

# **CITY OF RUTLAND, VERMONT**

## **Board of Aldermen Minutes**

### **Monday, November 18, 2019**

Members present; President Davis, Aldermen Reveal, Humphrey, Ryan, Etori, Tommola, Mattis, Clifford, DePoy, Gillam and Whitcomb. Also present; Mayor Allaire, and Purchasing Agent Magro. City Attorney Bloomer arrived at 7:25 PM.

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

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

#### **MINUTES OF PREVIOUS MEETINGS (November 04, 2019)**

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

#### **OUTSIDE THE RAIL**

Norman Cohen, 8 Barley Field Rutland City, attended the previous BOA meeting but had to leave early. He wanted to commend the BOA for the action they took to provide funding for Implicit Bias Training.

Charles Juliussen, 110 Lincoln Avenue Rutland City asked the BOA if \$2,500 was enough to provide Implicit Bias Training and what the plan was for follow up after the training. President Davis said the Board would know more once a trainer was selected and the training took place.

#### **COMMUNICATIONS FROM THE MAYOR**

Mayor Allaire gave a statement regarding Fathom.

'I want to speak briefly to the folks watching tonight, the ratepayers and taxpayers of the City of Rutland.

This situation with Fathom is extremely unfortunate, maddening, and has caused a loss of confidence by the community in their water and sewer utility. I understand that.

I also vow that I will not rest until this situation has been rectified. And all this resolved.

There are multiple communities facing this, and we are in a much better position than many. We have been meeting every day since the announcement with all the players to look at and evaluate all the various options before us.

I will communicate to everyone as soon as I can about the particulars of our path going forward hopefully very very soon.

I want to remind everyone we own all the inventory of hardware, financially we are in a good place because of the structure of the financing, and we have options and a little time on our side before our next billing cycle.'

Any questions should be directed to Department of Public Works.

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

President Davis noted a request from the City Attorney for an executive session on Fathom. So moved (Gillam, Whitcomb) **Motion passed.**

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

### ***Treasurer Markowski; October 31, 2019 Treasurer's Report***

Cash balances are strong with city accounts at \$11.6 million and \$4.4 million in general fund. There were eight tax sales in October and one sale to an outside bidder. Auditors have raised some concerns about the Transit Center money due to the city. Balance sheet and income expense are on target. Sullivan and Powers are still working on the audit and their report will be out in March.

A motion was made (Ettori, Gillam) to receive and file the Treasurer's report. **Motion passed.**

### ***RRA Director Brennan Duffy; BIAP Funding for Little Haveli***

Applicant, Rina Harchind, is planning to open an Indian Restaurant and Convenience Store at 46 North Main Street. The investment and renovations will provide a new restaurant space at the site of the former TD Bank. Two new part-time jobs will be created with plans to expand employment in the future. Applicant is investing approximately \$85,000 into building improvements and required equipment. Applicant is requesting a \$5,000 grant from the BIAP program to offset some of the initial fit-up and equipment costs.

A motion was made (Ettori, Whitcomb) to suspend the rules and take the issue up tonight. **Motion passed.** A motion was made (Ettori, DePoy) to approve the request of \$5,000 in grant money from the BIAP program for Rina Harchind for Little Haveli at 46 North Main Street. **Motion passed.**

### ***City Engineer Rotondo; Request to Contract for Engineering Design Services – Structures RFP***

Commissioner Wennberg spoke about the request. The structures that comprise this request are part of the \$3,000,000 Bond Article No. 2 which was approved by the voters on March 5, 2019. The BOA granted authorization to issue RFP's for Engineering Design Services on June 17, 2019. Proposals were received and opened on August 14, 2019. DuBois and King was chosen as they provided the most competitive pricing along with a very knowledgeable and experienced staff. Funds to pay for this work will be temporarily obtained from the Municipal Bridge Maintenance Fund which may be reimbursed upon a successful outcome with the lawsuit making Bond Funds available for use. The contract amount is \$85,794.

A motion was made (Whitcomb, DePoy) to suspend the rules and take the issue up tonight. **Motion passed.** A motion was made (Whitcomb, Clifford) to authorize the Mayor to sign a contract for professional services related to the Design of (3) Culvert Replacements (Allen St., Grove St., and Lincoln Ave) and Rehabilitation of Grove St. Bridge #25 and money to come from the Bridge Maintenance Fund. After a brief debate, **Motion passed.**

### ***Recreation Superintendent Peters; Community Recreation Center Update & Summer Update***

Superintendent Peters updated the BOA on the overall increase of revenue for the last two years to be about 18% and the overall increase in programs by 14.5%.

Superintendent Peters also spoke about the new Rutland Recreation Community Center at CSJ. Since it opened within three weeks they had 180 memberships which surpassed the original goal of 100 memberships.

## **REPORTS OF STANDING COMMITTEES**

### ***Alderman Mattis; Charter & Ordinance***

This past summer Dave Cooper of the RRA agreed to draft changes to the proposed sign ordinance, specifically format changes and some clarification in language, definitions, etc. The purpose of this meeting was to present the proposed draft revisions to the Charter & Ordinance committee as a whole. The committee was happy with the changes presented. There was also a brief update as to the lighting regulation. This is still in progress, and will be the subject of the next meeting. This report is for information only.

### ***Alderman Etori; Finance Committee***

The committee met to discuss the 1<sup>st</sup> Quarter Treasurer's Report for FY20. The Treasurer pointed out variations by department such as additional healthcare, liability payments and the seasonal nature of the recreation department. There was an increase in delinquencies of a few hundred thousand dollars from FY19 and earlier. She noted that there was an increase of people who couldn't pay anything for the past year and with an internal procedure of brining properties to tax sale after two years. The Treasurer's Office is going to be stepping up collection efforts and her office welcomes people to reach out to set one up. This report was for information only.

### ***Aldermen Clifford; Public Works Committee***

The Public Works Committee met on November 14, 2019. The committee went into executive session for probable litigation. This report was for information only.

## **REPORTS OF SELECT COMMITTEES**

There were no Reports of Select Committees.

## **REPORTS OF REPRESENTATIVES**

Alderman Clifford update the BOA on the Solid Waste District, a new director was hired, his name is Mark Shea.

Alderman Gillam added to this that they are lacking one representative and he is not sure if that comes from the BOA or the Mayor's office and he would like to refer to the Mayor. A motion was made to refer (Gillam, Etori). **Motion passed.**

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

There were no Petitions, Letters, Miscellaneous Communication.

## **BOARD OF CONTROL COMMISSIONERS**

There was nothing to come before the Board of Control Commissioners.

## **UNFINISHED BUSINESS**

Alderman DePoy wanted to remind the public that there are meetings scheduled for this coming Thursday for Public Works at 5:30 PM, Recreation Committee on December 3<sup>rd</sup> at 5:30 PM and Project Vision Meeting from 6-8 PM on December 3<sup>rd</sup>.

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

Alderman Whitcomb wanted to let the public know that on this coming Thursday the Rutland Area Robotic kids are going to be presenting at the MINT. One of the groups is working on some creative ideas for pedestrian safety and another group on transportation that is focused largely on innovative bus shelters.

Alderman Reveal asked to keep Chris Thayer in your thoughts in prayers, he has been diagnosed with terminal cancer.

President Davis asked if there was any other business for the Board. Seeing none, President Davis Asked Attorney Bloomer for executive session language on Fathom.

Attorney Bloomer then noted:

1. Motion to find that premature general public knowledge regarding probable litigation, to which the City would be a party, would clearly place the City at a substantial disadvantage because the discussion will divulge the City's strategy in such probable litigation and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. So moved (Mattis, Gillam). **Motion passed.**
2. Motion to enter into executive session (with the inclusion of the City Attorney, Mayor, Treasurer and Commissioner Wennberg) to discuss probable litigation, as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). So moved (Mattis, Whitcomb). **Motion passed.**

At 7:50 PM the Board moved into executive session.

At 8:20 PM a motion was made and seconded (Whitcomb, Reveal) to come out of executive session. **Motion passed.**

A motion was made and seconded (Clifford, Mattis) to adjourn. **Motion passed.**

The Board adjourned at 8:21 PM.

Respectfully submitted,  
Tracy L. Kapusta, Deputy City Clerk