

**CITY OF RUTLAND, VERMONT
BOARD OF ALDERMAN
MONDAY, OCTOBER 5, 2020**

Present (Tele-Conference): Mayor Allaire, President Whitcomb, Alderman Gorruso, Davis, Clifford, Depoy, Talbott, Etori, Gillam, Mattis, Humphrey, and Ryan. Also present. Clerk Heck, Attorney Bloomer, Superintendent Peters, Zoning Administrator Kelly, Dave Walstrom and Gordon Dritschilo, (Rutland Herald).

President Whitcomb called the meeting to order at 7:00 PM. via Tele-conference.

MINUTES OF PREVIOUS MEETINGS (September 21, 2020)

There were no minutes to approve as the Clerk stated that they were not complete.

OUTSIDE THE RAIL

No one spoke outside the rail.

COMMUNICATION FROM THE MAYOR

Mayor Allaire stated he had two items to come before the Board. First, Mayor Allaire asked for a motion to un-table the appointment of Jeannette Langston. Motion was made and seconded to un-table the appointment. A motion was made and seconded approving the appointment of Jeannette Langston to the Police Commission.

Motion passed.

Mayor Allaire then stated there was a vacancy on the RRA Board and he has been approached by Andy Paluch who would like to serve the community by filling this vacancy. Mayor Allaire stated he thought he was a great fit for the position and asked the Board to make a motion to table the appointment. Motion was made and seconded to table the nomination. **Motion passed**

Mayor Allaire stated City Hall opened to the public October 1, 2020 and activity has been busy especially in the Clerk's office with the early voting going on. Mayor Allaire thanked City Clerk Heck for all his work and stated this was going to be a very busy election.

President Whitcomb stated Jeanette Langston has been approved for the Police Commission with a vote of 11 in favor and 0 against. President Whitcomb congratulated Ms. Langston and welcomed her to the Police Commission.

ADDITIONS AND DELETIONS TO THE AGENDA

President Whitcomb stated Alderman Clifford's DPW report will be moved to next meeting.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Superintendent Peters; RAHA Contract Approval

Superintendent Peters stated COVID language has been added to the contract along with the agreement for 130 hours of ice time and if needed, the City would provide additional hours.

Alderman Davis made a motion to suspend the rules. Motion was seconded and passed. Alderman moved for the approval of the City and RAHA Ice Arena contract. Motion was seconded and passed.

City Clerk Henry Heck; Request setting Public Hearings, CSJ Bond

Clerk Heck requested the Board set two public hearings that are mandatory for the Bond question. Clerk Heck requested October 19th at 6:30pm and November 2nd at 6:30pm.

Alderman Gillam made a motion to suspend the rules. Motion was seconded and passed. Motion to approve public hearings passed.

Zoning Administrator Kelly; City Owned Properties, Sale Recommendation, 41 Baxter

Zoning Administrator Kelly stated this was a recommendation from the City Owned Properties Committee To sell the empty lot at 41 Baxter Street. Zoning Administrator Kelly stated the committee received a couple of offers, and when reviewing them carefully against the goals of the program, the recommendation is to sell to Kimberly and Matthew Johnson, property owners of 42 Cleveland Avenue. The committee took the extra step to meet with the applicants to talk about how the fence would be placed so that the character of the Baxter Street block is enhanced. The committee is recommending the sale of this property in the amount of \$5,000.00 with a stipulation that a restrictive covenant be signed that any changes to the Development Plan within the next five years will require explicit approval from the Zoning Administrator.

A motion was made and seconded to suspend the rules. Motion passed. Alderwoman Mattis made a motion for the Board to authorize the sale of 41 Baxter Street to Kimberly and Matthew Johnson for the purchase price of \$5,000.00 pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all related documents, including the covenant referred to by Tara to be prepared by the City Attorney. Motion was seconded.

Alderwoman Davis raised concerns regarding the abutting property owners being made aware of the Sale and planned changes. Zoning Administrator Kelly explained the process notifying abutters as well as the general public regarding the sale and planned changes. Alderwoman Mattis, Gillam and Etori all spoke in favor of the sale to the Johnson's. Alderwoman Davis also voiced concern regarding debris in the yard. Alderwoman Humphrey stated if in fact, this is a proper use of the lot then the Board should approve the sale. Alderwoman Humphrey also stated if there is a problem later on, they would have to rely on the current Building and Zoning ordinances that are already in place. President Whitcomb was unsure of the vote and asked Clerk Heck for roll call.

Alderman Gorruso – No

Alderwoman Humphrey – Yes

Alderwoman Ryan – Yes

Alderman Etori – Yes

Alderman Talbott – Yes

Alderwoman Mattis – Yes

Alderman Gillam – Yes

Alderman Depoy – Yes

Alderwoman Davis – No

Clerk Heck stated 8 votes in favor, 2 opposed, motion passes.

Zoning Administrator Kelly; Time Extension Request

Zoning Administrator Kelly stated that when the City conveys properties through the City Owned properties Committee, it places a deed restriction on the property that is tied to the completion of the Development Plan. The plan includes an estimated timeframe to complete the work. Paul Boyer, 80 Crescent Street and Michael and Catherine Heatley, 62 Cleveland Avenue are asking for extensions.

Alderwoman Mattis asked Zoning Administrator Kelly what would be the outcome if the board did not approve the extension. Zoning Administrator Kelly referred to Attorney Bloomer who stated he would respond to the board in writing.

Alderwoman Davis made a motion to suspend the rules. Motion was seconded and passed. Alderwoman made a motion to grant the extension to compete the development plan for 80 Crescent Street. Motion was seconded and passed.

Alderwoman Davis made a motion to grant the extension to complete the development plan for 62 Cleveland Avenue. Motion was seconded and passed.

Zoning Administrator Kelly; Planning Commission Referral; Zoning Amendment

Zoning Administrator Kelly stated the planning commission has been reviewing the by-laws currently in place and preparing amendments that began with the discussion of the College of Saint Joseph campus and the need to bring into effect the vision that was created in the master plan. Zoning Administrator Kelly stated the

planning commission held a public hearing on September 23rd and the minutes are included in the packet. The Commission is requesting the Alderman set the required public hearing for November 16th And refer the draft amendment to Charter & Ordinance Committee.

Alderwoman Mattis made a motion to refer to Charter & Ordinance Committee. Motion was seconded. Alderman Gorruso asked for clarification as to why the Board of Alderman is dealing with building and zoning items such as fences, garage, and roofs. Zoning Administrator Kelly explained that a few ago when the city owned over 30 properties acquired through tax sales, this is the method that was developed to market and sell the properties. President Whitcomb suggested Alderman Gorruso and Zoning Administrator Kelly have a discussion at a more convenient time. Motion to refer passed. Alderwoman Mattis made a motion to suspend the rules. Motion was seconded. Alderwoman Mattis made a motion to set the required public hearing for the amendment to the zoning by-laws for November 16th at 6:45pm. Motion passed.

REPORTS OF STANDING COMMITTEES

Alderman Clifford-Public Works

Postponed.

REPORTS OF SELECT COMMITTEES

There were no select committee reports

REPORTS OF REPRESENTATIVES

There were no representative reports.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

None.

BOARD OF CONTROL COMMISSIONERS

None.

UNFINISHED BUSINESS

None.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderwoman Humphrey wanted to remind everyone she has warned General Committee for Thursday at 5:30 for the discussion of in-person Alderman meetings.

Alderman Gillam asked for clarification from the Clerk the different ways to vote this election. Clerk Heck stated that every active voter was sent a ballot from the Secretary of State's office. The ballot can be mailed, placed in the ballot boxes at city hall or returned to the ward on Election Day.

Alderman Gorruso made a motion to refer the rail car outside the farmers market to DPW. Mayor Allaire stated that there are plans and money in place to cover and secure the rail car and that he is confident that will be done in the next few months. Alderman Gorruso withdrew his motion.

Meeting adjourned. At 7:52pm.

Respectively submitted,

Sara P. Magro
Assistant Clerk