

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, April 21, 2014**

Members Present; President Allaire, Aldermen Kiernan, Humphrey, Notte, Donahue, Siliski, Brodowski, Larson, Wallstrom, DePoy and Davis. Also present, Mayor Louras, Attorney Romeo, and City Clerk Heck.

President Allaire called the meeting to order at 7 PM.

**MINUTES OF PREVIOUS MEETING (April 7, 2014)**

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

**Motion passed.**

**OUTSIDE THE RAIL**

Lynn Walsh; RUN Director gave the Board a brief update on the annual Green Up Day. Lynn also noted the monthly Police Commission Meeting would be held at the Franklin Conference Center.

Kimberly Griffin; RAPAC Coordinator asked the Board to approve a Special Events Permit. Ms. Griffin noted that her organization was looking to utilize City sidewalks for an event and needed permission. Ms. Griffin also noted the time sensitivity of the issue. A motion was made and seconded (DePoy, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Notte) approving the 100 mile, 100 day kickoff May 5<sup>th</sup> from 12 noon to 1PM, pending insurance.

Brennan Duffy noted a meeting on Tuesday involving consultants on the neighborhood revitalization study.

Kam Johnston noted two issues: The cleaning up at 37 Pine St. and the new LED lighting project.

**COMMUNICATIONS FROM THE MAYOR**

***Abby Brodowski Appointment***

President Allaire noted the tabling of the Mayoral appointment of Abby Brodowski and asked for a motion to untable the appointment. A motion was made and seconded (Davis, Notte) to untable the appointment. **Motion passed.** A motion was made and seconded (Davis, Notte) to circulate the ballot box. The Clerk gathered the votes and gave them to the City Attorney to tabulate.

Attorney Rome counted the votes and presented the results to the President. The President read the results, 10 YES and 0 NO. Mayor Louras swore in the new Alderman.

**REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS**

***Treasurer Wilton; Treasurer's Report***

Treasurer Wilton reviewed all quarter three results.

***Attorney Romeo; Request for two (2) Executive Sessions, Both Dealing with Civil Actions***

The President asked for Attorney Romeo's request to be moved to the end of the meeting.

***Superintendent Wight; Godnick Kitchen & Restructure Referral***

Superintendent Wight brought two requests before the Board. The first was in regards to an RFP that only received one response and far exceeded the budgeted funds. Superintendent Wight asked for a new RFP

on the Godnick kitchen remodel. The second request was for a referral of recreation restructuring. A motion was made and seconded (Wallstrom, Larson) to send the recreation restructuring referral to the recreation committee. **Motion passed.**

### **REPORTS OF STANDING COMMITTEES**

#### ***Sharon Davis; Chair Community and Economic Development, Water Incentive Program***

Alderman Davis read her report on the Water Incentive Program. The report detailed the structure of the program and sought a motion (Davis, Notte) to approve, with changes the water/wastewater rate reduction incentive policy and attached application. Debate followed. **Motion passed.**

#### ***Sharon Davis; Chair Community and Economic Development, Center Street Project***

Alderman Davis read her report on the Center Street Alley Project. The Committee met to discuss an amendment to the agreement between the City of Rutland and the Rutland Regional Planning Commission for the inclusion of the Center Street Market place to be included with the Rutland Creek Path segment 4&5. Alderman Davis noted a public/private partnership, and the added expertise of the RRPC. A motion was made and seconded (Davis, Notte) approving the amendment with the Rutland Regional Planning Commission and to authorize the Mayor to sign. **Motion passed.**

#### ***William Notte; Chair Charter & Ordinance, Parking Boot Ordinance***

Alderman Notte read his report on a request to change the Boot Ordinance from being booted on four (4) unpaid parking tickets to two (2) unpaid parking tickets. The request was to help the Treasurer's Office try and recover numerous unpaid parking violations. The committee discussion resulted in a motion to change the language in 1472 Immobilization of vehicles to replace the wording "...has four (4) or more unpaid parking violations..." with "... has two (2) or more unpaid parking violations. This motion was so moved and seconded (Notte, Davis). There was a good deal of debate from the request. **Motion passed.**

#### ***William Notte; Chair Charter & Ordinance, Bike Helmet Ordinance***

Alderman Notte read his committee report on a request for ordinances dealing with bicycles, specifically the possibility of a helmet ordinance. Alderman Larson referred the issue to committee and presented a huge amount of documents in support of such ordinance. The debate within committee spoke on public education and a greater need for it. Dr. Shattuck presented statistical information on bike accidents and their related effects from RRMC. Not all present felt the same on the issue and presented their case. No motion was presented on a mandatory helmet ordinance, but further discussion was sought and the issue is to remain in committee. The committee did recommend that the full Board approve language removing 5002 subsection 2 & 3 and the final sentence of 5001. **Motion passed.**

#### ***William Notte; Vice- Chair Public Works, Moon Brook 3<sup>rd</sup> Party Designation***

Alderman Notte read his report on Moon Brook 3<sup>rd</sup> Party Designation. The report contained the details presented between the City and State. Commissioner Wennberg asked the committee to approve the proposal from Kleinschmidt Associates for a 3<sup>rd</sup> party review of Moon Brook. The committee discussed funding and what the objective of the 3<sup>rd</sup> party review would be. There were two motions to come from committee. The first was made and seconded (Notte, DePoy) approving the proposal from Kleinschmidt Associates in the amount of \$70,900, with half of the funds to be paid by the State of Vermont in the form of a grant to the City. There was a great deal of debate until the question had been called by Aldermen (Larson, Davis) **Motion passed on calling the question.** The motion was restated by Alderman Notte. President Allaire called the question. **Motion passed.**

The second motion was made and seconded (Notte, DePoy) authorizing the Mayor to sign the financial agreement with the State of Vermont for their grant funding of the project. No Debate. **Motion passed.**

### **REPORTS OF SELECT COMMITTEES**

There were no reports presented.

## **REPORTS OF REPRESENTATIVES**

Alderman Kiernan presented a very brief update on several issues from the MVRTD.

President Allaire noted his first Regional Planning Commission report as an Alderman Representative.

## **PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

### ***Tax Abatement Request; David Trapeni, 65 River Street***

Per past history, President Allaire asked for the approval of a committee of Davis, Allaire, as chair and Kiernan, to hear the request of David Trapeni of 65 River St, and to report back to the full Board on May 19<sup>th</sup> at 6:45 PM. This request was so moved and seconded (Davis, Wallstrom). **Motion passed.**

### ***S.E.P. Request; Walk for Children Walk-A-Thon, Sept. 13, 7AM – 1PM***

The request was introduced by the President. 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, Larson) approving a Walk for Children Walk-A-Thon on September 13<sup>th</sup> from 7Am – 1PM, location the Howe Center. **Motion passed.**

### ***S.E.P. Request; Walk MS Rutland 2014, May 17<sup>th</sup> 10AM – 3PM***

The request was introduced by the President. A motion was made and seconded (Wallstrom, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Wallstrom, Notte) to approve the request. President Allaire restated the request. **Motion passed.**

### ***S.E.P. Request; National Train Day, May 10<sup>th</sup> 9AM – 4PM Amtrak Train Station***

The request was introduced by the President. A motion was made and seconded (Davis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Notte) approving the request. President Allaire restated the request. Chamber President Donahue gave a brief overview of the event. **Motion passed.**

### ***S.E.P. Request; Downtown Partnership, Devil's Bowl Speedway Welcome Party, May 3<sup>rd</sup>***

The request was introduced by the President. A motion was made and seconded (Wallstrom, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Wallstrom) approving the Devil's Bowl Speedway Welcome Party Saturday, May 3<sup>rd</sup> on Center St. **Motion passed.**

### ***S.E.P. Request; Downtown Partnership, Summer Solstice Circus, June 28<sup>th</sup> 11AM – 2PM***

The request was introduced by the President. A motion was made and seconded (Wallstrom, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Wallstrom, Notte) approving the special events permit request for the Summer Solstice Circus on June 28<sup>th</sup> from 11AM – 2PM. **Motion passed.**

### ***S.E.P. Request; D.T.Partnership, Friday Nights, Downtown Rutland, July 11<sup>th</sup>, 18<sup>th</sup>, 25<sup>th</sup> 6-10PM***

The request was introduced by the President. 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, Larson) approving Friday Nights, Downtown Rutland block party with outside dining & music on Center St. July 11<sup>th</sup>, 18<sup>th</sup>, & 25<sup>th</sup> from 6 – 10 PM. **Motion passed.**

### ***S.E.P. Request; Downtown Partnership, Sidewalk Sale Days, August 1<sup>st</sup> & 2<sup>nd</sup> 9AM – 10PM (FRI) 9AM – 3PM (SAT)***

The request was introduced by the President. 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, Notte) approving the Sidewalk Sale Days open air market on Center St. and Merchants Row for August 1<sup>st</sup> and 2<sup>nd</sup> from 9AM – 10PM Friday and 9AM – 3PM Saturday. **Motion passed.**

### ***Request for Water; Krebs & Landing Engineers, Representing GMP***

The request was introduced by the President. 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, Notte) approving the request for potable water allocation for the Green Mountain Power Systems Building, located at 2153 Post Road in Rutland in the amount of 3465 gallons per day. There was brief debate. **Motion passed.**

### ***S.E.P. Request; R.I.S.E. Coin Drop, 5-31, 10 – 2PM***

The request was introduced by the President. A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. A motion was made and seconded (Davis, Notte) approving the request for R.I.S.E. Coin Drop May 31<sup>st</sup> from 10AM – 2PM on Merchants Row, pending proof of insurance. **Motion passed.**

### **BOARD OF CONTROL COMMISSIONERS**

There were no issues to come before the Board of Control Commissioners.

### **UNFINISHED BUSINESS**

There was no unfinished business to come before the Board.

### **MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

The President noted two requests from the City Attorney for executive sessions and called on Alderman Kiernan.

Alderman Kiernan noted the recent issues with solar projects within the City and moved to refer to General Committee the issue of a Solar Project Approval Policy. This request was seconded for debate by Alderman Davis. Alderman Davis noted it would be for City owned property only? Alderman Humphrey mentioned her position on the General Committee and her employment with GMP as a conflict. There was general debate to the referral. **Motion passed.**

Alderman Kiernan then brought the issue of new hire salaries and raise procedures for non-union employees up. He made a motion to refer both issues to the General Committee. This request was seconded by Alderman Wallstrom. Debate. Alderman Siliski asked if General Committee was the right choice or if the new Humane Resource Committee was better suited. President Allaire noted the new Humane Resource Committee as the place where the overall review top to bottom of the personal manual handbook and all pieces involved was going to be the focus. There was no further debate. **Motion passed.**

Alderman Wallstrom noted the Carriage Hill trail was opening and invited all to participate.

Alderman Kiernan noted his displeasure at the third appointment from Mayor Louras to the Board of Alderman. Alderman Kiernan noted that the vacancy was not necessary as the candidate who vacated the Board could have done so prior to the election, allowing voters a voice. Alderman Kiernan noted his support of Abby Brodowski, but also noted an opportunity for a cherry picked board.

President Allaire noted the issue of the HR Committee by Alderman Siliski and stated that the charge of the committee, and a motion, was for a complete review of the personal manual. This request was so moved and seconded (Davis, Donahue). **Motion passed.**

Alderman DePoy noted a public awareness issue with the gas pipeline coming to the area and wanted people to have a heads up on the issue.

Alderman Larson commented on the affectionately known "Siliski's Corner", the Wales and Church Street project that has sat incomplete for months. Alderman Davis motioned to refer the issue to the DPW Commissioner; this request was seconded by Alderman Siliski. Debate followed on some details of the project. There was some back and forth on the Siliski's Corner remark, with Alderman Larson

requesting the DPW Commissioner to come before the Board with updates on the project at their next meeting.

President Allaire then moved on to executive session to discuss civil litigation where premature or general knowledge could place the City at a substantial disadvantage. The request was so moved and seconded (Davis, Larson). **Motion passed.**

At 9:04 PM the Board moved into executive session.

At 9:26 PM a motion was made and seconded (Notte, Davis) to come out of executive session. **Motion passed.**

At 9:27 PM a motion was made and seconded (DePoy, Notte) to move back into executive session to discuss a civil litigation where premature or general knowledge could place the City at a substantial disadvantage.

At 9:53 PM a motion was made and seconded (Wallstrom, Larson) to come out of executive session. **Motion passed.**

A motion was made and seconded (Wallstrom, Davis) authorizing the City Attorney to enter into negotiations within the parameters discussed in executive session. **Motion passed.**

At 9:56 PM a motion was made to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck  
Rutland City Clerk