not provided to the Council because it was not part of the budgetary control, but strictly for internal management. Councilor Adrian asked where they appear in the budget under the roll up. CAO Leopold stated Section 3 of the budget was General Fund Revenues and page six showed City Arts Revenues at the account level and there was a breakdown by program. Page 19 of Section 3 showed the Subsidiary Level which broke down revenues by functional categories. Page 42-3 of Section 3 showed City Arts Revenues at the Object Code Level. There were further sub-ledgers that were used for internal management. On the expenditures side these figures roll up, beginning on page four which show the Account Detail for City Arts, pages 31-32 of Section 4 which show the Subsidiary breakdown for City Arts and then pages 101-102 show the Object Code Detail. The sub-ledger accounts roll up into this level.

Councilor Adrian asked if the City Arts items showed up on pages 42-43 and pages 101-102. CAO Leopold corrected his statement noting that page 38 was dedicated to City Arts revenues. The total projected revenue was \$996,000, an increase of \$51,000. Councilor Adrian asked what revenue lines offset the expenditure items for Mentor Arts and Darkroom. CAO Leopold stated sources of revenue included registration fees, donations, and grants. Councilor Adrian inquired about the Darkroom budget increasing \$18,537 from last year, a 36.9% increase. The internal ledger showed this under General Fund Expenditures. Councilor Adrian asked where the money came from for each item and why the General Fund increase was over \$18,000 for the darkroom. CAO Leopold stated the revenues derived from outside of the city budget tax support. The total projected increase under the FY12 budget was \$59,000. Of that, \$51,000 would be covered by City Arts fundraising and fees. The total increase in terms of City support would be \$9,000.

Further, CAO Leopold explained the program generated \$50,000 of revenue, representing 86% of the funding. Because City Arts operated hundreds of programs, it was unclear what the breakdown of support from fees and donation was. 80% of expenses were covered by non-city sources and 84% of the increase was covered by non-city sources. Councilor Adrian asked how the Council would know that. CAO Leopold stated page 38 showed revenues of \$996,000. That number did not include any money from the City. The expenditures section under tab 4, page 81 showed a breakdown of City Arts. Page 82 was devoted to City Arts and showed total expenditures of \$1,252,000, reflecting a \$59,000 increase. Subtracting the increase of revenue of \$51,000 from an increase in expenses \$59,000, the Council had verification that the City support was increased by \$9,000.

Councilor Adrian stated that page 38 showed a requested budget of \$996,000. Page 82 showed a requested budget of \$1,252,000. He asked where the difference came from. CAO Leopold stated it was from General Fund revenues that were not generated by City Arts and its programs. Councilor Adrian stated the City contributed about \$250,000. CAO Leopold stated that was about 20% of their budget. Councilor Adrian asked what percentage of General Fund money would be used for mentor arts and darkroom programs. CAO Leopold stated about 20% of the expenses. He also explained the mentoring program was actually an art sales and promotion program. Councilor Adrian asked if that would amount to approximately \$14,000 for the darkroom and \$20,000 for the mentor arts program.

Councilor Adrian asked if \$104,000 was the total budgetary request. CAO Leopold stated mentor arts would use about 20% of the \$104,000. About 20% of the increase would be from outside of City Arts revenue. The program had been largely self-sufficient, but because City Arts would be opening a new gallery that required a startup cost. The gap would be roughly \$8,000. Councilor Adrian then asked if the City was contributing about \$20,000 for that.

Doreen Kraft, Director of City Arts, stated that over the past 30 years the department had never divided the City's contribution into programs. She explained that the City made a subsidy to programming and it was not divided into each budget item. Much of it was used for staff salaries and fundraised money was used for programming. It was viewed as a grant. Councilor Adrian stated the Director of City Arts contradicted the CAO by saying 20% was not taken out of each program and the explanations were inconsistent. He hoped this raised concerns among other City Council members.

CAO Leopold stated it was not confusing to reconcile his comments with BCA Director Kraft. The overall program was 80% funded by revenue they generate. There was not a specific match of each element to each program. You could apply the 20% ratio and get a general idea of the numbers. BCA Director Kraft had said donations did not go to designated areas unless they were earmarked. The programs were generally 80% self-supporting. The mentoring program had been more self-sufficient than the 80%; however, the increase was due to the startup costs of the gallery.

Councilor Adrian raised concerns about the inability to track where money was being spent. He stated the discussion was not about the Arts but about good government. The Library would be cut \$25,000, yet it was still unclear how much money was going to the Arts programs. CAO Leopold stated the page that was distributed by Councilor Adrian was not a budget document but an internal management control. It was confusing to ask how City Arts matched its program with the budget. The budget was clear and the extent of City support was very clear.

Councilor Wright asked for the percentage the Library budget would be cut and the percentage increase for the Arts budget. CAO Leopold stated the net increase of City support for City Arts would be \$9,000, less than 0.9%. That was half the rate at which the overall General Fund operating budget was increasing. The Mayor's amendment increased the Library budget by \$15,000 and included \$25,000 of projected cost of living increases. The budget for the Library for FY12 showed the City would be contributing 89% of that budget. The Library raised approximately \$11,000 of their direct operating budget. That ratio was identical to FY11. The City Arts budget was also identical, except City Arts was raising \$50,000 more.

Councilor Wright stated an individual on public forum had raised concerns that cuts to the Library and City Arts were unequal and unfair. Councilor Wright believed there was a way to not cut the Arts budget and to help the Library. He noted that \$15,000 of the original \$40,000 cut to the Library budget had been restored. That money funded the VISTA program which taught English to new citizens. He stated the Library was very uncomfortable with this debate which put two departments against each other. Councilor Wright then proposed an amendment to use funds from the Special Council Fund. The Board of Finance approved the idea of using that money to restore funding to the Library. Councilors Wright and Mulvaney-Stanak made a motion to amend the resolution to reduce the City Council fund by \$13,000 and move it to the Library. The Library would face a \$12,000 cut, but this would restore the essentials. He believed the City Council Fund should also be considered when departments were facing cuts.

Councilor Decelles called for a point of information, asking if reducing the budget by \$13,000 and adding it to the Library would require a 2/3 vote. City Attorney Schatz stated the motion to amend would require a majority vote. The amendment would have to be approved by a 2/3 vote. Councilor Adrian asked for a point of information and asked City Attorney Schatz if it was germane to have a strike all and to substitute it with a different proposal. A five minute recess was called at 8:55 p.m. to resolve the question.

Councilor Paul stated the \$25,000 was necessary to the Library budget and it already ran on a bare bones budget. In response to a question from Councilor Paul, Amber Collins, Library Co-Director, stated they clearly needed the funds. \$15,000 of the cut came out of line items that were already pared down. \$1,000 had been taken out of the office supply budget, which had only been \$5,000 to begin with. The other cuts were to part time help and would affect customer service and require reorganization of Sunday hours. She spoke in favor of Councilor Wright's amendment.

Councilor Brennan spoke in favor of the amendment. He noted that the Council was in this position because they had not taken the request to increase the budget to the voters.

Councilor Bushor spoke in favor of Councilor Wright's amendment, but raised concerns that the issue was being discussed the night the budget had to be adopted. She noted that the budget process began in January and there had been plenty of time to ask questions for months. She stated she preferred Councilor

Wright's amendment and she did not approve of the concept of having two departments that touch upon the creative side of residents being pitted against each other. She also stated there were other cuts that went unnoticed and she did not approve of the process being initiated at this meeting.

Councilor Shannon asked about the increase in the darkroom program and how much the Community High School of Vermont would be paying. Mary Zompetti-Lowe, the Photography Program Director, stated rental revenue was \$7,500 in FY11. Councilor Shannon inquired what the \$18,000 increase in expenses would be used for. Ms. Zompetti-Lowe stated the increase for the cost of instructors would be \$11,000. It would also be used to add a graphic design program; graphic design had been budgeted separately in the past through the general education program. There would be additional class revenue of \$4,000 to compensate for that expense.

Ms. Zompetti-Lowe stated the proposed partnership with Community High School would require adding \$2,000-\$3,000 in expenses to compensate the instructor. Councilor Shannon asked what Community High School would pay. Ms. Zompetti-Lowe stated the increase was for art supplies, graphic design supplies, additional photography classes, costs for Community High School and upgrades to the digital media lab. Champlain College donated to the program, but facilities needed to be upgraded regularly.

Councilor Mulvaney-Stanak asked if staff reorganization had already begun at the Library. Ms. Collins stated they wanted to utilize reference staff in a better way and have different people monitoring the computer center. Councilor Mulvaney-Stanak inquired how funding for staffing would be used. Ms. Collins stated the Library was open 65 hours a week, circulated hundreds of thousands of books and had only two part time staff members to put away materials. This had been supplemented with volunteers and work study, but there would always be a need for more staff hours. Councilor Mulvaney-Stanak spoke in favor of the amendment and noted that the Council was arguing books versus art, neither of which were major cost drivers to the budget.

Councilor Adrian stated he did not feel the Council was pitting departments against each other and it was the role of Councilors to make difficult decisions. He spoke against the amendment and chastised fellow Councilors for making easy decisions by possibly approving the amendment.

Councilor Hartnett spoke against the amendment stating one department was getting cuts and another was getting an increase. He preferred to take money from Arts and give it to the Library.

Councilor Kranichfeld stated they were being put in a position to approve a budgetary increase where it was unclear where the money was going to go. It was impossible to make an informed rational decision. The amendment presumed money was going to certain places in the City Arts budget, but it was not clear where. However, a \$9,000 increase to City Arts was not worth holding up the entire budget for this issue. He reiterated that using City Council funds was a terrible idea, not a long term solution and should generally be avoided. He stated he would support the amendment this time, but expected there would be more difficult decisions in the future.

Councilor Berezniak spoke against the amendment stating the Council funds were important for analyzing issues in the City and it was important to have every resource available to help make decisions.

At this time Councilor Hartnett asked to call the question which was not recognized by the City Council President. Councilor Hartnett argued with the City Council President that discussion had gone on long enough. Councilor Adrian asked City Attorney Schatz what would happen if the amendment should pass. City Attorney Schatz stated the City Arts budget reduction would be replaced by a reduction in City Council funds, the increase to the Library budget would be \$13,000 and the Board of Directors meetings would be public would remain in place. Councilor Adrian clarified by stating that BCA could not accept funds if their meetings were not considered public meetings.

CAO Leopold stated he did not agree with reducing staff funding for the Council. He explained that when the Board of Finance voted to do so, it was possible to find alternative funding. He pointed out that if

\$25,000 were cut from the Arts budget, revenues also would need to be cut by \$15,000. This would leave only \$10,000 available to the Library. Councilor Adrian, following a point of information, asked if a \$25,000 cut from General Fund money would be directly transferrable. CAO Leopold stated Councilor Adrian's amendment spoke only to taking money from the darkroom and mentoring program. It would be difficult to specify a \$25,000 cut without reducing revenues.

Councilor Wright asked if the items that would be restored were the most important. Ms. Collins stated they would be the operational line items such as electricity and supplies and were most critical.

Councilor Berezniak asked CAO Leopold how reducing money from the BCA budget would impact revenue, as it was unclear how this would impact specific programs. CAO Leopold stated there were revenue figures in the budget. The budget for the darkroom projects would generate \$9,000 more in revenue than it did in FY11. The other \$9,000 used to fund the program comes from gifts and grants. These were more difficult to account for because they were donations to City Arts in general. \$9,000 came from fees that would be paid to use the facility. Therefore, out of the \$18,000 of additional costs in programming, there would be \$9,000 less in fees collected. CAO Leopold stated that cutting money from a department that was 80% self-sufficient was not productive. Councilor Berezniak thanked CAO Leopold and stated he would not support the amendment.

City Council President Keogh requested a roll call on Councilor Wright's amendment. The amendment failed by a vote of 8-6:

AYES: Councilors Brennan, Bushor, Kranichfeld, Mulvaney-Stanak, Paul, and Wright

NAYS: City Council President Keogh, Councilors Adrian, Berezniak, Blais, Decelles, Dober, Hartnett and Shannon

The Council recessed at 10:08 p.m. and returned at 10:10 p.m.

Councilor Blais stated the budget process was very difficult. He credited the Mayor with bringing a budget forward that did not affect safety services. He stated that determining what to do with \$9,000 out of a \$52 million budget was very difficult without more expertise. He noted the budget was the Mayor's budget and he would support the budget because it did not affect public safety. He stated he would not support Councilor Adrian's amendment.

Councilor Shannon stated she still did not understand what the \$18,000 increase in programming was for and stated it was unfortunate that the increases were unclear. She again asked that BCA Director Kraft and the Darkroom Program Director come forward to answer questions. She asked if it were possible for the colleges to pay the staff salaries rather than the taxpayers. Ms. Kraft stated the colleges already pay their way and the only new program was the Community High School. This program was important because it helped at risk youth.

Ms. Zompetti Lowe stated that CCV covered a significant portion of the Art Supply budget with their rental and reiterated that the colleges pay their way. The increase was for community classes. Ms. Kraft stated the program was slowly growing and costs were higher in the beginning. Councilor Shannon inquired about seasonal and temporary help listed in the darkroom and stated it was unclear that other programs were transferring into this one. She then asked the City Attorney if there would be an opportunity to amend the budget. City Attorney Schatz stated it could be amended only at the Mayor's initiative. Councilor Shannon inquired if it could be amended to bring in new items. City Attorney Schatz stated it could but it was subject to a 2/3 vote by the Council when increasing funds and a majority vote when decreasing line items. Councilor Shannon inquired about the mentoring program. Ms. Kraft stated the budget had the wrong title and it should be called Arts Sales and Leasing. Mentor Arts was now included in the Community Programs.

Councilor Hartnett then made a motion to amend the budget by taking \$10,000 from the Council Fund and \$10,000 from the General Fund currently designated to City Arts to give to the Library. Councilor Adrian recommended the Council strike the first paragraph and delete from BCA's budget monies allocated from the General Fund, \$10,000 from the Council Fund and then add \$20,000 to the Library's proposed FY12 Budget. Councilor Bushor questioned what City Arts line item the \$10,000 would come from. Councilor Adrian stated it would come from the entire City Arts budget.

Councilor Bushor called for a point of information, asking if that would be an appropriate approach to the budget. City Attorney Schatz stated it must be amended by adding or subtracting from line items of the budget. CAO Leopold stated there were no elements of the appropriation that was identified as General Fund. City Attorney Schatz stated a line item must be specified, so this would not be appropriate. Councilor Adrian asked the City Attorney if the Charter stated the line item must have an object code. City Attorney Schatz stated it did not. Councilor Adrian stated he would then deduct the funds from page 4, section 4, where it was listed as total City Arts Budget. CAO Leopold stated that was not a line item, but a summary. Councilor Adrian stated that since the Charter was unclear on the matter, he asked if the City Council President would rule on this matter. Following a question from the City Council President, City Attorney Schatz stated the intent of the Charter was to require that the Council be clear where money was being taken from and this would not be. City Council President Keogh stated he would like specific items being identified. Councilor Adrian stated there were concerns about these two programs and preferred to let City Arts determine where they want to take money from and use \$10,000 from the Council fund. The total budget was a line item.

Councilor Adrian then asked for a recess at 10:12 p.m. The Council reconvened at 10:22 p.m.

Councilor Adrian stated that during the recess Burlington City Arts declined to make suggestions about deletions. Therefore, Councilor Adrian proposed deleting \$10,000 from the darkroom program and \$10,000 from the City Council budget. He then proposed adding \$20,000 to the Library budget under equipment maintenance, other contractual services, electricity, miscellaneous training and education, and part time and temporary help in the Library.

At this time Councilor Decelles called the question, with no response from the City Council President. CAO Leopold stated that the darkroom was not an object code and it would need to be specified whether that would come from teachers or art supplies. Councilor Adrian stated it was a line item and had a code number. He then proposed the cut came from art supplies. CAO Leopold stated that would leave only \$1,000 for art supplies and the program would be unlikely to generate any revenue with that amount of money for supplies. Councilor Adrian stated that since BCA would not offer suggestions, they were forced to cut from somewhere.

Councilor Berezniak inquired if the amendment would require a 2/3 vote. City Attorney Schatz stated the amendment would require a majority but the full proposal would require a 2/3 vote. Councilor Berezniak inquired if the budget could be amended with a 2/3 vote at any time. City Attorney Schatz stated it would have to be done at the Mayor's initiative. Councilor Adrian then proposed taking \$10,000 from the bottom line of the BCA and \$10,000 from the City Council budget to be added to the total of the Library budget. Councilor Decelles inquired if this then would force City Arts to decide where that money would be subtracted from. City Council President Keogh stated it would.

Mayor Kiss stated this would take a club to a budget that was supposed to be proposed by the Mayor and approved by the Council. Distinctions needed to be identified by line item. If the budget was passed it could be amended in the future. He reminded the Council they had been involved or invited to participate in all discussions since January and that no one had been left out of the process. He objected to the motion.

Councilor Wright requested a roll call. Councilor Adrian's amended amendment failed by a vote of 2-12.

AYES: Councilors Adrian and Hartnett

NAYS: City Council President Keogh, Councilors Berezniak, Blais, Brennan, Bushor, Decelles, Kranichfeld, Mulvaney-Stanak, Paul, Shannon, Wright and Dober

At 10:30 p.m. Councilors Berezniak and Bushor made a motion to suspend the rules and continue the meeting. The motion passed unanimously.

City Council President Keogh requested a roll call on Councilor Adrian's original amendment. The motion failed by a vote of 3-11.

AYES: Councilors Adrian, Dober, and Hartnett

NAYS: City Council President Keogh, Councilors Berezniak, Blais, Brennan, Bushor, Decelles, Kranichfeld, Mulvaney-Stanak, Paul, Shannon and Wright

Councilor Shannon made a motion, seconded by Councilor Berezniak, to amend lines 152-154 to remove language regarding the School Crossing Guard Program, as there were concerns with directly linking Parking Garage revenues with the program.

Councilor Brennan spoke against the amendment stating funding for the program had been in place for a long time and it would be important to understand what the impact of a change would be.

Councilor Decelles spoke in favor of the amendment stating that it needed to be addressed in the future.

CAO Leopold stated he had suggested to the Council previously that it was important to understand the range of potential impacts removing the funds from the Airport/DPW.

Councilor Paul stated she had drafted an amendment that the Airport staff approved of. She believed that having language in a resolution that discussed school crossing guards in the same sentence as Airport revenues was a bad idea.

Councilor Bushor reminded the Council that it was up to the recipient of the management fee on how the money was spent. Removing the language in the resolution would not eliminate discussion of the issue in the future. It simply removed language that some found objectionable. CAO Leopold stated he did not find the amendment objectionable. Councilor Bushor then spoke in favor of the amendment as long as the Council was willing to agree to discuss the matter further.

Councilors Berezniak, seconded by Councilor Dober, made a motion to call the question. The motion passed unanimously.

The amendment passed by a vote of 13-1 with Councilor Brennan voting against.

Councilor Paul then asked about the Parks Department's Recreation Specialists and Memorial Auditorium. Regarding revenue projections, Mari Steinbach, Director of Parks and Recreation, stated that special events and usage of Memorial Auditorium had increased. The department was on target to hit revenue projections this year. FY12 was budgeted conservatively and revenue projections were reduced. Director Steinbach stated there had been a re-concerted effort to increase the usage of Memorial Auditorium. That had resulted in subcommittee work to address marketing and changes of use of the facility.

Ms. Steinbach stated currently there were three recreation specialists for the Burlington Kids' budget. Sixty percent of their time would be appropriated to new programs. However, it would take extra effort to ensure the Burlington Kids program continued to be successful, so the recreation specialists might need

to spend extra time on Burlington Kids in the coming year. Ms. Steinbach agreed that it was possible that revenue projections are ambitious. The resources that were previously allocated to Burlington Kids had been moved to create new recreation programs. Revenue projections might be ambitious, but this was done in response to the community's call to utilize the recreation specialists.

Councilor Paul asked how three people would bring in \$150,000 of revenue. If they cannot, it was necessary to cut that number or cut those projections and adjust the budget in other ways. CAO Leopold stated revenue was not tracked by the number of people generating it. The revenue that Ms. Steinbach had set was ambitious, but long overdue. He noted it was five years ago that the Citizen's Budget Task Force recommended the Parks and Recreation Department become more entrepreneurial. With millions of dollars of facilities, the Task Force believed there were opportunities to increase revenue. This would begin to take on that challenge. It would not be these three staff people who would generate the revenue, but rather the department as a whole.

Ms. Steinbach wanted the Council to know that a new initiative within the Department was a cost recovery model. Under this, every program would be placed along a cost recovery continuum. Further, Director Steinbach stated this was a national model and one that professionals were familiar with. She noted, in response to Councilor Paul's concern that one recreation specialist had recently submitted a proposal for outdoor recreation programs that would have generated \$66,000 in revenues. Councilor Paul stated she read the Budget Task Force report and appreciated the fact that this change was long overdue. She asked if Ms. Steinbach spoke with the recreation specialists and made them aware of the amount of revenue that needed to be brought in and if they felt that they could do that. Ms. Steinbach stated the dialogue had not been that specific, but in general, any recreation specialist was used to bringing in revenues to the program budget. She noted that Maggie Leugers, their supervisor, might have talked to them.

Ms. Leugers stated she had talked to the recreation specialists, although it had not been specific to dollar amounts. They had proven they could raise up to \$100,000. There were certain programs that generated more revenue to offset the cost of less profitable, but necessary programs, such as soccer and champ camps. Staff had been working on this and would continue to do this with new programs. Ms. Steinbach stated this budget was a starting point and they would make budget adjustments as needed. Councilor Paul requested Ms. Steinbach attend monthly Parks, Arts and Culture Committee Meetings to review revenues.

Councilor Hartnett asked if Councilor Paul planned to offer an amendment regarding Burlington Kids. Councilor Paul stated she would not be. Councilor Hartnett stated this was not the right route and this budget would be difficult because there were never supposed to be three recreation specialists. They had three because the department listened to the public and the Parks Commission. The first priority was the after school program and the School Department was not ready to take the program on. They would need help from the recreation specialists, even if they did not generate \$150,000.

Councilor Mulvaney-Stanak, seconded by Councilor Bushor, made a motion to call the question, stating all amendments had been discussed and the Mayor could edit the budget as needed. City Council President Keogh denied the request, which Councilor Wright questioned. The motion was put to vote and failed by a vote of 10 to 4.

Councilor Decelles stated the process was difficult and it was the Council's job to question the budget. He asked what was spent by the School Department on City Kids in the past year. Jeff Fournier, Director of Expanded Learning from the School Department, stated they budgeted \$321,000 in local education money and \$55,000 in 21<sup>st</sup> Century Community Learning Grant money for a total of \$396,000. Councilor Decelles inquired what they projected for next year. Councilor Decelles asked if they would spend less money next year and how many employees were from the School Department. Mr. Fournier stated they hired all of the staff at Flynn and the Sustainability Academy and some staff in the other schools. Councilor Decelles asked if they would staff everyone except the three recreation specialists next year

and how they planned to do this with less money than was spent this year. Mr. Fournier stated there were currently nine sites but there would be five next year. Councilor Decelles inquired if the middle and high schools were included. Mr. Fournier stated none of it would be funded through recreation money. It would come from parent fees, state childcare subsidies and school district money.

Councilors Adrian and Shannon made a motion to reconsider Councilor Wright's original amendment to take \$13,000 out of the City Council Fund and give it to the Library. The motion to reconsider passed unanimously.

Councilor Adrian made an amendment to reduce the amount from \$13,000 to \$10,000. Councilor Wright accepted the amendment as friendly. Councilor Adrian stated the \$10,000 would be allocated to equipment maintenance, other contractual services, office supplies, and postage in the Library budget.

Councilor Dober stated he was opposed to using City Council money as a quick fix and preferred the original amendment. BCA was trying to expand at a time when finances were constrained. Taking Council money to fund a department was setting a precedent that he was not comfortable with. He stated he would like to help the Library but would not vote for the amendment.

Councilor Wright spoke in favor of the amendment.

The amendment passed by a vote of 13-1 with Councilor Dober voting against.

The amended resolution passed by a vote of 13-1 with Councilor Decelles voting against.

11. RESOLUTION: Annual Tax Assessments on the Property Grand List of the City for the Purposes Therein Set Forth for the Fiscal Year Beginning July 1, 2011 (Board of Finance)

Councilors Shannon and Bushor made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

12. RESOLUTION: Water and Wastewater Rates for Fiscal Year Beginning July 1, 2011 (Board of Finance)

Councilors Shannon and Bushor made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

13. RESOLUTION: Temporary Loans in Anticipation of Taxes for the Fiscal Year Beginning July 1, 2011 (Board of Finance)

Councilors Shannon and Bushor made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

14. RESOLUTION: Authorization for Temporary Borrowing on Behalf of the Water Resources, Wastewater & Traffic Divisions of the Department of Public Works and the Burlington International Airport and the Burlington Electric Department for Fiscal Year Beginning July 1, 2011 (Board of Finance)

Councilors Shannon and Bushor made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

15. RESOLUTION: Appropriation of the General Fund Capital Improvements and the Penny For Parks Budgets for Fiscal Year 2012 (Board of Finance)



Councilors Shannon and Bushor made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

16. RESOLUTION: Authorization for Cost of Living Compensation and Payroll Changes for Non-union Employees (Board of Finance)

Councilor Mulvaney-Stanak made a motion, seconded by Councilor Bushor, to waive the reading and adopt the resolution. Councilor Mulvaney-Stanak stated the Board of Finance discussed adopting a new cost of living adjustment for non-union employees with a 2.7% adjustment and moving from a weekly to a bi-weekly payroll. The savings in Payroll would balance out the CPI increase.

Councilor Kranichfeld asked if a 2.7% increase would be part of the B salary and if both costs would be compounded overtime. CAO Leopold stated both would be continuous. The cost of running payroll would be cut by 1/3 to 1/2. The COLA differential would be financed by those savings and cut costs to administrative overhead. Most employers already were on a bi-weekly paycheck schedule. It would be implemented in a way that employees would not suffer by skipping a week of pay. AFCSME had not yet agreed to this change. Councilor Kranichfeld inquired if this would be a financial wash. CAO Leopold stated it would.

Councilor Dober raised concerns with the date this policy went into effect because many employees live paycheck to paycheck. CAO Leopold stated the COLA took effect at the beginning of the fiscal year. The implementation of bi-weekly payroll would not begin until the end of July. On July 29th there would be an advance check for the net amount that employees usually receive and they would not be paid the next week. For the balance of the fiscal year, each check would be adjusted by 1/11 so at the end of the year they would receive the same amount they would have normally received.

Councilor Berezniak inquired why the cost of living adjustment would be raised permanently rather than having a cash bonus. CAO Leopold stated historically the COLA was permanent. The COLA was intended to adjust against the consumer price index. Due to different collective bargaining agreements, the City was attempting to ensure employees were treated equally.

The resolution passed by a vote of 12-2 with Councilors Berezniak and Hartnett voting against.

17. RESOLUTION: Parking Permits for City Councilors (Councilors Adrian, Shannon, Wright, Hartnett)

Councilor Adrian withdrew the resolution.

19. COMMITTEE REPORTS

There were no Committee Reports presented.

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

No communications from Councilors.

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

Mayor Kiss stated there had been a press conference to alert people that the fireworks display would take place on July 3. The Patriot Flag that would fly in all 50 states would be on display on the waterfront. It was in recognition of 10 years since 9/11. The Mayor informed the Council that FEMA had stated that people should contact them if their home was affected by the flood. FEMA and SBA will work to find

solutions for people with flood damages. Finally, the Mayor notified the public that a Special Election would be held on June 28th and it would be an important vote for Burlington Electric.

22. ADJOURNMENT

Without objection, City Council President Keogh adjourned the Regular City Council Meeting at 11:34 p.m.

Attest:

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

LOCAL CONTROL COMMISSION

MONDAY, JUNE 27, 2011

11:34 P.M.

PRESENT: see above

CITY COUNCIL PRESIDENT KEOGH PRESIDING:

1. AGENDA

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

2. CONSENT AGENDA

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

2.01. AMENDMENT TO OUTSIDE CONSUMPTION PERMIT (2011-2012): Das Bierhaus  
\*waive the reading, accept the communication, place it on file and approve the amendment to Das Bierhaus' Outside Consumption Permit

3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2011-2012): Junior's

Commissioner Dober and Blais made a motion to approve the 1<sup>st</sup> Class Restaurant Liquor License Application for Junior's.

Commissioner Mulvaney-Stanak inquired about hours extending beyond 2 am on Thursday, Friday, and Saturday on the license. Commissioner Dober stated they would remain under the State's authority which says they have to give last call at 1:30. They would still serve pizza for their regular hours. They had been warned that overcrowding would be looked at more severely.

The motion passed unanimously.

4. ADJOURNMENT

Without objection, City Council President Keogh adjourned the Local Control Commission at 11:36 p.m.

Attest:

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

BOARD OF CIVIL AUTHORITY

MONDAY, JUNE 27, 2011

11:36 P.M.

MAYOR KISS PRESIDING:

1. AGENDA

On a motion by Board of Civil Authority Members Keogh and Bushor, the agenda was adopted as is.

2. CONSENT AGENDA

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

- 2.01. RESOLUTION: Appointment of Assistant Election Officials for June 28, 2011  
Special City Election (Councilor Keogh)  
\*waive the reading and adopt the resolution

3. ADJOURNMENT

On a motion by Board of Civil Authority Members Kranichfeld and Dober, the Board of Civil Authority unanimously adjourned at 11:37 p.m.

Attest:

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

CITY COUNCIL WITH MAYOR PRESIDING

MONDAY, JUNE 27, 2011

11:37 P.M.

PRESENT: see above

MAYOR KISS PRESIDING:

1. AGENDA

On a motion by Councilors Bushor and Mulvaney-Stanak, the City Council With Mayor Presiding Agenda was adopted as is.

2. CONSENT AGENDA

On a motion by Councilors Mulvaney-Stanak and Bushor, the City Council With Mayor Presiding Consent Agenda was adopted thus taking the following actions as indicated:

- 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 6/30/12)

Councilors Shannon and Bushor made a motion to re-advertise the position. The motion passed unanimously.

4. APPOINTMENT: Board of Health (Term expires 6/30/14)

Councilor Shannon and Bushor nominated Austin Sumner.

Austin Sumner was nominated to the Board of Health.

5. APPOINTMENT: Board of Health (Term expires 6/30/14)

Councilor Shannon and Bushor nominated David Casey.

David Casey was nominated to the Board of Health.

6. ADJOURNMENT

On a motion by Councilors Bushor and Mulvaney-Stanak, the City Council With Mayor Presiding unanimously adjourned at 11:40 p.m.

Attest:

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