

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, April 15, 2019**

Members present; President Davis, Aldermen Reveal, Ryan, Etori, Tommola, Mattis, Gillam, Clifford, DePoy and Whitcomb. Alderwoman Humphrey was absent. Also present; Mayor Allaire, Attorney Bloomer and City Clerk Heck.

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

President Davis called the meeting to order at 7:00 PM.

**MINUTES OF PREVIOUS MEETINGS (April 1, 2019)**

A motion was made and seconded (Mattis, Whitcomb) approving the minutes of the previous meeting. **Motion passed.**

**OUTSIDE THE RAIL**

Richard Gallo with the Vermont Veterans Outreach Program spoke about a business owner/Vietnam Veteran and helping him get back on his feet. Mr. Gallo spoke about specifics to help this locale business owner recoup his business and meet State Licensing issues.

Ron Fredette spoke about the BLM flag flying at the high school and sought for it to be removed.

Chris Booth of 171 Bellevue Ave spoke about an event, a Food Truck Event in Main Street Park. There was brief debate from the Board.

Fire Chief Larsen was present to swear in a new fire fighter, Corban Shattuck. Chief Larsen gave a brief history of the recruit. Mayor Allaire swore in the new fireman and his badge was pinned on him by his wife. Chief Larsen updated the Board on the flooding issues and noted several related issues.

President Davis recessed the Board to allow photos of the fire department and its new member.

**COMMUNICATIONS FROM THE MAYOR**

***Untable Mayoral Appointment-Matt Merritt***

President Davis noted the appointment and sought for the nomination to be untabled. The request was so moved and seconded (Gillam, Clifford) **Motion passed.**

A motion was made and seconded (Gillam, Clifford) to circulate the ballot box. **Motion passed.**

Clerk Heck gathered all votes and presented them to Attorney Bloomer for verification.

***Request for Referral; HR Committee. Insurance Buyout, Non-Union Employees***

Mayor Allaire was present to introduce his request for referral. The request to refer the insurance buyout to the HR Committee was so moved and seconded (DePoy, Ryan). **Motion passed.**

***Request Approval Community Facility Application, Paramount Theater***

Mayor Allaire introduced his request from the Paramount Theater asking the Mayor to sign the Community Facility Application. A motion was made and seconded (Whitcomb, Clifford) suspending the rules and taking action on the issue that evening. **Motion passed.** A motion was made and seconded (Whitcomb, Gillam) authorizing the Mayor to sign the Community Facility Application for Rural Development. **Motion passed.**

President Davis noted the nomination of Matt Merritt to the RRA was confirmed. Mr. Merritt spoke and thanked everyone.

Mayor Allaire brought the issue of a Mayoral appointment for Building Inspector. Mayor Allaire asked the Board to table the name of Bob Pelletier and gave a brief history of the nomination. The request to table was so moved and seconded (DePoy, Ryan). **Motion passed.** Mr. Pelletier spoke briefly on his nomination.

Mayor Allaire also noted that the roof project for the rail car at the winter market has been started.

### **ADDITIONS AND DELETIONS TO THE AGENDA**

President Davis noted the request by the Parent Child Center asking for community support for a Community Facility Application. A motion to add was so moved and seconded (Gillam, Ryan) to add the USDA Rural Development Grant request. **Motion passed.**

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

#### ***Treasurer Markowski; Treasurer's Report March***

Treasurer Markowski was present to present her third quarter report. Per past practice, Treasurer Markowski presented her report with highlights of major funds and asked the Board to refer her findings to the Finance Committee for their review. The request for referral was so moved and seconded (Ettori, Whitcomb). **Motion passed.**

#### ***Zoning Administrator Kelly;***

##### ***1) Request to amend Development Plan for 12 Chaplin Ave***

Zoning Administrator Kelly was present to introduce her request. It was noted that 12 Chaplin Avenue was purchased and going to be turned into a single family owner occupied home. The owners' plans have changed and he was requesting that the home stay a two apartment house. ZA Kelly noted the Board would need to approve the change.

A motion was made and seconded (Whitcomb, Mattis) suspending the rules and taking the issue up. **Motion passed.**

A motion was made and seconded (Whitcomb, Ryan) authorizing the Mayor to sign the agreement between the City and CVChaplin LLC, that states the following! The parties agree the Development Plan submitted on July 17, 2018 should be replaced with the Development Plan attached as Exhibit A (dated April 11, 2019) and anywhere the Quitclaim Deed between the City of Rutland and CVChaplin LLC dated September 28, 2018 and filed in the City of Rutland Land Records at Book 678, Page 982 references a Development Plan, it applies to the plan attached as Exhibit A. **Motion passed.**

##### ***2) Application for Use of Sidewalk: Roots Restaurant, 55 Washington Street***

ZA Kelly introduced the request noting it was a little unusual and explained how Roots was looking to utilize the sidewalk outside of their restaurant. A motion was made and seconded (DePoy, Ettori) suspending the rules and taking the issue up that evening. **Motion passed.** A motion was made and seconded (DePoy, Ryan) authorizing the Clerk to sign the sidewalk use permit. There was some debate on the potential of an additional walkway or path being built if needed around the outside structure being built. **Motion passed.** Alderman Ettori moved to refer the potential of widening the sidewalk in front of Roots if needed to the RRA. Alderman Whitcomb seconded. **Motion passed.** President Davis asked Mark Foley Jr. and Donald Billings both present, to keep the Board informed on any issues.

#### ***City Engineer Rotondo;***

##### ***1) Resolution of Support Request, Municipal Highway Grant for Class 2 Roads***

City Engineer Rotondo was present to introduce his request, asking the Board to sign the resolution in support of the Municipal Highway Grant. Engineer Rotondo spoke on the Strong's Avenue Project and how the City would benefit from this grant in terms of road repair at a much reduced cost to the tax payers. A motion was made and seconded (Clifford, Ryan) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Clifford, DePoy) to

circulate the resolution of support for the FY 2020 Municipal Highway Grant for Class 2 Roadway. **Motion passed.**

## ***2) Resolution of Support Request, Municipal Highway Grant for Structures***

Engineer Rotondo sought the same request for a Municipal Highway Grant for Structures. Engineer Rotondo noted the culvert on Allen Street that was almost 70% compromised and in dire need to be replaced. Engineer Rotondo reviewed the project and associated cost. A motion was made and seconded (Whitcomb, Ryan) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Whitcomb, Mattis) ) to circulate the resolution of support for the FY 2020 Municipal Highway Grant for Structures and to remove & replace Allen Street Culvert #20 over Hospital Brook. There was some Q&A from the Board. **Motion passed.**

President Davis noted the addition to the agenda earlier in the meeting and sought to take up the request of the Rutland County Parent Child Center. The request was noted to be similar to the Paramount request for the USDA Rural Development Grant. A motion was made and seconded (Whitcomb, Ryan) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Whitcomb, Gillam) authorizing the Mayor to sign the USDA Rural Development Grant on the behalf of the Rutland County Parent Child Center. **Motion passed.**

## **REPORTS OF STANDING COMMITTEES**

### ***Alderman DePoy; Recreation Committee***

Alderman DePoy read his committee report from April 8, 2019, noting that his committee met to discuss labor relations and sought two (2) motion to enter in to executive session. The committee remained in executive sessions for 1 hour. Upon exiting executive session a motion was made authorizing the Mayor to sign the Unit Clarification Petition regarding Recreation & Parks Maintenance employees, on behalf of the City and Alderman DePoy so moved his committees' motion. Alderwoman Mattis seconded. There was no debate. **Motion passed.** This concluded Alderman DePoy's report.

### ***Alderwoman Humphrey; Community & Economic Development, West St Project, RRA Update***

Alderwoman Humphrey was on vacation so Alderman Gillam read their committee report from April 3, 2019. The committee met to discuss two (2) items placed before it. The first item was the West Street Bumpout Project and a request for \$30,000 from the Zamias Fund. Alderman Gillam read the committee report and noted a motion approving \$30,000 from the Zamias Fund for the West Street Pedestrian & Gateway Improvements Project and so moved that motion to the full Board. Alderman Whitcomb seconded. Debate followed for the next 15 minutes. A motion was made and seconded (DePoy, Gillam) to refer the issue back to Community & Economic Development for further discussion. **Motion failed to refer.** Debate continued for another 25 minutes prior to the question being called by Alderman Clifford and a second by Alderman Gillam. President Davis noted that the question had been called and seconded. **Motion passed.** President Davis noted that the motion was to support the funding of the project and called for a vote. Unsure, President Davis asked for a show of hands, 6-3 in support of the motion. **Motion passed.**

Alderman Gillam continued with his report noting the next issue discussed was an update from the RRA and some of their grants and projects to date. There was no action sought and that concluded his report.

### ***Alderman Gillam; Community & Economic Development, Solar Array Project***

Alderman Gillam read his committee report on the request for "Preferred Site" status for a solar array project on West Street. Alderman Gillam noted that the committee moved into executive session and noted the language. Upon exiting executive session, there was no action taken on the preferred site letter request. A motion was made to refer the issue "solar array preferred sites" to the City of Rutland Planning Commission to be reviewed during the Master Plan rewrite process in 2019 – 2020. Alderman

Gillam so moved and Alderwoman Ryan seconded. Debate. Representatives from Same Sun spoke as well as several members of the Board. **Motion passed.**

### **REPORTS OF SELECT COMMITTEES**

There were no select committee reports.

### **REPORTS OF REPRESENTATIVES**

There were no representative reports.

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

#### ***SEP Request, Coin Drop, City Cat Allies & Vt. Vol Services for Animals; 8-17-2019***

President Davis introduced the request and sought a rules suspension. Alderwomen Ryan and Mattis so moved and seconded the request. **Motion passed.** A motion was made and seconded (Ryan, Mattis) approving the request for a coin drop for the City Cat Allies on August 17, 2019. **Motion passed.**

#### ***Marlene Allen; Same Sun of VT, Preferred Site Designation Discussion***

This request was discussed during Alderman Gillam's committee report.

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

### **BOARD OF CONTROL COMMISSIONERS**

#### ***Outside Consumption Request Roots the Restaurant***

President Davis noted a motion authorizing the Clerk to sign would be in order. That request was so moved and seconded (Ettori, Ryan), Alderman Reveal noted his abstention. **Motion passed.**

A motion was made and seconded (Clifford, Mattis) to move 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**

There were no miscellaneous motions, resolutions or new business to come before the Board.

At 8:58 PM a motion was made and seconded (Mattis, Ryan) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck  
Rutland City Clerk