

CITY OF RUTLAND, VERMONT
Board of Aldermen Agenda
Monday, November 16, 2020

Members present; President Whitcomb, Aldermen Gorruso, Humphrey, Ryan, Ettori, Talbott, Mattis, Gillam, Clifford, DePoy and Davis. 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 (November 2, 2020)

A motion was made and seconded (Davis, DePoy) approving the minutes of the previous meeting.

Motion passed.

OUTSIDE THE RAIL

DPW Commissioner Wennberg announced that he would be retiring at the end of the year. There was much praise from Mayor Allaire and several Aldermen on the vast career of Commissioner Wennberg with the City of Rutland.

John Ruggiero spoke on zoning and high-density zoning. Mr. Ruggiero noted his desire to be involved with future zoning discussions.

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire noted a request to refer the LAZ Parking Budget to the Finance Committee. The request was so moved and seconded (Davis, Ettori). **Motion passed.** Mayor Allaire then spoke on the latest COVID-19 issues and stated that the Safety Committee was going to meet tomorrow and discuss options moving forward. Mayor Allaire asked the Board to table the nomination of William Lovett as Chief Engineer of the City of Rutland's Fire Department. The request was so moved and seconded (Gillam, Ettori). Debate. Chief Lovett spoke briefly on his nomination. **Motion passed.** Mayor Allaire finished his communications by noting that he will get the Chief's contract to the Board for their review.

ADDITIONS AND DELETIONS TO THE AGENDA

Several items were added, including a General Committee report, zoning amendments, a request from Commissioner Wennberg from GMP and Attorney Bloomer noted a request from the City owned Property Committee with recommendations. Attorney Bloomer also asked to delete his request for an Executive Session. Alderwoman Davis noted to add all requests and to delete the Executive Session. Alderman DePoy seconded. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Susan Schreibman; VTRANS 2020 Transportation Alternatives Grant Application

Susan Schreibman spoke on the request to apply for the grant including local funds match and the supporting resolution requesting BOA support and the sign-off of President Whitcomb. A motion was made and seconded (Gillam, Davis) supporting the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gillam, Mattis) authorizing the BOA President to sign the resolution in support of the Transportation Alternatives Grant application on behalf of the entire Board. Debate. **Motion passed.**

Attorney Bloomer;

Executive session regarding the negotiation of a contract.

This item had been deleted per Attorney Bloomer's request.

Request to seek RFP's for professional engineering services for Act 250 permit.

Attorney Bloomer introduced the request and briefed the Board, noting a rules suspension would be in order prior to taking any action. A motion was made seconded (Davis, Gillam) suspending the rules.

Motion passed. Attorney Bloomer provided language, noting, to authorize the mayor to invite proposals for engineering services related to an ACT 250 Permit. This request was so moved and seconded (Gillam, Davis). **Motion passed.**

Request to seek RFP's for professional engineering services for Stormwater runoff mitigation

Attorney Bloomer noted this request, again similar to the ACT 250 request, was for the purchase of the CSJ gym and property and the need for engineering services related to stormwater runoff. A motion was made and seconded (Davis, Mattis) suspending the rules and taking action on the request.

Motion passed. Attorney Bloomer provided language, noting, to authorize the mayor to invite proposals for engineering services related to stormwater runoff. This request was so moved and seconded (Gillam, Davis). **Motion passed.**

Zoning Administrator Kelly;

City Owned Property Recommendations

ZA Kelly introduced the request, noting the City Owned Property Committee met to discuss the offers on 32 & 34 Griswold Drive. ZA Kelly noted on 32 Griswold Drive the committee had received an offer of \$3,000 from Michele Lafferty the adjacent property owner and on 34 Griswold Drive, Ann Harrington the adjacent property owner to that lot offered \$10,000. Both parties were looking to expand their yards. A motion was made and seconded (Davis, Gillam) suspending the rules and taking action on the requests. **Motion passed.** A motion was made and seconded (Davis, Gillam) authorizing the sale of 32 Griswold Drive to Michele L. Lafferty for the purchase price of \$3,000 pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents. **Motion passed.**

A motion was made and seconded (Davis, Gillam) to authorize the sale of 34 Griswold Drive to Ann Harrington for the purchase price of \$10,000 pursuant to 6-2 of the Rutland City Charter and to further authorize the Mayor to sign all sale related documents. **Motion passed.**

Zoning Administrator Kelly;

Zoning Amendments

ZA Kelly noted the request and briefed the Board on the public hearing held earlier regarding zoning amendments specific to the lands of the former College of St. Joseph and how zoning amendments were needed to develop the property. Alderwoman Mattis noted her committee reported out on this issue at the November 2, 2020 meeting passing a motion and wanted to present a refreshed motion after the earlier public hearing on the issue. A motion was made and seconded (Mattis, Gillam) requesting the BOA adopt the new land use development regulations as presented at this meeting, including changes to the zoning map, eliminating a new district being known as the campus development district and in keeping with 24 V.S.A. 4412 this adoption will take effect on December 8, 2020. Debate. Alderman Gorruso voted no. All other BOA members voted yes to approve. **Motion passed.**

Treasurer Markowski;

FY20 Audit Engagement for BOA review and approval

President Whitcomb introduced the request and also noted that Treasurer Markowski was not present this evening. A motion was made and seconded (Ettori, DePoy) to authorize the President to sign.

Motion passed.

Treasurer's Report for October 31, 2020

A motion was made and seconded (Ettori, Mattis) to receive and file. **Motion passed.**

Commissioner Wennberg;

Engineering Services Contract, Final Design, Combination & Piedmont Ponds

Commissioner Wennberg was present to review his request for engineering services contract. After Commissioner Wennberg's presentation a motion was made and seconded (Clifford, Gorruso) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Clifford, Davis) authorizing the Mayor to execute the attached Engineering Services Agreement with Milone and MacBroom In the amount of \$126,000 to complete the final design and permitting for modifications to Combination Pond and dam, and Piedmont Pond and dam. This authorization is contingent upon award of a planning advance from the Vermont Department of Environmental Conservation covering the cost of the work, with the exception of \$20,000 for Data Collection which needs to proceed immediately. Debate. **Motion passed.**

GMP Easement;

Commissioner Wennberg noted the addition of this request and thanked the Board. Commissioner Wennberg then stated the needs to replace a sewage force main has been difficult and needed to be re-routed. Commissioner Wennberg reviewed the plans for a new design and stated the need for adjustments to existing and new easements. A motion was made and seconded (Gorruso, Davis) suspending the rules and taking action on the request. **Motion passed.** President Whitcomb then noted language authorizing the Mayor to sign a Corrective Easement Deed and Agreement with GMP, pending final review of legal counsel. Alderwoman Davis so moved and Alderwoman Ryan seconded. Alderwoman Humphrey abstained because of a work related issue. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderwoman Mattis; Charter & Ordinance

Alderwoman Mattis read her committee report from November 10, 2020 noting the committee met on the continued discussion of sign ordinances. Alderwoman Mattis's report noted that this issue has been in committee for a bit with ample discussion and updates involving a whole host of partners. The report was indepth and detailed. Alderwoman Mattis noted continued work and stated that the committee left off on section IX, where the committee will pick back up and answer any questions arising from this review. The report was for information only and no action was sought.

Alderman Clifford; General Committee

Alderman Clifford Vice-Chair of the General Committee read his committee report from November 5, 2020 noting the committee met to discuss the issue of placing a non-binding question about the renaming/branding of the Rutland High School Mascot on the March 2021 ballot. Alderman Clifford's report noted discussion amongst the 30 or so participants via video and phone. Alderman Clifford noted support from fifteenth individuals and non-support from ten. After everyone had a chance to speak the motion in committee was to place a non-binding question on the 2021 March ballot reading "Should the Rutland City Board of School Commissioners change the Rutland Raider name and its logo at Rutland High School". The vote passed 3 to 1 in committee and Alderman Clifford so moved that motion to the full Board. Alderman DePoy seconded. Debate. President Whitcomb then opened debate from the BOA. There was no debate from the BOA at that time.

President Whitcomb then opened discussion to the public on line. Various members of the public spoke on the issue. After about 15 minutes of testimony the President pulled the discussion back to the BOA. There was brief debate from several Alderman. President Whitcomb noted a roll call vote would be taken and also spoke on the majority vote needed to approve the motion, at least 7 Yes votes are needed to pass the motion. President Whitcomb then asked Clerk Heck to call the roll.

Alderman Gorruso	YES	
Alderwoman Humphrey		NO
Alderwoman Ryan		NO
Alderman Etori		NO
Alderman Talbott		NO
Alderwoman Mattis		NO
Alderman Gillam	YES	
Alderman Clifford	YES	

Alderman DePoy YES
Alderwoman Davis YES

Clerk Heck responded five (5) YES and five (5) NO, **Motion fails.**

President Whitcomb noted the vote of five to five and stated it failed for lack of the 2/3rds majority needed and moved on in the agenda.

REPORTS OF SELECT COMMITTEES

There were no select committee reports.

REPORTS OF REPRESENTATIVES

There were no reports of representatives.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

There were no petitions, letters or miscellaneous communications.

BOARD OF CONTROL COMMISSIONERS

There were no items requested of the Board of Control Commissioners.

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Clifford noted he would be holding his Public Works Budget hearing very soon.

Alderman Gillam reported that the annual stuff a bus had to change their normal food drive this year because of COVID. Alderman Gillam noted that money was collected instead of food donations and the event raised \$41,000 over the two day period, easily beating the projected revenues of \$30,000.

With no other business to come before the Board a motion was made and seconded (Gorruso, Davis) to adjourn. **Motion passed.**

Henry A Heck
Rutland City Clerk

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