

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, February 18, 2020

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

7:00 PM BOARD OF ALDERMEN MEETING

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

Mayor Allaire opened the meeting with a moment of silence for Bill Reardon who recently passed and had served the City for 42 years in the Recreation Department.

MINUTES OF PREVIOUS MEETINGS (February 3, 2020)

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

OUTSIDE THE RAIL

Andy McGrath of the Vietnam Veteran's America #1, of Rutland, spoke about getting the City more funds for perpetual care of the Vietnam Memorial in Main St Park. Mr. McGrath spoke of getting the site better ADA compliant and spoke of building a ramp. Mr. McGrath spoke of funding options and looks forward to working with the City.

Kam Johnston was present to let the public know about the Aldermen Forum being held at PegTV tomorrow evening.

COMMUNICATIONS FROM THE MAYOR

There were no communications from Mayor Allaire.

ADDITIONS AND DELETIONS TO THE AGENDA

President Davis asked the Board to add the S.E.P. Shiver me Shamrocks to the agenda. That request was so moved and seconded (Mattis, Whitcomb). **Motion passed.**

President Davis then noted two executive session requests from Attorney Bloomer, both dealing with negotiations of a contract. That request was so moved and seconded (Mattis, Whitcomb). **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Brennan Duffy, RRA Director; Downtown Transportation Fund Matching Funds Request

Brennan Duffy introduced a collaboration between the Downtown Partnership and the RRA for pedestrian wayfinding signage within the designated downtown. Mr. Duffy noted an estimated cost of \$60,000 for the project. Mr. Duffy also noted a funding source through the Downtown Transportation Fund (DTF) grant could offer a 50/50 grant. With both the RRA and Downtown Partnership contributing \$10,000 each, Mr. Duffy was looking for \$10,000 commitment from the Zamias Fund. A motion was made and seconded (Clifford, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Clifford, Mattis) approving the resolution for Downtown Transportation Fund Grant and Downtown Pedestrian Wayfinding Signage and to circulate for signatures. President Davis also noted that the motion should include the \$10,000 Zamias Fund request. Both maker and seconder so moved. **Motion passed.**

Barbara Spaulding, RRA; Downtown Transportation Fund Resolution

President Davis noted that the above passed motion, approved the Zamias Request for \$10,000 and also approved the circulating of the Downtown Transportation Fund Resolution.

Treasurer Markowski;

Loan Agreement for BOA signatures – RF1-258-1-.0 – Long Term Control Plan –Combined Sewer Overflows, Exhibit D Needs to be signed

Treasurer Markowski was present to let the Board know that at the last meeting the Board approved and signed off on this request, but a page of signatures was skipped and she was looking for those signatures.

A motion was made and seconded (Clifford, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Clifford, Mattis) to circulate the requested exhibit D for signatures. **Motion passed.**

Period 7, Treasurer's Report

Treasurer Markowski noted the latest water bill was due today and stated that it went well and thanked everyone for their patience. Treasurer Markowski spoke on the delinquency report, unassigned fund balance and draft audit report soon to come.

DPW Wennberg/Rotondo

1.) Authorization to Contract for Professional Services

a.) River Street Pump Station – Suction Piping Replacement

Commissioner Wennberg was present to introduce the request, noting that the River Street Pump Station pumps the majority of the City's sewage from the East Creek and Otter Creek interceptors to the Wastewater Treatment Facility on Greens Hill Lane. The connection studs that attach the dry pit piping to the face of the wall pipe flanges are original, dating back to 1961. These connections along with additional hardware on the pressure side of the pump are badly corroded and need replacement.

Because of the complexity of these critical modifications, and since the pump station remains in operation (24/7), engineering assistance for the development of technical documents to define critical aspects of this work are required. These documents will be used to solicit bids from contractors for the work. A Motion was made and seconded (Mattis, Whitcomb) suspending the rules and taking action on the request. **Motion passed.** A motion was so moved and seconded (Mattis, Whitcomb) authorizing the Mayor to sign a contract for professional services related to the ***River Street Pump Station – Suction Piping Replacement.*** We also recommend retaining the following consulting engineer, Weston & Sampson. **Motion passed.**

b.) WWTF Headworks Screening Equipment Alternatives Analysis

Commissioner Wennberg noted this project was very similar to the previous request. The part is very old and outdated and should be replaced with a more efficient alternative. Engineering assistance is needed for the evaluation of a replacement screen and needs to be compatible for both the Foul Flow and Headworks Buildings. A motion was made and seconded (Mattis, Whitcomb) suspending the rules and taking action on the request. **Motion passed.** Not sure of the request, Commissioner Wennberg read his recommendation authorizing the Mayor to sign a contract for professional services related to the ***WWTF Headworks Screening Equipment Alternatives Analysis.*** "We recommend retaining the following consulting engineer, Weston & Sampson, at the Not to Exceed (NTE) cost of \$7,000". That recommendation was so moved and seconded (Mattis, Clifford). **Motion passed.**

Before starting Committee reports, Alderman Etori asked to revisit the Treasurer's Report. Alderman Etori questioned the revenue generated in the water and sewer account noting that it was not quite at 50%. Commissioner Wennberg noted the main reason was because there was less water being used when compared with previous quarters.

REPORTS OF STANDING COMMITTEES

Alderman Etori: Finance Committee

Alderman Etori read his committee report from February 11th noting his committee met to discuss the 2nd Qtr Treasurer's Report and a request for an RFP for auditors. Alderman Etori noted highlights from the 2nd Qtr report, including revenues, delinquent tax balances and BIAP Fund. It was noted that the BIAP Fund program was going to sunset at the end of the fiscal year. A motion from committee to refer the BIAP policy and funding mechanism to Community & Economic Development was passed 3-0 and Alderman Etori so moved to the full Board. Alderwoman Mattis seconded. **Motion passed.**

Alderman Etori continued with his report noting the next topic discussed was the Parking Meter Fund #620. Alderman Etori noted that expenses were exceeding revenues and need to be addressed. The committee discussed reasons for the decline and decided to refer the issue to the DPW Committee and Alderman Etori so moved. Alderwoman Mattis seconded. **Motion passed.**

The final topic discussed was a recommendation from an earlier RFP for audit services. Alderman Etori noted that the Treasurer had received two (2) proposals, our current firm, Sullivan, Powers & Co, and RHR Smith & Co.

The committee discussed and moved to approve the current firm of Sullivan, Power & Co for the FY's 2020, 2021, & 2022 audit services and he so moved. Alderwoman Mattis seconded, **Motion passed.**

Alderman Clifford: Public Works Committee

Alderman Clifford read his committee report from February 12th to discuss the recommendation from Commissioner Wennberg for a customer information system. Alderman Clifford noted the recommendation from Commissioner Wennberg and the committee heard why he felt that Munibilling would be best for the City after the FATHOM closing. There was a lot of Q & A from the committee, with several questions needing further investigating and Commissioner Wennberg needing to get back to the committee with answers. The Treasurer and her staff seemed supportive of the recommendation for Munibilling. There was a motion out of committee to authorize the Mayor to execute the proposed Cloud Based Software Subscription Agreement & Utility Billing Software Proposal from Munibilling and Alderman Clifford so moved. Alderwoman Mattis seconded. **Motion passed.**

Alderman Clifford then noted the discussion presented by City Engineer Rotondo, looking to modify the Water and Sewer allocation ordinance and regulations. Engineer Rotondo was present to highlight his recommendation for the change to the ordinance. Engineer Rotondo noted the goal was to make the process simple, consistent, enforceable and affordable. Engineer Rotondo presented a draft application, demonstrating how the application did the math for the applicant. Engineer Rotondo also noted present fees were some of the lowest in the State. After some Q & A from the committee, it was decided the request would be left in committee for further discussion. No action was requested and this concluded Alderman Clifford's committee report.

Alderman Gillam: Community & Economic Development

President Davis noted that Alderman Gillam held the meeting as Alderwoman Humphrey (Chair) was recused because of a work related conflict. Alderman Gillam was absent so Alderman Reveal also a member of the committee read the report. Alderman reveal started by noting the committee met on February 12th to discuss the "Preferred Site" request from Mr. Joseph Giancola. Mr. Giancola briefed the committee on his request and noted all permits and right of ways with GMP and City sewer lines and flood plain issues had been dealt with. The report contained a vast amount of information including plan design and supporting document from other supporters of the project.

Alderman Reveal noted a motion out of committee to, ***"refer to the Board of Aldermen for approval of Preferred Site Designation regarding Granger Enterprises proposed net-metering solar project at 171 River Street in the City of Rutland.***

Having reviewed the proposal and with representatives of GEL (Granger Enterprises, LLC), we wish to designate the project site as a "Preferred Site" under Vermont Public Utility Commission rule 5.103. This is solely for the purpose of issuing a preferred-site designation under Vermont Public Utility Commission rule 5-10" and he so moved.

Alderwoman Mattis seconded. Debate. There was some discussion about the Planning Commission letter and input from Attorney Bloomer. A motion was made and seconded (Ettori, Mattis) tabling the motion to discuss the Planning Commission letter. **Motion passed.** Debate.

A motion was made and seconded (Mattis, Tommola) suspending the rules and taking action on the request to support the Planning Commission letter. **Motion passed.** Debate.

A motion was made and seconded (Tommola, Mattis) approving the Draft Solar Siting Criteria presented by the Planning Commission. Debate. **Motion passed.**

A motion was made and seconded (Ettori, Mattis) to untable the original motion so moved out of committee. **Motion passed.**

President Davis noted that the motion to approve the solar array project at 171 River Street had been made and seconded. President Davis asked if there was there any further debate on that motion? Seeing none, the vote was called. **Motion passed.**

This concluded all standing committee reports.

REPORTS OF SELECT COMMITTEES

There were no select committee reports.

REPORTS OF REPRESENTATIVES

There were no representative reports.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

SEP Heritage Family Credit Union; Shiver Me Shamrocks 5K, 3-14-2020, 6AM -3PM on Center St.

President Davis introduce the added request. A motion was made and seconded (Mattis, Whitcomb) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Mattis, Whitcomb) approving the Shiver Me Shamrocks Special Event Permit application. **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

There were no items for the Board of Control Commissioners.

UNFINISHED BUSINESS

Alderman Whitcomb was looking for an update on the referred issue of harassment in the work place, specifically the reporting structure. Alderwoman Ryan noted that she had not had the opportunity to hold that meeting yet.

President Davis updated the Board on the Shopping Cart issue, noting the City Attorney was looking to review and then recommend a solution. Alderman Etori asked if the businesses with those carts had been informed of the issue. President Davis did not think that has happened and was waiting for the Attorney's response.

Alderman Clifford asked about his request of sitting down with Rutland Town to have a discussion on the two municipalities. President Davis noted that Alderman Gillam had reached out, but there was no response as of yet.

Alderman Etori asked about the warming hut at the transit center and if the Mayor had reached out. Mayor Allaire stated that he has and is waiting their response.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Reveal asked if the West Street solar request for "Preferred Site" could be revisited based on the review of the Giancola Solar Array request on River Street. It was noted that, "That bird had flown" but to do their due diligence a motion was made and seconded (Reveal, Etori) to refer the Charlie Coughlin Solar Array request to the Community & Economic Development Committee. **Motion passed.**

President Davis noted there were still two (2) requests for executive session and sought language from Attorney Bloomer.

Attorney Bloomer stated a motion finding 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 Board's position on the contract provisions to be negotiated. That Language was so moved and seconded (Reveal, Mattis). **Motion passed.**

Attorney Bloomer then sought language to enter into executive session (with the inclusion of the Mayor, Treasurer and City Attorney) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A). That language was so moved and seconded, (Reveal, Mattis). **Motion passed.**

At 7:53 PM the Board moved into executive session.

At 8:36 PM a motion was made and seconded (Clifford, Whitcomb) to come out of executive session. **Motion passed.**

President Davis noted another executive session request and sought language from Attorney Bloomer.

Attorney Bloomer stated a motion finding 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 Board's position on the contract provisions to be negotiated. That Language was so moved and seconded (Mattis, Whitcomb). **Motion passed.**

Attorney Bloomer then sought language to enter into executive session (with the inclusion of the Mayor, DPW Commissioner, Treasurer and City Attorney) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A). That language was so moved and seconded, (Reveal, Whitcomb). **Motion passed.**

At 8:38 PM the Board moved into executive session.

At 8:53 PM a motion was made and seconded (Mattis Whitcomb) to come out of executive session. **Motion passed.**

A motion was made and seconded (Mattis, Whitcomb) authorizing the Mayor to sign the Master Sales Agreement, in substantially the form presented. **Motion passed.**

At 8:55 PM a motion was made and seconded (Reveal, Whitcomb) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk