

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, November 7, 2022

Members present; President Doenges, Aldermen Etori, Franco, Savage, Barbagallo, Talbott, Tadio, Whitcomb, Gillam, DePoy and Davis. Also present; Mayor Allaire, Attorney Bloomer and City Clerk Heck.

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (October 17, 2022)

A motion was made and seconded (Talbott, Barbagallo) to approve the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL

Thomas Kessop Jr. Effects of Water Main Break on Granger St

TJ Kessop came before the Board to describe the effect of a water main break on Granger St causing approximately \$25,000 in damage to his home and property. Mr. Kessop briefed the Board about his dilemma, noting the City, nor have his insurance company wanted to cover his loss. Debate. No action was requested.

Downtown Rutland Partnership - Downtown Street Maintenance

Tiffany & Brian from the Downtown Partnership came to the Board requesting help with managing the downtown street scaping and sidewalk maintenance. A motion was made and seconded (Talbott, Davis) to refer the issue to the Recreation Committee. Debate. **Motion passed.**

Chief Lovett; Emergency Management Renewal

Chief Lovett noted the request to authorize the President to sign the Emergency Management Renewal. A motion was made and seconded (Davis, DePoy) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, DePoy) authorizing President Doenges to sign the renewal as requested. **Motion passed.**

Cannabis Applicants, Grant and Ronnie spoke briefly on their cannabis shop and sought to have the Board approve their license prior to the States approval. There was debate on the request. President Doenges asked the Clerk to warn the Cannabis Control Board for the 16th to hear this request.

There were a couple people who wished to speak on the fluoridation item on the agenda. President Doenges noted that report was going to be moved up and at that time they would be allowed to speak on the issue.

COMMUNICATIONS FROM THE MAYOR

FY24 Rutland City Budget

Mayor Allaire introduced his FY 24 Budget and noted inflation has created significant increases. Mayor Allaire noted even with significant hardcost increases his budget was only up at 2.8% and fiscally responsible to city tax payers. Debate. A motion was made and seconded (Etori, Gillam) to refer the FY 24 budget to appropriate committees. **Motion passed.**

ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda. There was a request to move Alderman Whitcomb's ARPA Fund Review and Alderman Etori's Public Works Committee up in the agenda.

Prior to the reading out of the Finance Committee Report, Alderman DePoy revisited the cannabis request. The Board deferred to Attorney Bloomer's recommendation and sought to take the issue up on Wednesday, November 16th.

Alderman Whitcomb; Finance Committee; ARPA Funds Review – Outstanding Requests

Alderman Whitcomb read his committee report from October 20, 2022 noting the committee met to discuss outstanding ARPA requests. Alderman Whitcomb noted basically two (2) lists. A funded and unfunded items. Alderman Whitcomb noted all items not funded, he then noted a list of various items to be funded. Alderman Whitcomb so moved all committee approved requests, all items so moved were seconded and all items voted, passed.

Funded:

- Alderman Talbott made a motion to fund the parking meters in the amount of \$100,000. The motion passed 4-0 and he so moved. Alderwoman Davis seconded. **Motion passed.**
- Alderman Talbott made a motion to fund \$50,000 of the \$500,000 request for Center Street utilities/infrastructure to be put toward an engineering study. Motion passed 4-0. The committee discussed that further funding would be needed toward the Center Street project as it progressed and he so moved. Alderwoman Davis seconded. **Motion passed.**
- Alderwoman Davis made a motion to approve an additional \$10,000 to the IT – Full service managed service provider. The motion passed 4-0 and he so moved. Alderman Talbott seconded. **Motion passed.**
- Alderman Whitcomb made a motion to approve the \$40,000 request for PD dispatch upgrades to workstations. The motion passed 4-0 and he so moved. Alderwoman Davis seconded. **Motion passed.**
- Alderman Whitcomb made a motion to assign up to \$200,000 for the PD HVAC upgrades – controls. The motion passed 4-0 and he so moved. Alderwoman Davis seconded. **Motion passed.**
- Alderman Whitcomb made a motion to fund the DPW street request for the street sweeper in the amount of \$325,000 and the loader in the amount of \$300,000. The motion passed 4-0 and he so moved. Alderwoman Davis seconded. **Motion passed.**
- Alderwoman Davis made a motion to approve the \$24,000 request for PD officer premium pay. The motion passed 3-1 and he so moved. Alderwoman Savage seconded. **Motion passed.**
- Alderwoman Savage made a motion to approve \$125,000 for the fire air-pack requests. The motion passed 4-0 and he so moved. Alderwoman Davis seconded. **Motion passed.**

This concluded Alderman Whitcomb's committee report. Alderman Gillam noted and thanked the police for their professional approach to a very serious crime committed within his neighborhood earlier in the day.

Alderman Ettori; Public Works, Fluoridation in Water Discussion

Alderman Ettori read his committee report from October 19th. Alderman Ettori noted a large group of people attending the meeting to discuss fluoridation of City water. This topic has been discussed from both the support of and to not to continue placing fluoride in City water for years. Alderman Ettori noted the issue will remain in committee and no action was requested. Debate. Several people spoke on the issue.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Barbara Spaulding; BIAP Grant Request

Barbara Spaulding was present to ask the Board to approve a recommendation from the RRA Board to approve a \$5,000 grant to LT's Little Dog Camp. Mary Shipley, owner spoke on the project. A motion was made and seconded (Talbot, DePoy) suspending the rules and taking action on the request.

Motion passed. A motion was made and seconded (Talbot, Davis) approving the BIAP Grant request. **Motion passed.**

Attorney Bloomer; Acquisition of Piedmont Pond and Associated Dam

Attorney Bloomer sought a referral to Public Works Committee the issue of the acquisition of Piedmont Pond and associated dam. This request was so moved and seconded (Gillam, Davis). **Motion passed.**

Rec Superintendent Peters; Authorize Mayor to Sign NBF Contract

Superintendent Peters was present seeking authorization for Mayor Allaire to sign the NBF contract for design work of the Main Street Park project. A motion was made and seconded (Gillam, Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gillam, Davis) authorizing the Mayor to sign. **Motion passed.**

Rec Superintendent Peters; Update, Justin Memorial Park

Superintendent Peters announced the award of a grant from the Department of Building and General Services in the amount of \$20,000 for the Justin Memorial Park project. Superintendent Peters noted how the fundraising was going and updated the Board on equipment purchase for the project.

Chief Lovett; Request to Dispose Engine #3

Chief Lovett was present to ask the Board to dispose of city owned property. A motion was made and seconded (Davis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gillam) to dispose engine #3 as presented by Chief Lovett. **Motion passed.**

Attorney Bloomer; Request for Executive Session Related to Grievance

This request was moved to the end of the meeting.

REPORTS OF STANDING COMMITTEES

Alderman Talbott; Community & Economic Development, Reimagine Depot Park / Better Places Grant-Vetting Grant Application Process, Discussion of Community Recommendations

Alderman Talbott read his committee report from November 3, 2022 to discuss the item of Reimagine Depot Park project. Alderman Talbott noted fundraising goals and how Come Alive Outside was working with the City on grant opportunities. Superintendent Peters was present to speak on the project and the need to change the culture with the park. A motion was made recommending to the full Board, for the City to partner with Come Alive Outside on a Better Places Grant to reimagine Depot Park and he so moved. Alderwoman Tadio seconded. Debate. **Motion passed.**

Alderman Whitcomb; Finance Committee; Local Option Tax – Assigning Revenue Discussion, Capital Improvement Fund

Alderman Whitcomb read his committee report from October 27, 2022 where his committee met to discuss several items referred to his committee. Alderman Whitcomb noted the first item discussed was the local option sales tax and the assignment of funds generated. The committee discussed at length this specific item and a motion was made to refer the item to the Charter & Ordinance Committee to discuss placing a question on the March 2023 ballot to adopt a local option sales tax outlining restrictions of the use of funds and he so moved. Alderwoman Davis seconded. **Motion passed.** Alderman Whitcomb then noted a motion from committee to create a capital improvement fund that could be partially funded through a percentage of the local option sales tax and he so moved. Alderwoman Davis seconded. Debate. Attorney Bloomer sought clarification on "percentage" **Motion passed.**

Alderman Whitcomb; Finance Committee; Parking Garage Items, Local Option Tax

Alderman Whitcomb read his committee report from November 1, 2022 noting his committee met to discuss the proposed changes presented by Attorney Bloomer on the parking garage leases agreement. The committee reviewed the new agreement and budget from LAZ. With Mayor Allaire the committee discussed on street parking and the effects to the parking garage. Alderman Whitcomb then moved three (3) motions from committee to the full Board. The first motion was to authorize the Mayor on

behalf of the City to enter into a lease agreement with the State of Vermont for the downtown parking garage, in substantially the form presented and he so moved. Alderman Talbott seconded. **Motion passed.** Alderman Whitcomb then moved to recommend the authorization of the Mayor, on behalf of the City, to enter into a Parking Garage Management Agreement with LAZ Parking Limited LLC, in substantially the form presented with amendments to the insurance and indemnification provisions to the satisfaction of the City's administration and he so moved. Alderwoman Savage seconded. Debate. Attorney Bloomer asked to amend the motion by striking the amendments to the insurance line. President Doenges then noted the request. The request was so moved and seconded to amend (Whitcomb, Savage). **Motion passed.** President Doenges then noted the motion had been amended and called for a vote. **Motion passed.** President Doenges then asked Alderman Whitcomb to continue. Alderman Whitcomb noted his final motion from committee was to recommend the approval of the FY23 parking garage budget and he so moved. Alderwoman Davis seconded. **Motion passed.** This concluded Alderman Whitcomb's Finance Committee report.

REPORTS OF SELECT COMMITTEES

There were no select committee reports.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

There were no petitions, letters, or miscellaneous communications to come before the Board.

BOARD OF CONTROL COMMISSIONERS

There were no items for the Board of Control Commissioners.

BOARD OF CANNABIS COMMISSIONERS

There were no items for the Board of Cannabis Commissioners.

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

President Doenges asked the Clerk to warn the meeting of the Cannabis Control Commissioners prior to the Board of Tax Abatement.

Alderman DePoy asked about Cannabis Tax. After brief debate to a potential referral the Board moved on.

Alderman Etori addressed the Board and spoke on the youth of the community and the hard times kids were having post COVID. Alderman Etori then segwayed into his own personal life noting issues with his children and the need to spend more time with them. Alderman Etori then presented his resignation from the Board noting his need to spend more time with his family. The Board presented a standing ovation to Alderman Etori and then several spoke on this announcement.

President Doenges thanked Alderman Etori for his service and addressed his need to serve his family first. President Doenges then sought language from Attorney Bloomer to enter into executive session.

Attorney Bloomer sought a motion where finding premature or general public knowledge regarding a negotiation of a grievance settlement will clearly place the city at a substantial disadvantage as the discussion will divulge the Board's position of the settlement provision to be negotiated. This language was so moved and seconded. (Talbot, DePoy). **Motion passed.**

Attorney Bloomer then noted language to enter into executive session with the inclusion of the Mayor, City Clerk and Attorney to discuss the negotiation of a grievance settlement, as aloud under title 1 section 313. This language was so moved and seconded. (Davis, Talbot). **Motion passed.**

At this point President Doenges sought a five (5) minute recess before entering executive session.

At 9:00 PM the Board moved into executive session. At 9:06 PM a motion was made and seconded (Davis, DePoy) to come out of executive session. With no action being requested a motion was made and seconded (Davis, DePoy) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk