

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, October 17, 2016**

Members Present: President Notte, Aldermen Allaire, Humphrey, Tommola, Gides, Robertson, Etori, Depoy, Donahue and Davis. Also present, City Attorney Romeo and Deputy Clerk Kapusta. Larson was absent.

**7:00 PM BOARD OF ALDERMEN MEETING**

President Notte called the meeting to order at 7:00 PM

**MINUTES OF PREVIOUS MEETINGS (October 3, 2016)**

Alderman Allaire moved to approve the minutes. Alderwoman Robertson seconded. Motion passed.

**OUTSIDE THE RAIL**

David Dress is representing the 1,268 registered dogs in Rutland and the need for a dog park. Mr. Dress asked that the issue be sent to the Recreation Committee for discussion. Alderwoman Davis made a motion to refer the issue to the Recreation Committee, seconded by Alderman Gides. Motion passed.

**COMMUNICATIONS FROM THE MAYOR**

The Mayor is not here today but did ask that President Notte inform the Board that the proposed budget would be available next Monday and asked that the issue of the budget review be sent to the appropriate committee, so that if the Aldermen so chose could schedule meetings before the next Aldermen meeting.

**ADDITIONS AND DELETIONS TO THE AGENDA**

President Notte would entertain a motion to add an Executive Session from Attorney Romeo. A motion was made and seconded (Davis, Allaire). Motion passed.

**REPORTS OF STANDING COMMITTEES**

***David Allaire; Chair, Public Safety Committee***

This report is for information only. Request by Chief Jones for authorization from BOA to charge a fee to service and maintain municipal fire alarm systems. The request was to charge \$150.00 annual fee to the currently 95 municipal fire alarms connected to businesses throughout the city. A big thank you to Alderman Larson who took it upon himself to research current ordinances and found under Chapter 4, Alarm Systems, already has existing language pertaining to this issue that was referred. Section 4180 (a) (2) defines alarm systems, 4184 (e) talks about the annual fee of \$150.00 to all alarms directly connected to the city. No motion came out of the committee. The committee recommended consulting with the City Attorney to see if the simple action of providing to the Fire Chief from the City Treasurer a list of the locations of fire alarms first. If a motion from the full Board would be in order to direct the funds collected from this fee to be deposited directly into the fire equipment replacement account.

Attorney Romeo stated the ordinance already supplies the \$150.00 fee for alarm systems and with that language already there, the collection process can start. An amendment to the

ordinance would be appropriate to state directly where those fees are going, the fire replacement fund.

Currently the Treasurer's department is not been collecting the fee and if the Fire Chief gives the department a list they can begin to collect.

Alderwoman Davis asked to see the entire list. Davis made Motion to refer to the Charter and Ordinance Committee to review the list (Allaire, Davis). Motion passed.

Chief Jones informed the BOA that the Fire Department is having an Open House on Sunday from 11-3 and all are welcome to attend.

### **PETTITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

#### ***Punk in the Park***

There was a large crowd in attendance in support for keeping Punk in the Park an all-day event rather than change it to 4 hours only as told by Superintendent Wight. The event was held this year in September and this was the 11<sup>th</sup> year of the event. There was a complaint by one person to Superintendent Wight which resulted in the change of the length of the event.

John Ellis spoke on behalf of the event and stated that for the past 11 years the Rutland Police Department has had no complaints about the event. A local merchant, Ruth Ellen also spoke in support of the event and keeping it to an all-day event.

A Motion was made to refer to the Recreation Committee (Depoy, Allaire). Motion passed.

### **REPORTS AND LETTER FROM DEPARTMENT HEADS AND OFFICIALS**

#### ***Barbara Spaulding; SVCOA 143 Maple St. Renovation***

Suspend the rules and take the issue up tonight (Allaire, Donahue). Motion passed.

Motion to circulate the resolution for signatures (Allaire, Robertson). Motion passed.

#### ***Brennan Duffy; Recommendation for Business Incentive & Assistance Program (BIAP)***

Suspend the rules and take the issue up tonight (Davis, Gides). Motion passed.

Motion to accept the application offering a \$5,000 grant for assistance through the Business Incentive and Assistance Program from Rutland Integrative Health/Red Lotus Wellness to assist this growing company with the required fit-up work at their new location (Davis, Allaire) Motion passed. Alderman Etori recused himself from the vote.

#### ***Susan Schribeman; Rutland Creek Path Resolution***

Motion to suspend the rules and take the issue of tonight (Allaire, Davis). Motion passed.

Motion to circulate the resolution for signatures (Allaire, Davis). Motion passed.

Treasurer Wilton handed out the Income and Expense YTD Budget vs. Actual as of September 30, 2016, FY 2017 Q1. Information only.

### **REPORTS OF STANDING COMMITTEES**

#### ***Ed Larson; Chair, Public Works Committee***

Alderman Depoy reported out the minutes on behalf of Alderman Larson who is absent. The Public Works Committee met following a referral of a request by the City Treasurer to review a policy established several years ago which capped the amount of unspent money kept in the Public Works Concrete Line at \$50,000. Due to that policy, some \$5,000 above the cap was unspent and could not be transferred into the budget line. Treasurer Wilton indicated that during the recent audit the matter was found and requested a modification of the current cap be made to allow for maintaining the unspent funds in the concrete line for Public Works.

Commissioner Wennberg stated that sidewalk costs are expensive and the account if allowed to build would provide additional opportunity in the future for more work to be accomplished.

Two motions came out of the meeting.

Motion #1: Moved by Alderman Depoy, was to increase the Cap Line to \$100,000. This motion passed 3-0 (So moved) seconded by Davis. Motion passed.

Motion #2: Moved by Alderman Depoy, was to retroactively allow the \$5,000 above the current cap to be kept in the D.P.W. Concrete Budget line. This motion passed 3-0, (So moved) seconded Allaire. Motion passed.

***Sharon Davis; Chair, Community Development Committee***

Marketing Committee request for Zamias Fund – discussion of Marketing Plan – Rutland maintaining an identity. Benefits to tourism, economic development and population growth. Discussed the need for other towns to contribute as this is a regional effort. Maintain and grow the businesses we have here. RFP to be shared with the BOA and quarterly reports. Motion to approve \$50,000 from the Zamias Fund this year and next with funds to be paid to the Rutland Region Chamber of Commerce and I so move, seconded Allaire. After some discussion among the BOA the motion passed.

Information only, Regional Planning Commission tomorrow night will be holding a workshop at 5pm for discussion on Act 174 energy legislation.

**PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

***S.E.P. Request, Turkey Trot 5K Run November 19, 8:30-11AM***

Motion to suspend the rules and take the issue up tonight (Allaire, Tommola). Motion to approve the Turkey Trot 5K Run (Allaire, Davis). Motion passed.

**UNFINISHED BUSINESS**

President Notte read the following Press Advisory:

The City of Rutland Department of Public Works and Milone & MacBroom consulting engineers will be evaluating changes to Combination and Piedmont Ponds to address water quality improvements on Moon Brook. This study will consider ideas, comments and suggestions from the public, especially those who actively use these waters and those who live nearby.

The first of five public meetings associated with this project will be held this Monday, October 24<sup>th</sup>, 2016 at Rutland High School on Stratton Road.

The meeting begins at 7:00 PM in the lecture hall and will include:

- A brief history of water quality issues
- A description of the project
- A summary of prior work on the issue
- An opportunity for participants to share ideas and concerns
- How participants can stay involved

This study will partially fulfill the requirements of the agreement announced last week that settled the lawsuit brought by the City against the Agency concerning the designation of Moon Brook as impaired for storm water.

For more information contact Jeff Wennberg, Commissioner.

President Notte spoke briefly about the anniversary of the exchange program with Hanamaki.

President Notte noted at the last meeting there was discussion about a letter to the State Department regarding additional information on the total number of refugees that are actually

coming. The letter should be finalized in the next day or so after President Notte consults with Attorney Romeo.

**MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

***Alderman Humphrey; Request for Referral, Library Ave between Church & Grove Streets***

Motion to refer for debate purposes to the Board of Highway Commissioners, seconded Davis. Motion passed.

**Executive Session**

***Attorney Romeo; Request for Executive Session***

The Chair will entertain a motion that finds that premature general public knowledge of discussions pertaining to a pending civil action that would place the City at a substantial disadvantage. So moved (Gides, Etori). Motion passed.

The Chair will entertain a motion to move to go into executive session for the purpose of discussing pending civil litigation to which the City is a party, pursuant to 1 V.S.A § 313A1E. (Allaire, Robertson). Motion passed.

At 9:00 a motion was made to adjourn by Alderwoman Davis and seconded by Alderman Tommola.

Respectfully Submitted,

Tracy L. Kapusta  
Deputy City Clerk