

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 5, 2017

Members present; President Davis, Aldermen Notte, Humphrey, Ryan, Etori, Tommola, Mattis, Cook, Larson, DePoy and Donahue. 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 15, 2017)

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

Motion passed.

OUTSIDE THE RAIL

Marion Pratico spoke about smoking issues at a local hotel and refugee resettlement. Ms. Pratico states she is homeless and has received no help from State or Federal Agencies and has turned to the Board of Aldermen.

Susan Schribeman, the local project manager for the Creek Path, updated the Board on the status of the Creek Path Project, noting various segments and there status to date.

Cindi Wight, Recreation Superintendent noted the White's Pool ground breaking ceremony happening this Thursday.

Representatives of Neighborworks of Western Vermont were present to speak about an upcoming event being held on Park Avenue and gave a brief overview of that event.

Greg Foster, a Pepsi Cola representative, spoke about a sponsorship between the City and Pepsi Cola. A motion was made and seconded (DePoy, Larson) to refer the issue to the Recreation Committee to further explore that relationship. **Motion passed.**

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire was present to update the Board and citizens about the new hire of Suzanne Ellis as HR Director for the City.

ADDITIONS AND DELETIONS TO THE AGENDA

Alderman DePoy asked that a Special Events Permit for an AAU Basketball coin drop be added to the agenda. President Davis noted the request and sought a motion to add the request. A motion was made and seconded (DePoy, Notte) to add the request to the agenda. **Motion passed.**

President Davis asked that Alderman DePoy's Committee Report from Recreation Committee on Park Foundation be added to the agenda. The request was so moved and seconded (DePoy, Etori). **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Attorney Bloomer: Request for Executive Session; Regarding Negotiations of a Contract
Attorney Bloomer: Request for Executive Session; Pending Civil Litigation

President Davis noted both of these request were for executive session and asked for a motion to move them to the end of the meeting. The request was so moved and seconded (DePoy, Ryan). **Motion passed.**

Commander Matthew Prouty; Request for Referral; Parking Concerns to Charter & Ordinance

Chief Kilcullen was present to introduce the request. Chief Kilcullen explained the issue at hand with the present ordinance and sought a referral to committee to review and potentially update some language with parking ordinances. A motion was made and seconded (Larson, DePoy) to refer the request to the Charter & Ordinance Committee. There was some discussion on the referral. **Motion passed.**

Brennan Duffy, Director RRA; Request for Referral

President Davis introduced the request to the Board, noting Brennan Duffy, Director of the RRA asked that the City's Business Incentive and Assistance Program (BIAP) be referred to committee. President Davis noted a referral to Community and Economic Development would be in order. The request was so moved and seconded (Larson, Etori). **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman Larson; Chair, Public Works Committee, Complete Streets Issue

Alderman Larson read his committee report from May 15, 2017 noting the committee met to discuss the referral of a Complete Streets Policy. Alderman Larson noted an extensive presentation by City Engineer James Rotondo detailing what made up the Complete Streets Policy and how the City would use it as a guide. Alderman Larson also noted the public would have a chance to learn about the document as well as comment on the drafted policy at a future meeting at the recreation department. A motion was made in committee to submit to the full Board the endorsement of the Complete Streets Guidance Document, with any possible changes submitted to President Davis who also sits on the Board of Highway Commissioners. Alderman Larson so moved his committee's recommendation. Alderman Notte seconded. There was no debate. **Motion passed.**

Alderman Humphrey; Chair, Finance Committee, Fiscal Reviews

Alderman Humphrey read her committee report from May 18, 2017. Alderman Humphrey noted her committee met to discuss the FY 16 Audit and FY 17 year to date & year end . Alderman Humphrey reiterated the fiscal findings of Corrette and associates. Her report was for information only as no action was requested.

Alderman DePoy; Chair, Recreation Committee

Alderman DePoy read his committee report from Friday, June 2, 2017. Alderman DePoy noted that his committee met to discuss the referred topic of a City Park Foundation. The committee along with Cindi Wight discussed the option of starting a foundation that would be used for park improvements, including a 501C3 status, with a Board to oversee the foundation. The committee discussed the advantages of establishing a 501C3 Vs. municipal government. A motion was made and passed in committee to authorize the Recreation Superintendent to begin to build a task force with the goal of creating a Park Foundation in the City of Rutland and Alderman DePoy so moved. Alderman Notte seconded. There was lengthy debate on the motion. **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; Post #31, American Legion

President Davis introduced the request and noted a motion to suspend the rules would be in order. A motion was made and seconded (Larson, Notte) to suspend the rules and take the request up that evening. **Motion passed.** A motion was made and seconded (Notte, Mattis) approving the Special Events Permit for a coin drop for the American Legion Post #31 on Saturday, June 17, 2017 from 10AM -2PM. **Motion passed.**

SEP Request; Officer Down 5K Road Race

President Davis introduced the request and noted a motion to suspend the rules would be in order. A motion was made and seconded (Notte, Larson) to suspend the rules and take the request up that evening. **Motion passed.** Alderman Notte noted there was no sign off from the City Attorney prior to making a motion. A motion was made and seconded (Notte, Larson) approving the Special Events Permit for Officer Down 5K Race on September 16, 2017 from 09:00 hours to 14:00 hours. **Motion passed.**

SEP Request; Coin Drop; Special Olympics Vt, Rutland Eagles Program

President Davis introduced the request and noted a motion to suspend the rules would be in order. A motion was made and seconded (Mattis, Notte) to suspend the rules and take the request up that evening. **Motion passed.** A motion was made and seconded (Mattis, Ryan) approving the Special Events Permit for Special Olympics Vt., Rutland Eagles Program Coin Drop on July 15, 2017 with a rain date of July 22, 2017 from 10AM – 2PM. **Motion passed.**

SEP Request; Coin Drop, Demons AAU Basketball

President Davis introduced the request and noted a motion to suspend the rules would be in order. A motion was made and seconded (DePoy, Notte) to suspend the rules and take the request up that evening. **Motion passed.** Alderman DePoy noted that there was already a coin drop approved for the 17th of June and asked if a motion could still be made to approve pending the date being confirmed by the Clerk. There was some debate. President Davis noted a motion being needed that would approve the Demons coin drop request with a date confirmed and pending proof of insurance signed off by the City Attorney. That language was so moved and seconded (Notte, Mattis). **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

There was no business to come under the Board of Control Commissioners.

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.

President Davis noted the Board still had two executive session requests and sought language from Attorney Bloomer. Attorney Bloomer asked to take the pending litigation issue up first and sought the approval of two (2) motions.

The first motion finds that 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 communications made for the purpose of providing professional legal services to the City. This language was so moved and seconded (Larson, Notte). **Motion passed.**

The seconded motion needed was to enter into executive session 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 (Larson, Ryan) as part of the motion, Mayor Allaire was asked to remain in the room. **Motion passed.** President Davis noted the passing of the motion and asked any Aldermen if there was a question as to the need for entering into executive session. There were no questions.

At 8:02 PM the Board moved into executive session.

At 8:47 PM a motion was made and seconded (Notte, DePoy) to come out of executive session.

President Davis then asked for language to take up the second executive session.

Attorney Bloomer noted that this executive session was to discuss a contract negotiation and asked for a motion that premature general public knowledge regarding the negotiation of a contract, would clearly place the City at a substantial disadvantage because the discussion will divulge the Mayor and Board's stance on the items to be negotiated and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. This language was so moved and seconded (DePoy, Etori). **Motion passed.**

Attorney Bloomer then asked for a motion to enter into executive session to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A) and Title 1, Section 313 (a)(1)(F). This language was so moved and seconded (DePoy, Etori) as part of the motion, Mayor Allaire was asked to remain in the room. **Motion passed.** President Davis noted the passing of the motion and asked any Aldermen if there was a question as to the need for entering into executive session. There were no questions.

At 8:50 PM the Board moved back into executive session.

At 9:03 PM a motion was made and seconded (Larson, Ryan) to come out of executive session. **Motion passed.**

A motion was made and seconded (Notte, Etori) to authorize the Mayor to sign the proposed agreement. **Motion passed.**

At 9:05 PM a motion was made and seconded (Donahue, Etori) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Rutland City Clerk