

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, November 3, 2014

Members present; President Allaire, Aldermen Kiernan, *Humphrey, Notte, Donahue, Siliski, Brodowski, Larson, Bloomer and Davis. Also present, Mayor Louras, Attorney Romeo and City Clerk Heck. Alderman DePoy was absent. Alderman *Humphrey arrived at 7:15 PM.

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

MINUTES OF PREVIOUS MEETING (October 20th , 2014)

A motion was made and seconded (Davis, Notte) to approve the minutes of the previous meeting.
Motion passed.

OUTSIDE THE RAIL

No one spoke from outside the rail.

COMMUNICATIONS FROM THE MAYOR

FY 2016 Budget Presentation; Mayor Louras briefed the Board on his FY 16 Budget. Mayor Louras reviewed the additional financial documents included with his packet. A motion was made and seconded (Donahue, Larson) to refer back to the Mayor his FY 16 budget and to have him cut 10% more off of his proposed budget. There was some debate. **Motion failed.**

Untable Mayoral Appointments, Board of Health; President Allaire introduced the next issue on Mayoral Appointments. A motion was so moved and seconded (Davis, Larson) to untable the Mayoral appointments for the Board of Health. **Motion passed.** (Upon the passed motions to circulate the ballot box, Clerk Heck gathered all votes and gave them to Attorney Romeo for verification). President Allaire noted a motion to circulate the ballot box for Dr. Mark Messier would be in order. This request was so moved and seconded (Davis, Kiernan). **Motion passed.** The President then noted a motion was needed for Mary Nemeth. A motion was made and seconded (Davis, Kiernan) to circulate the ballot box. **Motion passed.** The final appointment was read by the President for Courtney Collins to circulate the ballot box. This request was so moved and seconded (Davis, Notte) **Motion passed.**

ADDITIONS AND DELETIONS TO THE AGENDA

Three requested issues were added to agenda. The first was an Entertainment Club License for Downtown Bar & Grill. The seconded was a referral from Mike Coppinger on Downtown winter parking. The third request was a Pole & Wire request from Green Mountain Power. A motion was made and seconded (Notte, Larson) to add all three additional items to the agenda. **Motion passed.** Clerk Heck distributed all three documents to the Board.

President Allaire then read the results from the Mayoral appointments.

Dr. Mark Messier	YES 5	NO 5
Mary Nemeth	YES 5	NO 5
Courtney Collins	YES 4	NO 6

President Allaire noted that all appointments passed.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Charles Romeo; Executive Session to Discuss a Civil Action: Estate of Cantone v. City

President Allaire asked for the customary request of moving the request for executive session to the end of the meeting. **Motion passed.**

Superintendent Wight; RAHA Contract; President Allaire introduced the issue and noted a request authorizing the Mayor to sign the contract. A motion was made and seconded (Davis, Brodowski) to suspend the rules and take the issue up that evening. **Motion passed.** Jay Thomas from the Recreation Department was present to give a brief overview of the request and to answer any questions the Board may have. Alderman Humphrey announced to the Board her participation on the RAHA Board. There was brief questioning on loans from RAHA to Recreation. Alderman Notte noted contract language that was very troubling to him. The President noted the debate and stated that there was no motion on the floor. A motion was made and seconded (Davis, Larson) authorizing the Mayor to sign. Debate. The debate continued on the loans to the Recreation Department. As the debate continued a motion was made and seconded (Larson, Notte) to refer the issue back to the City Attorney for 1st paragraph rewrite. Debate continued on the motion. **Motion passed.**

Superintendent Wight; Scope of Work at Giorgetti for Pool Study

President Allaire introduced the following item and noted there was no action requested, just an opportunity to be clear and transparent with the public. A motion was made and seconded (Davis, Larson) to receive and file the report. There was brief discussion. Alderman Siliski asked for the discussion from Alderman Bloomer questions on the soil study and possible ledge conditions voiding the rest of the contract if they show unfavorable results. Bob Peterson did answer those concerns and stated that the contract does have an "escape clause" if soil and ledge findings were unfavorable. **Motion passed.**

Dave Schneider; City Forester, Timber Sale Contract, Authorize Mayor to Sign

President Allaire unintentionally moved on to standing committee reports.

REPORTS OF STANDING COMMITTEES

Chris Siliski; Chair, Finance Committee; Alderman Siliski read his report noting the committee met to discuss several issues including "Budget Information Request". This request was specific to the Mayor and asked for specific information to help with the FY 16 budget process. Alderman Siliski introduced a letter with specific request for the Mayor and asked the Board to sign and the President to deliver the signed copy to the Mayor. Upon the reading of the letter request, Alderman Siliski moved to circulate the letter for signatures and to have the President present it to the Mayor. This motion was seconded by Alderman Davis. **Motion passed.** Alderman Siliski then noted another motion not from committee but through conversation with other BOA members to return the budget to the Mayor until the requested information is presented in the general format requested. Alderman Davis seconded. **Motion passed.**

Alderman Siliski continued with his report and briefed the Board on fund-account updating. The report reviewed various concerns on information generated for City fund-accounts. Alderman Siliski's report was for information only and no action was taken.

Dave Schneider; City Forester, Timber Sale Contract, Authorize Mayor to Sign

President Allaire noted his oversight on skipping this request and introduced the item to the Board. The President then sought a rules suspension. A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Brodowski) to authorize the mayor to sign the timber contract. **Motion passed.**

REPORTS OF SELECT COMMITTEES

There were no reports from Select Committees

REPORTS OF REPRESENTATIVES

There were no representative reports

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Pole & Wire Request; Green Mountain Power – A motion was made and seconded (Donahue, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made

and seconded (Davis, Larson) to approve the request with the seven standard conditions. **Motion passed.**

Mike Coppinger; Downtown Partnership, Parking Issues; President Allaire noted the request from Mr. Coppinger and stated a referral to the Community and Economic Development Committee was requested for parking issues downtown. The request was so moved and seconded (Davis, Notte). **Motion passed.**

A motion was made and seconded (Siliski, Brodowski) to move into the Board of Control Commissioners. **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

Downtown Bar & Grill; Entertainment Permit Request – A motion was made and seconded (Davis, Larson) to authorize the Clerk to sign the Entertainment Permit request. **Motion passed.**

A motion was made and seconded (Davis, Notte) to come out of the Board of Control Commissioners. **Motion passed.**

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Set Public Hearing; Zoning Amendment, Spruce St. & N. Main St – Attorney Romeo gave a brief history on the request, noting timelines and specific resolutions to the request. Alderman Davis requested supporting documents to be distributed to the Board members. President Allaire then noted a time of December 1st, to set the public hearing at 6:45 PM for the Spruce and North Main St. hearings. The request was so moved and seconded (Davis, Larson). **Motion passed.**

President Allaire then noted the request to move into executive session. Attorney Romeo moved to find that premature or public knowledge of information relating to the pending civil action of the estate of Cantone vs. the City could place the City at a substantial disadvantage. The request was so moved and seconded (Davis, Notte). **Motion passed.**

At 8:06 PM a motion to move into executive session to discuss a civil action was so moved and seconded (Notte, Davis). **Motion passed.**

At 8:16 PM a motion was made and seconded (Davis, Notte) to come out of executive session. **Motion passed.**

A motion to waive any potential conflicts in the matter of the State of Cantone vs. the City for the attorney's involved and to authorize the City Attorney to issue letters to that effect was moved and seconded (Notte, Davis). **Motion passed.**

At 8:16 PM a motion was made and seconded (Davis, Notte) to adjourn. **Motion passed.**

Respectfully,

Henry A. Heck
Rutland City Clerk