

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, September 8, 2020

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

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (August 17, 2020)

Alderman Clifford previously spoke with Clerk Heck to correct the second motion form the HR Committee minutes to reflect that he had voted "yes". Alderman Mattis made a correction in the name of the grant under Communications from the Mayor. A motion was made and seconded (Mattis, Davis) approving the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL

Norman Cohen, 8 Barley Field Rutland City, spoke about Implicate Bias Training.

COMMUNICATIONS FROM THE MAYOR

There will be a department head meeting tomorrow to discuss the re-opening of the building.

Mayor Allaire wanted to thank all those who gave names for the vacant position on the Police Commission.

ADDITIONS AND DELETIONS TO THE AGENDA

President Whitcomb noted that the special meeting minutes for CSJ on 8/19 have not been approved and would like to add them to unfinished business. So moved (Davis, Clifford) **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Treasurer Markowski; Loan Documents for RF1-235 Digester Rehabilitation, BOA Review and Sign-off

This is the 3rd loan document for the project in the sewer fund that was approved by the voters March 2019 has just been finalized for BOA approval and sign off for the Digester Rehabilitation project in the loan amount of \$3,603,331.00. Alderman Gorruso made a motion to authorize to sign with debate, seconded by Alderman Clifford.

President Whitcomb, a motion has been made and seconded to authorize the signing of loan documents for RF1-235 Digester Rehabilitation project, in the amount of \$3,603,331.00, and to authorize the board chair to execute the loan agreement on behalf of the full board.

Motion passed.

Treasurer Markowski; Treasurer's Report for City and RRA as of July 31, 2020

Treasurer Markowski presented the July numbers really for information only as adjustments are still being made for year end. So some of those numbers will change. Aldermen Etori made a motion to receive and file the Treasurer's report, seconded Alderman Davis. **Motion passed.**

Attorney Bloomer; Executive Session Regarding the Negotiation of a Contract.

Per the Board's past practice the request was moved to the end of the meeting.

Z.A. Tara Kelly; City Owned Property Committee, Recommendation on Sale of 68 Pine St.

The committee is recommending the sale of this property to Boniface Kadima-Mazela. Mr. Kadima-Mazela owns 3 other properties in the city, two of which he purchased through this committee.

A motion was made to suspend the rules and take the issue up tonight (Davis, Clifford). **Motion passed.** A motion was made and seconded (Gorruso, Davis) to authorize the sale of 68 Pine St. to Boniface Kadima-Mazela for the purchase price of \$3,250 pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents. **Motion passed.**

Barbara Spaulding; RRA request to set public hearing

President Whitcomb introduces the request. A motion was made and seconded (Davis, Etori) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gorruso) setting a final public hearing which is a requirement by VCDP to close out the grant which was to pay for the downtown strategic plan, for October 5, 2020 at 6:45 PM.

Motion passed.

Barbara Spaulding; RRA request BOA Support Re-Application, Resolution for VCDP Grant

President Whitcomb introduced the request. A motion was made and seconded (Davis, Etori) to suspend the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gillam) to authorize the Board president to sign the resolution for VCDP grant on the Board's behalf. **Motion passed.**

Engineer Rotondo; Two (2) Water Allocation Requests

President Whitcomb introduced the request. A motion was made and seconded (Davis, Gorruso) to suspend the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gorruso) to recommend that the Board of Aldermen approve the requested Water and Allocation increase of 384 gallons per day, for a total of 585 gallons per day, to Reynolds Contract Sales, Inc., owners of the property located at 3092 Cold River Road in the Town of Rutland. **Motion passed.** A motion was made and seconded (Davis, Gorruso) to recommend that the Board of Aldermen approve the requested Water Allocation increase of 1,530 gallons per day, for a total of 1,680 gallons per day, to Dave's Automotive (c/o David Carlson), owners of the property located at 101 Woodstock Avenue in the Town of Rutland. **Motion passed.**

Brennan Duffy; Direct RRA Referral

Brennan Duffy requested a referral to the Community and Economic committee to provide an update on the Center Street Pilot initiative. So Moved (Ryan, Gillam). **Motion passed.**

The second item that Brennan Duffy brought to the Board is the CARES Act funding opportunity offered through the VT Department of Housing and Community Development for the BROCC Community Action. A motion was made and seconded (Davis, DePoy) to suspend the rules and taking action on the request. **Motion passed.** Alderman Ryan abstained from voting as she is employed by BROCC. A motion was made and seconded (Davis, Gorruso) to support the BROCC project and recommend to the Board of Aldermen that an application for CDBG-CV be supported through the CARES Act with funding of up to \$25,000. **Motion passed.**

Barbara Spaulding; RRA Request to Set Public

Aldermen Davis moved to set the hearing date for Thursday, September 17, 2020 at 5:30 PM, for the CDBG-CV Municipal Public Service Program, seconded Mattis. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman DePoy; Recreation

Alderman DePoy read the report from the Recreation Committee that was held August 26, 2020. The committee met to discuss the Halloween Parade. No action was taken and it will remain in committee.

Kim Peters let the committee know that the Recreation Department is planning on running the Giorgetti complex this coming year. Programming will include curling, figure skating, RAHA and open skate. The arena will open November 1.

Alderman DePoy talked about the St. Joseph's gym and the strategy for gym bond proposal. This issue will remain in committee.

REPORTS OF SELECT COMMITTEES

There were no Reports of Select Committees.

REPORTS OF REPRESENTATIVES

There were no Reports of Representatives.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

There were no Petitions, Letters, Miscellaneous Communication.

BOARD OF CONTROL COMMISSIONERS

Second Class Liquor Request, 110 State Street

A motion was made (Davis, Clifford) to move into the Board of Control Commissioners. **Motion passed.** A motion was made (Davis, DePoy) to authorize the City Clerk to sign the second class liquor request on behalf of the Board. **Motion passed.**

Second Class Liquor Request, Global Montello Group Corp. – 215 North Main Street

A motion was made (Gorruso, Davis) to authorize the City Clerk to sign the second class liquor request on behalf of the Board. **Motion passed.**

A motion was made (Davis, Gorruso) to move out of the Board of Control Commissioners. **Motion passed.**

UNFINISHED BUSINESS

President Whitcomb introduced the CSJ Minutes from the Special Board Meeting.

Alderman Davis noted the City Clerk has requested clarity for bond counsel in our motion. That the Board of Aldermen authorizes the Clerk to sign the bond resolution for the purchase of the College of Saint Joseph Gymnasium and associated land and properties as approved at the August 19, 2020 Special Board of Aldermen Meeting. So moved (Davis, Gillam). **Motion passed.**

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Humphrey mentioned a study that the Board, Mayor, Police Commissioner and Police Chief received from UVM on traffic stops. Alderwoman Humphrey reached out to the Police Chief and Police Commissioner to see if they had any official response or interpretation. Police Commissioner Sargeant mentioned that it is a lot of data and asked for some time to review it.

Alderman DePoy requested that the Board send the issue of the Rutland Raiders Mascot name change to the General committee, for a nonbinding question to be placed on the March Ballot. 'Should Rutland High School's mascot "Raiders" be changed?' Alderman Davis seconded for debate. After a lengthy debate, a motion was made (Gorruso, Clifford) to call the question.

President Whitcomb asked Clerk Heck to call the roll

Aldermen:

Gorruso – Yes
Humphrey – Yes
Ryan – Yes
Ettori – No
Talbot – Yes
Mattis – No
Gillam – Yes
Clifford – Yes
DePoy – No
Davis – Yes

Seven (7) YES and Three (3) NO **Motion passed on calling the question.**

President Whitcomb then asked Clerk Heck to call the roll on the original motion to refer.

Aldermen:

Gorruso – Yes
Humphrey – No
Ryan – No
Ettori – Yes
Talbot – No
Mattis – Yes
Gillam – Yes
Clifford – Yes
DePoy – Yes
Davis – Yes

Seven (7) YES and Three (3) NO **Motion passed.**

Alderman Gorruso made a motion (seconded Clifford) to refer to DPW committee, recent curbing that was just completed on Lafayette Street. **Motion passed.**

Alderman Ettori wants to make sure that with the CARES Act that Rutland City is getting their share for the community and others who apply for grants.

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

Attorney Bloomer then noted:

1. Motion to find that premature general public knowledge regarding the negotiating of a contract would clearly place the City at a substantial disadvantage because the discussion will divulge the Board's stance on items to be negotiated and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. So moved (Davis, Mattis). **Motion passed.**
2. Motion to enter into executive session (with the inclusion of the City Attorney, Mayor, Treasurer and Recreation Commissioner) 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). So moved (Davis, Mattis). **Motion passed.**

At 8:30 PM the Board moved into executive session.

At 8:50 PM a motion was made and seconded (Davis, Gorruso) to come out of executive session.
Motion passed.

A motion was made and seconded (Davis, DePoy) to authorize the Mayor to sign a Purchase and Sale agreement. **Motion passed.**

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

The Board adjourned at 8:55 PM.

Respectfully submitted,
Tracy Kapusta
Deputy City Clerk