

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

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

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

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

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

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

**OUTSIDE THE RAIL**

Clint Reed from Vt. Center for Independent Living was present to remind Aldermen about the upcoming event on Wednesday July 24, 2019.

**COMMUNICATIONS FROM THE MAYOR**

Mayor Allaire noted that the Board would be setting the tax rate and looked forward to that. Mayor Allaire also noted the grand opening of the Ocean State Job Lot and thanked all who were present for the grand opening. Mayor Allaire also noted that a gift card he was awarded for a charity of his choice he gave to the Dodge House.

**ADDITIONS AND DELETIONS TO THE AGENDA**

President Davis noted there were several additions to the agenda and read them all, including. Taso, Outside Consumption requests for July 19 & 26<sup>th</sup>.

The Saloon; Outside Consumption requests for July 19 & 26<sup>th</sup>.

Art in the Park; Special Event Permit requests, August & October.

Taso, outside sidewalk use permit.

Taso seasonal outside consumption.

Executive Session request.

Those addition requests were so moved and seconded (Gillam, DePoy) **Motion passed.**

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

***Commissioner Wennberg; Fathom Meter Upgrade Project, For Information Only***

President Davis introduced the request for an information only update on the Fathom project. A motion was made and seconded (Gillam, Clifford) to receive and file the report. **Motion passed.**

***Commissioner Wennberg; Buried Conduit Application – Comcast***

President Davis introduced the request for the buried conduit application from Comcast. A motion was made and seconded (Gillam, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gillam, Mattis) approving the request with the thirteen (13) standard conditions. **Motion passed.**

***Brennan Duffy; RRA Director, Request for Referral, Housing Trust Initiative***

President Davis noted the request from Brennan Duffy for a referral to discuss the Housing Trust Initiative. Elisabeth Kulas of the Housing Trust was present and briefly updated the Board on the project. A motion was made and seconded (Etori, Ryan) to refer to the Community & Economic Development Committee. **Motion passed.**

***Treasurer Markowski;  
Preliminary Treasurer's report for June 30, 2019***

Treasurer Markowski was present to review June 30<sup>th</sup> year end numbers and to request some housing keeping measures from the Board.

***Adjustments for Year end***

President Davis noted some fund balance assignments and transfers and sought action from the Board. A motion was made and seconded (Ettori, Ryan) suspending the rules and taking action on the request. **Motion passed.** Alderman Ettori then noted three (3) different motions with the first to transfer from the unassigned fund balance \$250,000 to offset the FY 19 tax rate. This motion was seconded by Alderwoman Ryan. **Motion passed.** Alderman Ettori then moved to transfer \$60,000 from the General Fund to the Bridge Fund. This motion was seconded by Alderwoman Ryan. **Motion passed.** Alderman Ettori then moved to transfer \$7,944 from the PD general fund Special Events revenue to the PD Equipment Replacement Fund. Alderwoman Ryan seconded. **Motion passed.**

***Tax Rate Information***

President Davis noted that the Board could set the tax rate that evening, but wanted to have that discussion at the end of the meeting. With no objections, the Board moved on with its agenda.

**REPORTS OF STANDING COMMITTEES**

There were no reports of standing committees.

**REPORTS OF SELECT COMMITTEES**

There were no select committee reports.

**REPORTS OF REPRESENTATIVES**

There were no reports of representatives.

**PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

***Jennifer Scott; CSJ President, Request for Zamias Funds***

CSJ President, Jennifer Scott was present to review her request for funds on a feasibility study to utilize the college as an economic developer. A motion was made and seconded (Gillam, DePoy) to refer the request to the Community & Economic Development Committee. **Motion passed.**

***S.E.P. Request, Winter in August, 8-13-2019, from 5-8PM, Merchants Row***

President Davis introduced the request. A motion was made and seconded, (Mattis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Mattis, Gillam) approving the Special Events Permit for Winter in August, August 13<sup>th</sup>, from 5-8PM on Merchants Row. **Motion passed.**

***S.E.P. Request, Walk to End Alzheimer's, 9-7-2019 7AM-Noon, Main St Park***

President Davis introduced the request. A motion was made and seconded, (Mattis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Mattis, Gillam) approving the Special Events Permit, Walk to End Alzheimer's, Saturday, September 7, 2019, 7AM to 12:30PM. **Motion passed.**

***S.E.P. Request, "Stomping Out Stigma" 9-21-2019, 1-3PM, Main St Park***

President Davis introduced the request. A motion was made and seconded, (Mattis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Mattis, Gillam) approving the Special Events Permit, "Stomping Out Stigma", September 21, 2019, from 1-3PM in Main Street Park. There was brief discussion from Tonya Wright, promotor of the event. **Motion passed.**

### ***S.E.P. Request, Art in the Park, August & October***

President Davis introduced the request. A motion was made and seconded, (Mattis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Mattis, Gillam) approving the Special Events Permit for Art in the Park August 10 & 11, 2019 from 10AM – 5PM Saturday and 10AM – 4PM Sunday in Main Street Park. Alderwoman Mattis asked if she could also approve the October event and moved to approve the October Art in the Park with the same hours also in Main Street Park. **Motions passed.**

### ***Taso Use of Sidewalk***

President Davis introduced the request and conferred quickly with the Clerk. A motion was made and seconded (DePoy, Gilliam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (DePoy, Gillam) approving the sidewalk use permit. **Motion passed.**

A motion was made and seconded (DePoy, Ryan) to enter into the Board of Control Commissioners. **Motion passed.**

## **BOARD OF CONTROL COMMISSIONERS**

### ***Taso; Outside Consumption Requests***

President Davis introduced the request for July 19<sup>th</sup> & 26<sup>th</sup>. A motion was made and seconded (DePoy, Ryan) to authorize the Clerk to sign the application. **Motion passed.**

### ***The Saloon; Outside Consumption Requests***

President Davis introduced the request for July 19<sup>th</sup> & 26<sup>th</sup>. A motion was made and seconded (DePoy, Ryan) to authorize the Clerk to sign the application. **Motion passed.**

### ***Taso; Outside Consumption Request for Sidewalk***

President Davis introduced the request. Alderman Tommola asked that the year be placed on the application and moved to authorize the Clerk to sign. Alderman DePoy seconded. **Motion passed.**

A motion was made and seconded (Gillam, Ryan) 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.

### ***Setting FY 20 Tax Rate***

President Davis then noted that the item of setting the tax rate was next and asked the Treasurer to start the discussion. Treasurer Markowski started the discussion with asking the Board to set the unassigned fund balance at 10% and explained her reasons. Treasurer Markowski also noted at that level there would be a reduction in this year's tax rate. Treasurer Markowski reviewed projected revenues and the likelihood of increases to health insurance and workers comp. A motion was made and seconded (DePoy, Gillam) to set the tax rate with a 9% unassigned fund balance. Debate. The Board and Mayor spoke about the various options and savings to tax payers. The discussion revolved around setting the unassigned fund at 9 or 10 percent.

After, at length discussion, the motion was voted to set the tax rate with a 9% unassigned fund balance. **Motion failed.**

A motion was then made and seconded (Mattis, Ryan) to set the tax rate at 1.7763 and the unassigned fund balance at 10%. There was no debate on this motion. **Motion passed.** Treasurer Markowski

then spoke on the education rate noting the Non-Homestead rate at 1.6033, an increase over last year and the Homestead rate at 1.4577 a decrease from last year. Those rates were so moved and seconded (Ettori, Ryan). There was brief debate. **Motion passed.**

President Davis thanked the Treasurer for all of their hard work and noted the last remaining item on the agenda was an executive sessions request from Attorney Bloomer.

Attorney Bloomer noted language finding premature general public knowledge regarding pending litigation, to which the City is a party, would clearly place the City at a substantial disadvantage because the discussion will divulge the City's Strategy in such pending litigation and will include confidential attorney-client communication made for the purpose of providing professional legal services to the City. This language was so moved and seconded (Ryan, Mattis). **Motion passed.**

Attorney Bloomer then noted language to enter into executive session (including the Mayor, City Attorney, Treasurer and Police Chief) to discuss pending litigation as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313 (a)(1)(F). This language was so moved and seconded (Ryan, DePoy). **Motion passed.**

The Board moved into executive session at 8:00 PM.

At 8:19 PM a motion was made and seconded (Gillam, Mattis) to move out of executive session. **Motion passed.**

Attorney Bloomer noted language for the motion to authorize the City Attorney to negotiate a settlement in the discussed matter on the discussed terms. The language was so moved and seconded (Ryan, Mattis). **Motion passed.**

At 8:20 PM motion was made and seconded (Clifford, DePoy) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck  
Rutland City Clerk