

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, May 7, 2018**

Members present; President Davis, Aldermen Notte, Humphrey, Ryan, Etori, Tommola, Mattis, Clifford, and Whitcomb. Also present, Mayor Allaire, Attorney Bloomer and Deputy Clerk Kapusta. Alderman DePoy was absent.

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

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

**MINUTES OF PREVIOUS MEETINGS (April 16, 2018)**

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

**OUTSIDE THE RAIL**

Claudio Forte, incoming CEO for Rutland Regional Medical Center, introduced himself and gave some background on his career.

Tim Whitmore, representing RISE, Rutland Isadora Student Exchange, which is now Hamasaki. Students and chaperones introduced themselves and gave brief statements about their upcoming trip.

**COMMUNICATIONS FROM THE MAYOR**

***Mayoral Proclamation; Celebrating RHS 2018 State Basketball Champions***

Mayor Allaire made a Proclamation for the Rutland High School Boys Varsity Basketball Team who won the Division I State Championship for the second consecutive year. Mayor Allaire proclaimed May 7, 2018 as Rutland High School Boys Varsity Basketball Team Day, and urged all residents to honor and congratulate them for their historic accomplishment.

The team consisted of Coach Mike Wood, Assistant Coaches T.J. Sabotka, Corey Czarnecki and Chris Wood. Players Jacob Lorman, Noah Tyson, Jack Morgan, Eric Coughlin, Noah White, Alex White, Keegan Bliss, Jamison Evans, Jared Nelson, Evan Pockette, Ryan Moore and Ethan Notte.

***Mayoral Appointment; Rutland City Board of Aldermen***

Mayor Allaire put forth the name of Bill Gillam to fill the vacancy on the BOA. Bill's resume was passed out to the BOA. The Mayor asked that the nomination be tabled, so moved (Notte, Etori). Motion passed.

***Un-Table Mayoral Appointments; Development Review Board***

Mayor Allaire asked to un-table the appointments for the Development Review Board, so moved (Etori, Ryan). Motion passed.

A motion to circulate the ballots, so moved (Etori, Mattis). Motion passed.

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

Judy Frazier, administrative assistant to the Mayor and City Attorney, has asked for permission to carry over 23.50 hours of unused vacation time. Her Anniversary date is May 8, 2018 and these hours will carry into her next year. The request was added to the agenda, so moved (Notte, Mattis). Motion passed.

The Community and Economic Report was also added to the agenda, so moved (Ettori, Ryan). Motion passed.

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

### ***Barbara Spaulding; RRA, Northwest Neighborhood Revitalization Project***

President Davis introduced the request to suspend the rules and take the issue up tonight (Clifford, Whitcomb). Motion passed. A motion was made to circulate the resolution for signature (Clifford, Mattis). Motion passed.

### ***Treasurer Markowski; RRA FY 17 Audit Report***

Audited Financial Statements for the Rutland Redevelopment Authority for the period ending June 30, 2017, were presented to the RRA Board on April 24, 2018. This report is for informational purposes only.

### ***Zoning Administrator Kelly; Request to Authorize Sale of City Owned Properties***

Tara Kelly, on behalf of the City Owned Properties Committee, provided the BOA with the Committee's recommendations to authorize sale of the City Owned Properties. The committee received and reviewed applications for 5 properties. The committee weighed many factors in its deliberation of the applications aiming to find a balance between various objectives: finding a responsible new owner for each property; the proposed end use of the property and its relationship to the neighborhood; the level of investment anticipated; and the goal of ensuring the City's tax base is strong into the future.

80 Crescent Street: The recommended offer is from Paul Boyer, Jr. in the amount of \$1,000. He intends to restore this house to a single family by investing \$60K-\$70K.

A motion was made (Notte, Ettori) to suspend the rules and take the issue up tonight to approve each property sale separately. Motion passed.

President Davis, the motion would be, to authorize the sale of 80 Crescent Street pursuant, to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents, so moved (Notte, Mattis). After a brief discussion the Motion passed.

120 Crescent Street: The recommended offer is from Habitat for Humanity of Rutland County in the amount of \$1. Habitat for Humanity has demonstrated success redeveloping other properties in Rutland.

A motion was made (Notte, Tommola), to authorize the sale of 120 Crescent Street, pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents. Motion passed.

46 Kingsley Avenue: The recommended offer is from Robert Chanan and his business partner Barbara Wood, in the amount of \$17,000. He intends to invest \$100k in the property.

A motion was made (Notte, Etori), to authorize the sale of 46 Kingsley Avenue, pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents. Motion passed.

126 Park Avenue: The recommended offer is from Boniface Kadima-Mazela in the amount of \$7,000. He plans to invest \$40,000 in the property and keep it as a single family home.

A motion was made (Notte, Mattis), to authorize the sale of 126 Park Avenue, pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents. Motion passed.

109 Forest Street: The recommended offer is from Zohara Zarfati in the amount of \$35,000. She plans to invest in this property and keep it a single family home for herself and her daughters.

A motion was made (Notte, Mattis), to authorize the sale of 109 Forest Street, pursuant to 6-2 of the Rutland County Charter and to further authorize the Mayor to sign all sale related documents. Motion passed.

President Davis, the ballot circulation results:

Michael McLellan, Chair 1 year term:	9 yes	0 no
Stephanie Lorentz, 2 year term:	8 yes	1 no
Steve Wilk, 2 year term:	9 yes	0 no
Al Paul, 3 year term:	9 yes	0 no
Jim Pell, 3 year term:	9 yes	0 no

All of the Mayor's appointments have been approved.

### ***Commissioner Wennberg; Septage & Sludge Rate Increase***

Commissioner Wennberg made a request that the Board in their capacity as the Board of Sewer Commissioners adopt the following rates for sludge and septage processing at the Wastewater Treatment Plant: Septage – seven cents (\$0.07) per gallon; Sludge – eight cents (\$0.08) per gallon, effective June 1, 2018.

Sludge rates are paid for by neighboring towns that have waste water treatment processes that don't complete the job. A review of the current rates for these and related services around the state has revealed that Rutland has the lowest rates in southern Vermont. The Wastewater Treatment Plant is facing over \$2 million in sludge handling capital investment and believe a small increase in rates would generate additional income without loss of market share. The additional revenue will be needed to help defray the cost of the bond and minimize impact on future sewer rates. These rates increases are expected to generate about \$80,000 in new revenue per year.

After a brief discussion, a motion was made (Notte, Tommola) to take the issue up tonight. Motion passed. A motion was made (Notte, Etori) to adopt the following rates for sludge and septage processing at the Wastewater Treatment Plant: Septage – seven (\$0.07) per gallon; Sludge – eight cents (\$0.08) per gallon, effective June 1, 2018. Motion passed.

### ***Superintendent Peters; Pool Update***

Superintendent Kim Peters gave an update on the pool:

June 11 – Lifeguard Training

June 22 – Opening day 4:00pm-8:00pm

June 23 - Opening pool day celebration 11:00am-8:00pm

***Attorney Bloomer; Request for Executive Session, Mandala House Update***

Removed from the agenda.

***Judy Frazier; Request to carry-over vacation hours***

A motion was made to suspend the rules and take the issue up tonight (Notte, Ryan). Motion passed. A motion was made (Notte, Clifford) to allow Judy Frazier to carry-over 23.50 hours of vacation time. Motion passed.

**REPORTS OF STANDING COMMITTEES**

***Alderman Notte; Public Safety, Dunklee Pond Dam***

Alderman Notte read his report from April 30, 2018. The committee met to discuss the condition of the dam at Dunklee Pond. The dam, just several yards away from a culvert under North Main Street, is in a deteriorated condition and presents a possible flood hazard. Due to its current state it is currently monitored by the Rutland City Fire Department on a regular basis.

Vermont Department of Environmental Conservation Official's gave a power point presentation to all in attendance. A large number of residents who live near the dam attended the meeting and after the presentation there was a question and answer session that touched on such issues as who has final say in potential dam removal; how cost would be covered; possibility of saving the dam, and mitigating potential flooding hazards.

While there is a lot of information, a few takeaways are that the state would like to initially widen the discharge point to decrease the amount of water in the pond and eventually remove the dam altogether. There are various grants for dam removal, although a 20% local match is required. There are no grants or state funds available to repair a dam of this type.

Several neighbors spoke of the positive quality of life impacts the dam has on their property, including aesthetics and the wildlife it attracts. The chair conveyed that he had spoken to the owner of the property that includes the dam and pond and that while he accepts the dam may need to be removed, he does not have the funds to pay for removal himself.

This issue will remain in committee to be addressed in the future as needed and as possible.

***Alderman Etori; Special Liquor, Hide-A-Way-Bar***

Alderman Etori read his report from May 2, 2018. Police Chief Kilcullen was invited to share a synopsis of the events at the Hideaway on April 13<sup>th</sup>. He expects there will be a positive outcome to the investigation. Chief Kilcullen mentioned that there have been 14 incidents that have involved the Hideaway in one manner or another to which police have responded to since September 2017. The overall number is significantly higher than other establishments.

Scott Reed, owner of the Hideaway, and Brooke Lipman, owner of Center St. Alley, discussed their current protocols regarding safety and security for their establishments. Brooke Lipman stated that she has purchased a wand to help identify anyone with a concealed weapon before they enter and that they will start to take pictures of all IDs so they have a record of people who have entered her premises. Center Street Saloon owners indicated they will start to wand patrons upon entry as well. These will hopefully serve as deterrents for some.

City officials voiced their thoughts that the bar owners need to be proactive in addressing these security issues and that we take these issues seriously and are interested in partnering with bar owners so that the community has a vibrant and safe nightlife. Chief Kilcullen reiterated the position that the city is interested in only licensing responsible business owners and maintaining a safe downtown. All city official's urges bar owners to work together and that the businesses should contact the police directly, and continue to reach out to police to develop a good working relationship. The board will continue to monitor the developments and is interested in

taking action if establishments do not actively work to maintain the safety and security of the community. This report was for information only.

Alderman Clifford made a motion that the Police Chief notify this Board of any more violations or incidents at the Hideaway Tavern. (Clifford, Tommola). After a lengthy discussion, Alderman Clifford withdrew the motion.

Alderman Notte made a motion to request that the police department inform the BOA as their role as Board of Liquor Control, anytime a bar in the city has 5 police calls or more within a period of one year. Seconded by Alderman Clifford. After another lengthy discussion, Alderman Notte amended his motion, to have the police department provide to the Board of Liquor Control a monthly spreadsheet detailing calls to Rutland City Bars, with that process to begin on May 1<sup>st</sup> with the new licensing approval. Seconded Mattis. Motion passed.

### ***Alderman Etori; Finance Committee Report, FY 17 Audit Review***

Alderman Etori read his report for FY17 Financial Audit Review. Fred Duplessis from Sullivan Powers & Company reported the city has a clean unmodified opinion and is in full compliance with Government Accounting Standards.

Important components highlighted in the report were:

- Management discussion and analysis of the Treasurer's narrative of the FY17 Financial Statements that helps to explain the numbers found in the financial statements. Mr. Duplessis was concerned about the unassigned fund balance being too low at the end of the year. Board members present felt that keeping the unassigned fund balance closer to 10% is a good balance between maintaining adequate cash flow and keeping money in the taxpayer's hands instead of the city's coffers.
- There is a description of the sensitivity of the City's Proportionate Share of the Net Pension Liability to changes in the discount rate. This indicates that while the actuaries use 7.5% as the rate, a 1% change in that rate changes the City's liability very significantly.
- There is a comparison of actuals to budget for revenues and expenditures. Mr. Duplessis wanted to point out that the Zamias Fund and the Special Business Revolving Loan Fund should be a part of the general fund and not their own fund.
- There is the schedule of contributions for the pension trust fund which indicates that the City is trending upwards in terms of meeting the annual contribution to pension.
- The City will need to change how Other Post-Employment Benefits (OPEB) such as health care are recorded for future years. The liability has been recorded as it is funded and will need to start recording it as a liability when it is earned. While it doesn't impact daily operations, it will significantly impact the City's financial position as it will increase liabilities on the financial statements.

This report is for information only.

### ***Alderman Humphrey; Community & Economic Development***

Alderman Humphrey read her report for Neighbor's Day VT. The idea is that individuals would host their own event around the City. The City can try to spread the word, encourage and support hosts and register sites to get Rutland City on the map. Superintendent Peters has reserved the following parks; White's Memorial, Baxter St., Meadow St., Rotary Park, and NE School Complex, at 1:00 PM on June 2<sup>nd</sup> for use for Neighbor's Day Events. Commander Prouty forwarded message from Alderman Humphrey to Project Vision list serve inviting potential Hosts and others interested. Other resources the Board could connect hosts with to make their event successful; Come Alive Outside, RCPD, Recreation Department, New Story, etc.

Rutland Area Vehicle Enthusiasts (RAVE) holds their annual car show at the Vermont State Fair Grounds in Rutland. Sean Barrett, President RAVE, has written to the BOA in hopes of getting more support from Rutland City. This year's 39<sup>th</sup> Annual RAVE Car Show will be held July 14<sup>th</sup> and 15<sup>th</sup>. There is no permit needed therefor no fee to be waived. RAVE plans to submit a Special Events Permit to close Washington Street from Wales to Strongs to display cars during Friday Night Live on July 13<sup>th</sup>. This could boost attendance at Saturday and Sunday's main event. Connections also made with DRP and Chamber contacts regarding advertising and submitting permits.

### **REPORTS OF SELECT COMMITTEES**

There were no items to come under Reports of Select Committees.

### **REPORTS OF REPRESENTATIVES**

There were no items to come under Reports of Representatives.

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

#### ***SEP Request, Down Right Special Buddy Walk, Oct., 13, 2018, from 8 AM – 2 PM***

President Davis introduced the request. A motion was made (Notte, Ryan) to suspend the rules and take the issue up tonight. A motion was made (Notte, Mattis) to approve the special event request for Down Right Special Buddy Walk on October 13, 2018 from 8AM- 2PM. Motion passed.

#### ***SEP Request, 2018 Community Awareness Block Party, Sat., June 9<sup>th</sup> from 11AM - 2PM***

President Davis introduced the request. A motion was made (Mattis, Ryan) to suspend the rules and take the issue up tonight. A motion was made (Mattis, Whitcomb) to approve the special event request for 2018 Community Awareness Block Party, Saturday June 9<sup>th</sup> from 11AM-2PM, contingent upon receipt and approval of the Certificate of Insurance by the City Attorney. Motion passed.

### **BOARD OF CONTROL COMMISSIONERS**

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

### **UNFINISHED BUSINESS**

There were no items to come under unfinished business.

### **MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

Alderman Notte, made a motion to send to the Marketing Committee a look at what the City can do to help market the College of St. Joseph (Notte, Whitcomb). Motion passed.

A motion was made to adjourn at 8:25 PM (Clifford, Mattis). Motion passed.

Tracy L. Kapusta  
Rutland City Deputy Clerk