CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 6, 2022

Members present; President Doenges, Aldermen Ettori, Savage, Neary, Talbott, Tadio, Whitcomb, DePoy and Davis. Also present; Mayor Allaire, Attorney Bloomer and Clerk Heck. Aldermen Franco and Gillam were absent.

7:00 PM BOARD OF ALDERMEN MEETING
President Doenges called the meeting to order at 7:00 PM

MINUTES OF PREVIOUS MEETINGS (May 16, 2022)
A motion was made and seconded (Talbott, Whitcomb) to approve the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL
Farmers Food Center ARPA Request
Heidi Lynch was present to brief the Board on the letter from the Farmers Food Center for an ARPA request. A motion was made and seconded (Davis, Talbott) referring the request to the Finance Committee. **Motion passed.**

President Doenges then noted a request from Companions in Wholeness. There was no one present to discuss the request. Mayor Allaire noted the organization, but was unsure of the request. A motion was made and seconded (Talbott, Davis) to refer the request to the Finance Committee. **Motion passed.**

Jack Crowther was present to ask when the BOA was going to look at the fluoridation question that was presented in November and presented a handout for new members. Alderman Ettori noted he would be looking into that request very soon.

COMMUNICATIONS FROM THE MAYOR
Police Commission Vacancy Nomination
Mayor Allaire was present and briefed the BOA on his request to nominate Elisa Hedlam to the Police Commission. Mayor Allaire asked that his request be tabled until the next meeting. A motion was so moved and seconded, (Davis, DePoy). **Motion passed.**

Mayor Allaire then noted the upcoming public meeting with the State about the homeless hotel situation at the Keefe gym. Mayor Allaire noted various strains on the City and resources within the City and looked forward yo getting answers to a lot of questions

Mayor Allaire then noted a request for a gun shop in an area located next to an elementary school that presented a lot of public/social network hype. Mayor Allaire noted the applicant has withdrawn his request and Mayor Allaire wanted the public to be aware.

ADDITIONS AND DELETIONS TO THE AGENDA
President Doenges noted a request from Attorney Bloomer to delete his request for a second executive session, Statement & Release and to add the Finance Committee report of Alderman Whitcomb. Those requests were passed. Alderman Neary noted that he had a Charter & Ordinance and Parking Committee reports, not two Parking Committee. President Doenges then asked the Board to jump ahead in the agenda to the Standing Committee reports and asked Alderman Whitcomb to read his finance report.

REPORTS OF STANDING COMMITTEES
Alderman Whitcomb; Finance Committee
Alderman Whitcomb read his committee report from May 17, 2022. Alderman Whitcomb noted the committee met to discuss a request from Wonderfeet Kid's Museum. Alderman Whitcomb noted Danielle Monroe was present to update the committee for an increase to an ARPA request from $100K to $150k. There was debate as to why the increase. The motion out of committee was to approve the $150,000 request for the Wonderfeet Kid's Museum from the fund formally known as ARPA and he so moved. Alderwoman Tadio seconded. Lengthy debate followed. **Motion passed.**

Alderman Neary; Parking Committee
Alderman Neary read his committee report from June 1, 2022, noting his committee met to continue discussion on the parking garage and entrance way from Center Street. Stakeholders were present to discuss the issue with the bypass from Center Street and the reason for closing that access. Alderman Neary noted input from the State and the current contract with the City. Alderman Neary noted his report was for information only. No action was requested.

Alderman Neary; Charter & Ordinance
Alderman Neary read his committee report from June 2, 2022 noting his committee met to discuss new shopping cart ordinances. Alderman Neary noted implementation planning, how and what documents to be presented/distributed to city businesses affected by this ordinance and a procedure task list. The committee determined that Building & Zoning maybe the most appropriate department to implement this list with the addition of an enforcement officer. The committee discussed the potential to use technology to reduce administrative demand. The committee stated the Mayor should determine which city departments should be involved in the procedure task list. Alderman Neary noted a motion out of committee to direct the Mayor to assign the task list to the appropriate city departments and he so moved. Alderman Talbott seconded. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

P & Z Administrator Strniste; Disposition of City Owned Property
Planning & Zoning (P&Z) Administrator Strniste was present to introduce his request. P & Z Admin Strniste asked Attorney Bloomer for an update on these requests. Attorney Bloomer noted the Housing Trust of Rutland County was working on a project with 204-208 Columbian Avenue and sought 200 & 202 Columbian Avenue to be included. Attorney Bloomer sought for the memorandum presented by P & Z Administrator Strniste be tabled until their next meeting. A motion was made and seconded (Davis, Savage) to table both the recommendation for 202 Columbian and update for 202 Columbian Avenue until their next meeting. **Motion passed.**

P & Z Administrator Strniste moved on to 33 Summer Street and the recommendation from the City-Owned Property Committee for the disposition of 33 Summer Street to Y & R I Opportunity Fund. Administrator Strniste provided a brief history of the property and noted the offer of $62,363.88. 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, Talbott) authorizing the sale of 33 Summer Street to Y & R I Opportunity Fund for the purchase price of $62, 363.88 pursuant to Section 6.2 of the Rutland City Charter and to further authorize the Mayor to sign all purchase and sale related documents. Debate shared concerns about an absentee owner. Upon calling the question, Alderman Ettori asked for a roll call vote. Clerk Heck called the roll.

Alderman Ettori			NO
Alderman Franco	Absent		
Alderwoman Savage		YES	
Alderman Neary		YES	
Alderman Talbott		YES	
Alderwoman Tadio		YES	
Alderman Whitcomb		YES	
Alderman Gillam	Absent		
Alderman DePoy		YES	
Alderwoman Davis		YES	

Clerk Heck noted seven (7) YES one (1) NO two (2) were absent. **Motion passed.**

P & Z Administrator Strniste; Non-Tax Revenue Review
P & Z Administrator Strniste presented his request for a referral of the issue of non-tax revenues and fee schedule. P & Z Strniste detailed how revenue was generated and the opportunity to substantially increase those revenues. A motion was made and seconded (Talbott, DePoy) to refer the issue of non-tax revenue and fee schedule to the Finance Committee. There was brief debate on the committee referred. **Motion passed.**

P & Z Administrator Strniste; Permitting Software RFP
Planning & Zoning Administrator Strniste noted an earlier request/budget for Permitting Software for $9,000. Upon investigating the various opportunities to utilize this software, it was noted that it would increase their fee structure into the next pricing tier, thus increasing their budget. P & Z Strniste sought to go out for an RFP for permitting software with a not to exceed price of $25,000. A motion was made and seconded (Neary Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Neary, Talbott) authorizing the Building and Zoning Department to solicit Requests for Proposals for permitting software not to exceed $25,000.00 with the understanding that the full amount may not be awarded. **Motion passed.**

Attorney Bloomer; Referral, HR Committee; Fire Officer Personnel Policies & Pay Scale
Attorney Bloomer reviewed his request for a referral, noting a meeting sooner than later is better as the new fiscal year was just around the corner. A motion was made and seconded (Davis, Talbott) to refer the issues of Revisions to Fire Officer Personnel Policies/Approval of Fire Officer pay scale to the Human Resource Committee. **Motion passed.**

Attorney Bloomer; Settlement& Release Request
Attorney Bloomer reviewed his request for a settlement and release with Main Street America Insurance. Attorney Bloomer noted a contractor did damage to paving on Route 7 and was looking to

pay the City $5,000 for their Release of All Claims. A motion was made and seconded (Tadio, Talbott) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Tadio, Davis) authorizing the Mayor, on behalf of the City, to enter into the Release of All Claims in favor of Main Street America Insurance, in substantially the form presented. **Motion passed.**

Request for Executive Sessions.
Executive Session Related to Probable Litigation.
This request was moved to the end of the agenda.

Executive Session Related to Negotiation of a Contract
This request was deleted at the beginning of the meeting.

<u>REPORTS OF SELECT COMMITTEES</u>
Alderman Ettori gave a brief Planning Commission update noting the Board dynamics are great and are balancing projects with all aspects fairly vetted.

<u>REPORTS OF REPRESENTATIVES</u>
Alderman Neary; Traffic Committee Referral
Alderman Neary noted at the May 20th meeting of the Traffic Committee the issue of Green Belt parking came up again. There still seems to be issues and Alderman Neary was looking to refer the issue to the Charter & Ordinance Committee to ban parking on the green belt. Alderman Ettori seconded. **Motion passed.**
<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
S.E.P. Request; Coin Drop; Humane Society, June 18th & July 30th, 10-2PM, Merchants Row
President Doenges introduced the request from the Humane Society. A motion was made and seconded (DePoy, Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Depoy, Tadio) approving the request from the Humane Society for a Coin Drop June 18, 2022 and July 30, 2022 from 10 Am -2PM on the designated spot on Merchants Row. **Motion passed.**

A motion was made and seconded (Davis, Whitcomb) to move into the Board of Control Commissioners. **Motion passed.**

<u>BOARD OF CONTROL COMMISSIONERS</u>
Second Class Liquor Request; Qasium Enterprise LLC
President Doenges read the request from Qasium Enterprises LLC. A motion was made and seconded (Davis, DePoy) to circulate the application for signatures. **Motion passed.**

First Class Liquor Request; American Dream Restaurant LLC
President Doenges read the request from American Dream Restaurant LLC. A motion was made and seconded (Davis, DePoy) to circulate the application for signatures. **Motion passed.**

A motion was made and seconded (Davis, DePoy) to come out of the Board of Control Commissioners. **Motion passed.**

<u>UNFINISHED BUSINESS</u>
Alderman Neary; Update on Park Mobile RFP
Alderman Neary updated the Board on an approved RFP request for Park Mobile app and wanted the Board to know that the Purchasing Agent, Sara Magro had investigated and found that other towns using this app were part of a purchasing group known as NCPA. Alderman Neary noted that this buying group would save the City money and he asked for the City to enter into a contract with NCPA for the Park Mobile app. There was discussion on the process. A motion was made and seconded (Neary, Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Neary, Davis) to enter into a contract with NCPA for the Park Mobile app. **Motion passed.**

<u>MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS</u>
Alderwoman Davis asked Treasurer Markowski to provide ARPA information for the Board. Alderwoman Davis sought to review those findings and potentially looking to end ARPA requests as the City has so much for funds and far greater requests. There was debate on the request. A motion was made and seconded (Neary, Ettori) to refer the issue, (ARPA MATRIX) to the Finance Committee. **Motion passed.**

Alderman Ettori noted a mini golf fundraiser.

President Doenges noted if there was no further business to come before the Board he would seek a motion to enter into executive session.

Attorney Bloomer stated a motion finding that premature general public knowledge regarding probable litigation, to which the City is 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 (DePoy, Talbott). **Motion passed.**

Attorney Bloomer noted language to enter into executive session (with the inclusion of the Attorney, Clerk, Mayor, Treasurer, and Zoning Administrator) to discuss probable litigation, as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). **Motion passed.**

At 8:20 PM the Board moved into executive session.

At 8:42 PM a motion was made and seconded (Davis, Depoy) to come out of executive session. **Motion passed.**

A motion was made and seconded (Davis, DePoy) authorizing the Mayor on behalf of the City to enter into an agreement lease with Randy Bishop in substantially the form presented. **Motion passed.**

President Doenges had an update from the State and the traffic study requested on 7 south. President Doenges noted the State found the present speed limit to be viable and he wanted the Board to be aware of those findings.

At 8:44 PM a motion was made and seconded (Davis, DePoy) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A Heck
Rutland City Clerk