

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 4, 2018

Members present; President Davis, Aldermen Notte, Humphrey, Ryan, Etori, Tommola, Mattis, Gillam, Clifford, DePoy and Whitcomb. 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 (May 21, 2018)

A motion was made and seconded (Mattis, Ryan) approving the minutes of the previous meeting. Alderman Mattis noted two corrections within the minutes. Clerk Heck acknowledged the corrections.

Motion passed with noted corrections.

OUTSIDE THE RAIL

A group of RHS students were present from their Amnesty International Club to ask the BOA to support a resolution presented by the students supporting refugee resettlement in the City of Rutland. Upon the reading of the resolution, President Davis asked for a copy of the resolution to be left with Alderman Clifford. There was brief discussion from Alderman Humphry who asked for a referral of the issue to the Community & Economic Development Committee. Alderman Etori seconded. **Motion passed.**

Joe Giancola, Mark Foley, Jr. and David Fucci were present to speak on the Fire Call Boxes. Mr. Giancola, Foley and Fucci were all present to speak against the new fee associated with the ordinance on the fire call boxes. Alderman Notte spoke on the issue as he chairs the Public Safety Committee and noted that the issue remains in his committee and he would hold another meeting to further discuss the issue.

David Wallstrom was present to update the BOA on the Rutland City Parks Foundation established a year ago under previous Superintendent White for the improvement of the parks within the city.

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire had nothing for the Board.

ADDITIONS AND DELETIONS TO THE AGENDA

Clerk Heck asked to add a second class liquor request under the Board of control commissioners.

Alderman Notte introduced the request. Alderman Mattis seconded. **Motion passed to add.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Attorney Bloomer; Request Executive Session, Legal Services Contract

President Davis noted the request and sought to move it to the end of the agenda. There was no debate.

Brennan Duffy, Director RRA; Maple Revolving Loan Fund Application

Brennan Duffy and Steve Peters were present and introduced a request, asking the Board to allocate \$2,000 from the Maples Revolving Loan Fund, that combined with cash and in-kind commitments from the RRA and DRP Mr. Duffy and Mr. Peters sought City support for a VCDP Planning Grant to pay for the cost of a Strategic Plan for Downtown Rutland. A motion was made and seconded (Gillam, Ryan) suspending the rules and taking the request up that evening. **Motion passed.** A motion was made and seconded (Notte, Whitcomb) approving the \$2,000 request from the Maples Fund going towards the VCPD Planning Grant in regards to the Strategic Plan for Downtown Rutland. **Motion passed.**

Barbara Spaulding, RRA; VCDP Planning Grant Application

Brennan Duffy was present to introduce the request and sought as part of the application process the need to hold a public Hearing on July 16, 2018. A motion was made and seconded (Gillam, Ryan) to suspend the rules and take action on the request. **Motion passed.** President Davis then asked to set a hearing for July 16, 2018 at 6:45 PM. The request was so moved and seconded, (Gillam, Clifford). **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman Clifford; Public Works Committee

Alderman Clifford read his committee report from May 30, 2018. Alderman Clifford stated his committee met to discuss the authorization of the Mayor to sign a contract with Fathom Water Services upgrading our water and sewer metering system to Advanced Metering Infrastructure and provide ongoing customer and billing services. Commissioner Wennberg was present at the meeting and reviewed the history of the process to achieve this request.

At the end of Alderman Clifford's report a motion was made to authorize the Mayor to sign the proposed five (5) year Technology Service Agreement with Fathom Water Management, Inc. for the Integrated Fixed-Network Advanced Metering Infrastructure (AMI) and Customer Information System and also sign documents as needed to approve the lease/purchase of necessary services and equipment in the amount of \$3,072,437.00 for the term of 15 years with Municipal Leasing Consultants (MLC); provided that in both cases the final language is approved by the City Attorney. For approximately an hour, the Board, Commissioner and residents outside the rail discussed the request. Well into the debate Alderman Clifford moved the question. Alderman DePoy seconded. **Motion passed.** There was still debate from outside the rail (Joe Giancola) until President Davis called for the original motion on the floor. Attorney Bloomer sought some amendments prior to the vote. President Davis asked to vote on the original motion and then come back to the amendments. There was some confusion from the Board when the vote was called.

President Davis then asked Alderman Clifford to re-read his motion out of committee. Alderman Clifford read his motion from Committee: to authorize the Mayor to sign the proposed five (5) year Technology Service Agreement with Fathom Water Management, Inc. for the Integrated Fixed-Network Advanced Metering Infrastructure (AMI) and Customer Information System and also sign documents as needed to approve the lease/purchase of necessary services and equipment in the amount of \$3,072,437.00 for the term of 15 years with Municipal Leasing Consultants (MLC); provided that in both cases the final language is approved by the City Attorney.

President Davis then asked Attorney Bloomer if he wanted to add those amendments. Attorney Bloomer noted, to authorize the Mayor to sign the proposed five (5) year Technology Service Agreement with Fathom Water Management, Inc. for the Integrated Fixed-Network Advanced Metering Infrastructure (AMI) and Customer Information System and also sign documents as needed to approve the lease/purchase of necessary services and equipment in the amount of ~~\$3,072,437.00~~ **up to \$3.1 million dollars** for the term of 15 years at **a rate of 3.79%** with Municipal Leasing Consultants (MLC); provided that ~~in both cases~~ the final language of the financing documents are reviewed by the City Attorney. The request was so moved and seconded (Gillam, DePoy). There was brief debate. President Davis called for the motion with amendments. **MOTION PASSED UNANIMOUSLY.**

REPORTS OF SELECT COMMITTEES

There were no select committee reports

REPORTS OF REPRESENTATIVES

There were no representative reports.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Susan Schreibman; Vtrans Bicycle & Ped Grant Application for Segment 5

Susan Schreibman and Paul Gallo were present to update the Board on the Creek Path and to seek support for a Vtrans Bicycle & Pedestrian Grant for Segment 5. The Board of Aldermen will be asked to support the application including an authorization for the Mayor to sign and the BOA to sign the resolution of support. A motion was made and seconded (Mattis, Gillam) to suspend the rules and take the request up that evening. **Motion passed.** A motion was made and seconded (Mattis, Clifford) moving to support the application for the grant and authorize the Mayor to sign it and to circulate the resolution for signatures. **Motion passed.**

SEP Request; Downtown Rutland Partnership; Friday Night Live, July 13, 20, 27

President Davis introduced the request. A motion was made and seconded (Gillam, Mattis) suspending the rules and taking the request up that evening. **Motion passed.** A motion was made and seconded approving the Special Events Permit request for Friday Night live July 13, 20 & 27, 2018 from 5 – 10 PM on Center Street between Wales and Merchants Row. **Motion passed.**

SEP Request; Downtown Rutland Partnership Street Party & Sidewalk Sale, August 4

President Davis introduced the request. A motion was made and seconded (Gillam, Mattis) suspending the rules and taking the request up that evening. **Motion passed.** A motion was made and seconded (Gillam, Mattis) approving the Special Events Permit request. **Motion passed.**

SEP Request; Pre Car Show Gathering; July 13th, Washington Street, 6-8PM

President Davis introduced the request. A motion was made and seconded (Gillam, Mattis) suspending the rules and taking the request up that evening. **Motion passed.** A motion was made and seconded (Mattis, Whitcomb) approving the Special Events Permit request for the Pre Car Show Gathering, July 13, 2018, on Washington Street from 6-8PM. Sean Barrett, the RAVE President spoke briefly and wanted to make sure the application stated the event was being held on Washington Street. President Davis confirmed that the request was for Washington Street between Strongs and Wales Street and not on Center Street as listed on the agenda. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Kelvans; Outside Consumption Request

President Davis introduced the request for an outside consumption request from Kelvans. A motion was made and seconded (Notte, Ryan) authorizing the Clerk to sign the request. There was brief discussion as to how pleased people were with the opening of the new Center Street Market Place. **Motion passed.**

Jiffy Mart Corporate Structure Change ADDED.

President Davis noted the added request for a new second class liquor license. There was brief discussion as to what the request was for. Clerk Heck noted that Jiffy Mart was under new corporate ownership and there was a need to replace all of their licensing to comply with State and City licenses. President Davis noted a motion to circulate for signatures would be in order. Alderman Gillam so moved the request. Alderman Ryan seconded. **Motion passed.**

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

UNFINISHED BUSINESS

President Davis noted the resolution from FATHOM and asked Attorney Bloomer to brief the Board. Attorney Bloomer noted the Financial Company wanted the Board of Aldermen to sign the resolution and reviewed the various parts to the document. Attorney Bloomer then noted if the Board agreed to the resolution a motion would be to approve the financing resolution and to authorize the Board of Aldermen President to sign on the behalf of the BOA & instruct the City Attorney to hold in escrow

pending his review of the final financing documents. Alderman Gillam so moved the request. Alderman Ryan seconded. **Motion passed.**

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Etori updated the Board on Neighbors Day Vt held this past weekend. Alderman Etori noted one concern from that event dealing with Whites Pool specific to automobile traffic and speed along Jackson Avenue and Avenue B. Alderman Etori moved to refer that issue to the Traffic Safety Committee, Alderman DePoy seconded. **Motion passed.**

Alderman Gillam asked for a motion about concerns with the old Lynda Lee Fashion Building. Alderman Gillam noted the building was unsecure and the neighbors were very concerned about someone getting seriously harmed. Alderman Clifford seconded. **Motion passed.**

Alderman Etori noted the State offering signing bonuses for the recruitment of remote workers to the State. A motion was made and seconded (Etori, Whitcomb) to refer that issue to the Marketing Committee. **Motion passed.**

President Davis then noted the executive session request by Attorney Bloomer and sought the language to move into executive session.

Attorney Bloomer stated two motions were necessary and sought a motion to find that premature general public knowledge regarding the City Attorney's analysis of a legal matter would clearly place the City at a substantial disadvantage because the discussion will include confidential attorney-client communications made for the purpose of providing professional legal services to the City and will also divulge the City's strategy with respect to such legal matter. That language was so moved and seconded (DePoy, Mattis). **Motion passed.**

Attorney Bloomer then sought language to enter into executive session to discuss the City Attorney's analysis of a legal matter as allowed under Title 1, section 313 (a) (1) (F). That language was so moved and seconded (DePoy, Mattis). **Motion passed.**

At 8:36 PM the Board moved into executive session.

AT 8:45 PM a motion was made and seconded (DePoy, Mattis) to come out of executive session. **Motion passed.**

With no other business to come before the Board, a motion was made and seconded (Clifford, Mattis) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk