

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, April 6, 2015

Members present; Board President Notte; Aldermen Allaire, Humphrey, Skates, Etori, Donahue, Larson, Bloomer, DePoy and Davis. Also present, Mayor Louras, City Attorney Romeo and City Clerk Heck. Alderman Siliski was absent.

Board President Notte called the meeting to order at 7PM.

MINUTES OF PREVIOUS MEETINGS (March 16 , 2015)

A motion was made and seconded (Davis, Allaire) approving the minutes of the previous meeting. There was brief debate from outside the rail as Kam Johnston was dissatisfied with the abatement minutes as presented. The Board took no action on the Johnston requests. **Motion passed.**

OUTSIDE THE RAIL

Kam Johnston stated that he hoped to be able to participate and looks forward to doing so.

William Gelbert spoke on a request for an ordinance change on banning smoking within X number of feet of a multi-unit apartment building. A motion was made and seconded (DePoy, Larson) to refer the request to the Charter and Ordinance Committee. **Motion passed.**

Michel "Mike" Messier spoke and read into the minutes a handout titled, "Stormwater Focus is reasonable, appropriate and consistent with the Moon Brook impairment information in Vermont's 2008 & 303 (d) list not temperature per VTDEC's firm opinion and EPA belief" ("believes")

Wallace Nolan spoke on public records request.

COMMUNICATIONS FROM THE MAYOR

Un-table Mayoral Appointments

Board President Notte noted the issue of untabling the Mayoral appointments; the request was so moved and seconded (Davis, Allaire). **Motion passed.** President Notte explained the process of passing the ballot box for City Attorney Romeo and then to have the Board vote on all other appointments by sheet of paper provided by the Clerk.

A motion was so moved (Davis, Allaire) to circulate the ballot box for the appointment of Charles Romeo. Clerk Heck collected and tallied all votes. The President asked Mayor Louras for his list of appointments. The Mayor noted that the list would be provided at their next meeting. President Notte read the results of the Romeo appointment 9 YES – 1 NO, Charles Romeo was confirmed City Attorney.

President Notte then stated a motion to pass the paper bolt for the remaining appointments was in order. The request was so moved and seconded (Allaire, Davis). **Motion passed.**

Clerk Heck distributed and collected the paper ballots. All ballots were presented to Attorney Romeo for tabulation.

Mayoral Appointments

List to be provided at the next BOA meeting.

Authorize Mayor To Invite Proposals

As the Ballots were being tabulated the President moved on to the next Mayoral item. Mayor Louras introduced his next request for sole source or specialized services RFP's. The Mayor then reviewed all items listed and detailed their specific specialization. The list included,

Electrical Services at WWTP
City Tree Removal
Repair/Maintenance City Traffic/Street Lights
Fire Apparatus Equipment
Repair/Maintenance for Computer/I.T.,
Automated Payroll System
Giorgetti Arena Refrigeration Repair/Maintenance

After the review, Alderman Davis moved to send the request for Repair/Maintenance City Traffic/Street Lights and Automated Payroll Systems to the General Committee. Alderman Allaire seconded. There was brief debate. A motion to amend the motion to include the Electrical Services at the WWTP was made and seconded (Donahue, Davis). President Notte then reviewed the amendment and asked if there was any debate. Seeing none, **motion passed to amend**. President Notte then asked if there was any debate on the original motion as amended. Seeing none, he called for a vote. **Motion passed**. It was noted that four (4) request still remained. A motion was made and seconded (Davis, Larson) to suspend the rules. **Motion passed**. A motion was made and seconded (Davis, Larson) authorizing the Mayor to invite for proposals, City Tree Removal, Fire Apparatus Equipment, Repair/Maintenance for Computer/I.T. and Giorgetti Arena Refrigeration Repair/Maintenance. There was no debate. **Motion passed**.

Board President Notte then read the results of the appointments voted on earlier in the meeting.

Henry Heck, City Clerk	10 YES	0 NO
Jeffery Wennberg, DPW Commissioner	7 YES	3 NO
Robert Barrett, Building Inspector	10 YES	0 NO
Cindi Wight, Recreation Superintendent	8 YES	2 NO
Larry Jensen, Police Commission, 3 Year	7 YES	3 NO
Larry Jensen, Police Commission Chair, 1 Year	7 YES	3 NO
Larry Walter, Rutland City Planning Commission, 3 Year	10 YES	0 NO

All Appointments were confirmed and approved.

ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to come from the Board.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Brennan Duffy; Director, RRA, Request for Referral

Brennan Duffy reviewed a request from the College of St. Joseph's for a Water/Wastewater Rate Reduction Incentive. A motion was made and seconded (Davis, DePoy) to refer the issue to the Community and Economic Development Community for review. **Motion passed**.

James Rotondo; City Engineer, Grant Resolutions

City Engineer Rotondo reviewed his request for the Board to sign two (2) resolutions in support of 2016 Municipal Highway Grant Applications. The Applications were for repaving on Dorr Drive and the replacement of the Church St. Bridge #15. A motion was made and seconded (Allaire, DePoy) to suspend the rules and take the issue up that evening. **Motion passed**. A motion was made and seconded (Allaire, DePoy) to circulate for signatures the first request for FY 2016 Municipal Highway Grant for Class 2 Roadway. There was brief debate. **Motion passed**. A motion was made and seconded (Allaire, Davis) to circulate for signatures the second request for the removal and replacement of the Church Street Bridge #15. There was brief debate. **Motion passed**.

Barbara Spaulding; RRA, Request to Set Public Hearings

Ms. Spaulding reviewed her request to renew the City's downtown designation, noting a statutory requirement on language and map that depicts the boundary of the designated district. Ms. Spaulding attached the approved language and boundary map that needs to be included in the City's Master Plan.

It was also noted that the Planning Commission held a public hearing to amend the Master Plan including this language and map. Ms. Spaulding stated the Board needed to set two public hearings to amend the Master Plan as amended. A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up. **Motion passed.** A motion was made and seconded (Davis, DePoy) to set two (2) public hearings to amend the 2014 Master Plan as presented with the first public hearing on May 18, 2015 at 6:45 PM, and June 1, 2015 at 6:45 PM, both in the Aldermen Chambers. **Motion passed.**

Barbara Spaulding; RRA Request for Referral, Downtown Designation Renewal

Ms. Spaulding stated that the RRA was preparing to renew the City's downtown designation. Ms. Spaulding noted that the renewal must include a Capital Plan and Budget for the Downtown. Working with others in City Hall the Downtown Capital Plan & Budget was drafted and needs to be discussed in the appropriate BOA committee. A motion was made and seconded (Davis, DePoy) to refer the request to the Community and Economic Development Committee. **Motion passed.**

Treasurer Wilton; Pension Board Legal Services Request

Treasurer Wilton read her request and sought the Boards' permission to seek counsel for pension related issues. A motion was made and seconded (Allaire, DePoy) to suspend the rules. **Motion passed.** A motion was made and seconded (Allaire, Davis) authorizing the Pension Board to enter into agreement with the Law Office of James McQueston, for legal services for the Pension Board. Alderman Larson abstained for conflicting issues. There was brief debate. **Motion passed.**

Commissioner Wennberg; Vacation Carry-Over Request

Commissioner Wennberg reviewed his request, seeking the Boards approval to allow Peter Kelly to carryover vacation time. A motion was made and seconded (DePoy, Davis) to suspend the rules and take the issue up. **Motion passed.** A motion was made and seconded (DePoy, Davis) approving the vacation carry forward of 26 vacation hours for Peter Kelly to be used between April 1, 2015 and March 31, 2016. **Motion passed.**

Attorney Romeo; Request for Executive Session for Confidential Attorney-Client Communications for the Purpose of Providing Professional Legal Services to the BoA

Per the Boards' past practice, this request was moved to the end of the meeting.

Police Chief Covell; Request to Sell City Police Vehicles

Sgt. Greg Sheldon of the Rutland City Police Department reviewed the request by Chief Covell to sell four (4) City Police Cruisers. All vehicles were listed by year, make, VIN, mileage, and minimum bid to sell. A motion was made and seconded (DePoy, Davis) to take the issue up that evening. **Motion passed.** A motion was made and seconded (DePoy, Davis) authorizing the Chief of Police to dispose of the vehicles listed at pricing and descriptions provided and all proceeds to go to the Police Vehicle Replacement Fund. There was brief debate. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Melinda Humphrey; Chair Recreation Committee

Alderman Humphrey read her committee report from April 1, 2015. The Committee's first item discussed was the Home Depot Fund use for Rotary Park Improvements. Alderman Humphrey noted the issue discussed dealt with the reconstruction of Rotary Park and the associated cost and funding options. A motion out of committee authorizing the Recreation Department to spend up to \$160,000 for the reconstruction of Rotary Park with the following funds; \$110,000 from Field Improvement, \$20,000 Grant, \$12,212.57 entirety of remaining funds in activity account from a 2006 Grant and up to \$17,787.43 from the Home Depot Fund and she so moved. Alderman Allaire seconded. There was brief debate from outside the rail. **Motion passed.**

Alderman Humphrey continued with the second issue on Professional Services Expenses for Municipal Pool Planning & Analysis. Alderman Humphrey noted there was no formal discussion and the issue is to remain in committee. This concluded her report.

REPORTS OF SELECT COMMITTEES

There were no reports from Select Committees

REPORTS OF REPRESENTATIVES

Alderman Allaire; Transportation Council

Alderman Allaire gave a brief Transportation Council report from March 26, 2015 and discussed a list of projects prioritized for 2017. Alderman Allaire presented this list to the Board.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

S.E.P. Request; Wonderfeet Museum Pig Roast, May 5, 4-8PM Wales St. Rutland

Board President Notte read the request and sought Board action. 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, Larson) approving the Wonderfeet Kids Museum Pig Roast on May 5th from 4-8PM on Wales Street in downtown Rutland. Alderman Etori abstained from voting as he is a member on their Board. **Motion passed.**

S.E.P. Request; Race Car Show/Devil's Bowl Speedway, May 9, 9 – noon, Center and

Merchants Row Board President Notte read the request and sought Board action. 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, Larson) approving the Race Car Show/Devil's Bowl Speedway on Saturday May 9th from 9 AM - noon in downtown Rutland, from Merchants Row to Center St. to Wales St. Chamber of Commerce President Tom Donahue spoke briefly on the event. **Motion passed.**

S.E.P. Request; Winter in August, August 11, 5 – 8PM, 50 Merchants Row

Board President Notte read the request and sought Board action. 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, Donahue) approving Winter in August on August 15th from 5 PM – 8PM annual food festival at 50 Merchants Row in downtown Rutland. Tom Donahue again spoke on the significance of the annual event and looks forward to another great gathering. **Motion passed.**

S.E.P. Request; Keith Lorman, Coin Drop, May 9, 10-2PM

There was discussion as to an incomplete application, an extra busy Saturday May 9th and with no representative present, the Board moved to table the application until the next meeting. The request was seconded by Alderman Allaire. **Motion passed.**

A Motion was made and seconded (Davis, DePoy) to move into the Board of Tax Abatement. **Motion passed.**

BOARD OF TAX ABATEMENT

Request for Abatement; Neil & Patricia Whitney, 10 Chaplin Ave

Board President Notte noted the additional information provided on abatements and stated the Board had several options to deal with the request. A motion was made and seconded (Donahue, DePoy) to send the request to a committee. President Notte moved to set the committee of Davis as Chair, Notte and Skates to report back to the full Board on May 4th at 6:45PM. **Motion passed.**

Request for Abatement; Richard Bendig, 185 Dorr Dr. Lot #16

Board President Notte introduced the request. A motion was made and seconded (Davis, DePoy) to send the request to a committee. President Notte moved to set the committee of Allaire as Chair, Humphrey and Etori to report back to the full Board on May 18th at 6:30PM. **Motion passed.**

Request for Abatement; U.S. Bank Equipment Finance, Personal Property

Board President Notte introduced the request. A motion was made and seconded (Davis, DePoy) to send the request to a committee. President Notte moved to set the committee of Allaire as Chair, Humphrey and Etori to report back to the full Board on May 18th at 6:30PM. **Motion passed.**

Kam Johnston requested to be placed on the agenda to discuss concerns he is trying to raise. The President asked for the request in writing and he would look at those concerns.

A motion was made and seconded (Davis, DePoy) to move out of the Board of Tax Abatement.
Motion passed.

BOARD OF CONTROL COMMISSIONERS

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

UNFINISHED BUSINESS

Alderman Allaire requested an update on the passed taxi ordinance and where the process stood. Clerk Heck briefed the Board as to the progress of the application and stated that his office should be able to process applications for a license by May 1, 2015.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Allaire asked for a letter to be written and sent to the owners of the downtown plaza on the melting piles of snow and trash in the plaza across from City Hall. The Alderman's request was seconded by Alderman Davis. Board President Notte agreed with the request and stated he would draft a letter for the Boards review. **Motion passed.**

Alderman Larson commended the DPW employees for a very difficult week in regards to the water leak and the resolution of that issue. The Spruce Street building was also mentioned, as part of the roof blew off over the weekend and the importance of capital needs.

Board President Notte noted the request from Attorney Romeo to enter into executive session. Attorney Romeo presented the language, finding that premature or general public knowledge of confidential attorney/client communications would place the Board of Aldermen at a substantial disadvantage. This was so moved and seconded (Allaire, Davis). **Motion passed.** The next motion was to move into executive session for the purpose of confidential Attorney/client communications made for the purpose of providing professional legal services for the Board of Aldermen. This motion was so moved and seconded (Davis, DePoy). **Motion passed.**

At 8:38 PM the Board moved into executive session

At 9:12 PM the Board moved to exit their executive session.

At 9:13 PM the Board moved to adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Rutland City Clerk