

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, January 19, 2021

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 (January 4, 2021)

A motion was made and seconded (Davis, Gorruso) approving the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL

No one spoke from outside the rail.

COMMUNICATIONS FROM THE MAYOR

Untable (To Remove from the Table) the Nomination of James Rotondo

Mayor Allaire noted the nomination of James Rotondo as Interim-DPW Commissioner and sought to untable and vote on the nomination. A motion was made and seconded (Davis, Gorruso) to untable the nomination of James Rotondo as Interim DPW Commissioner. **Motion passed.** There was brief discussion on the login information to cast the vote. The vote was 10 yes and 1 absent vote by Alderman Gillam who was having technical difficulties. **The nomination was approved.** Mr. Rotondo was on line and thanked the Board for their support.

ADDITIONS AND DELETIONS TO THE AGENDA

President Whitcomb noted a request he received to add the Rutland County Free Clinic to the March Ballot. Alderman Gorruso so moved the request. Alderwoman Davis seconded. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Brennan Duffy, RRA Director, Better Places Resolutions

Director Duffy was on line and briefed the Board on the request, noting an opportunity for a \$20k grant with no matching funds required. Mr. Duffy spoke on the Center St re-design this summer and stated that this grant would help the City to replicate the same project for the summer of 2021. Mr. Duffy was looking for President Whitcomb to sign the resolution. A motion was made and seconded to suspend the rules and take action on the request. **Motion passed.** A motion was made to authorize the BOA President to sign the grant for the Better Places Resolutions Grant. **Motion passed.**

Treasurer Markowski; Treasurer's Report

Treasurer Markowski was on line to report the second quarter report and noted highlights prior to a request to refer the report to the finance committee for review. A motion was made and seconded (Ettori, Davis) to refer the report to the Finance Committee. Alderwoman Davis asked for expense reports regarding bonds and long term debt for the City. **Motion passed.**

Attorney Bloomer: Executive session regarding probable litigation

Per the Boards past practice, the request was moved to the end of the meeting.

REPORTS OF STANDING COMMITTEES

Alderwoman Humphrey; General Committee, Business Process Improvement, RFP

Alderwoman Humphrey read her committee report on the Business Process Improvement RFP and explained the request for the RFP, noted as more of a Request for Qualification from the Mayor. The Mayor noted the intent of the request was to hire a company that can streamline processes and improve communication across the work force. Alderwoman Humphrey noted thirteen (13) responses and stated that the Mayor, Attorney Bloomer and Judy Frazier reviewed all, with three (3) recommendations for future Rutland City contracts. Alderwoman Humphrey noted a motion out of committee was to approve the recommendation of Regeneration, CGR, & ALG as presented. There was brief debate. **Motion passed.**

REPORTS OF SELECT COMMITTEES

There were no select committee reports.

REPORTS OF REPRESENTATIVES

There were no representative reports.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

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

President Whitcomb noted a motion to enter into the Board of Control Commissioners. That request was so moved and seconded (Davis, Gorruso). **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

Second Class Liquor; Shami Quick Stop

President Whitcomb introduced the request for a second class liquor license from Shani Quick Stop. A motion was made and seconded (Davis, Gorruso) to authorize the Clerk to sign the liquor license request on the Board of Control Commissioners behalf. There was brief debate on the location. **Motion passed.**

A motion was made and seconded (Davis, Gorruso) to come out of the Board of Control Commissioners.

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Humphrey; "Resolution of City of Rutland Board of Aldermen's Support for Vermont Public Officials' Condemnation of the Acts at the US Capitol on January 6, 2021"

President Whitcomb introduced the earlier added Rutland Free Clinic March 2021 Ballot request first.

Request to place the Rutland Free Clinic on the March 2021 Ballot

President Whitcomb noted the request from the Rutland Free Clinic. President Whitcomb asked if a representative was on line. Hearing none, Alderwoman Davis moved to suspend the rules and take action on the request. Alderman Gorruso seconded. **Motion passed.** Alderwoman Davis debated the request noting the vast amount of social service requests for funds on the ballot every year and wished she could have asked specific questions about the request. Alderman Davis then moved to place the request on the March Ballot with a not to exceed request of \$10,000. Alderwoman Ryan seconded. Debate.

Debate involved input from numerous Alderman, City Clerk Heck and finally a representative from the free clinic. There was an amendment to the motion asking the Clerk to contact the Secretary of State to make sure all State Statues were followed prior to the request being placed on the March Ballot. Tia Polino representing the free clinic did speak at this time. President Whitcomb asked Alderwoman Ryan if she was OK with the amendment presented. Alderwoman Ryan agreed and seconded. Alderwoman Davis asked Ms. Polino questions regarding the request. **Motion passed.**

President Whitcomb introduced the request from Alderwoman Humphrey.

Alderman Humphrey; "Resolution of City of Rutland Board of Aldermen's Support for Vermont Public Officials' Condemnation of the Acts at the US Capitol on January 6, 2021"

Alderwoman Humphrey thanked President Whitcomb and asked for a rules suspension to take up her request. Alderwoman Ryan seconded. **Motion passed.** Alderwoman Humphrey asked if Alderman Gillam was still present. There was brief discussion with no verification of Alderman Gillam being present. Alderwoman Humphrey then read a resolution presented by her on the condemnation of the acts at the US Capitol Building on January 6, 2021. Alderwoman Humphrey then so moved the resolution for BOA approval. Alderwoman Ryan seconded. Debate. Alderman DePoy offered a strike all amendment to Alderwoman Humphrey's resolution and presented his own resolution.

Alderman DePoy so moved his resolution to the full BOA. Alderman Clifford seconded. Debate. Aldermen spoke on Alderman DePoy's resolution. Alderwoman Humphrey spoke on the amended (DePoy) resolution and moved to call the question. Alderman Talbott seconded. There was brief debate. Attorney Bloomer noted a 2/3 voted need to pass the motion on calling the question. Alderman DePoy asked for a roll call vote. President Whitcomb asked the Clerk to call the roll.

Alderman Gorruso	DID NOT VOTE/RESPOND	
Alderwoman Humphrey		YES
Alderwoman Ryan		YES
Alderman Etori		YES
Alderman Talbott		YES
Alderwoman Mattis		NO
Alderman Gillam	DID NOT VOTE/RESPOND	
Alderman Clifford		NO
Alderman DePoy		NO
Alderwoman Davis		NO

Clerk Heck reported four (4) YES, four (4) NO and two (2) DID NOT VOTE/RESPOND. **Motion failed.**

Debate continued from Aldermen and citizens outside the rail. With no further debate, President Whitcomb noted a roll call request and asked Clerk Heck to call the roll.

Alderman Gorruso	DID NOT VOTE/RESPOND	
Alderwoman Humphrey		NO
Alderwoman Ryan		NO
Alderman Etti		NO
Alderman Talbott		NO
Alderwoman Mattis		NO
Alderman Gillam	DID NOT VOTE/RESPOND	
Alderman Clifford	YES	
Alderman DePoy	YES	
Alderwoman Davis		NO

Clerk Heck reported two (2) YES, five (5) NO and two (2) DID NOT VOTE/RESPOND. **Motion failed.**

Debate continued on the original motion, to approve Alderwoman Humphrey’s resolution. It was at length and terse at times, with debate and chat board. President Whitcomb addressed the chat board concerns. With no further debate on Alderwoman Humphrey’s resolution and with a roll call requested (Humphrey) President Whitcomb repeated Alderwoman Humphrey’s motion that had been seconded and asked Clerk Heck to call the roll.

Alderman Gorruso	DID NOT VOTE/RESPOND	
Alderwoman Humphrey	YES	
Alderwoman Ryan	YES	
Alderman Etti	YES	
Alderman Talbott	YES	
Alderwoman Mattis		NO
Alderman Gillam	DID NOT VOTE/RESPOND	
Alderman Clifford		NO
Alderman DePoy		NO
Alderwoman Davis		NO

Clerk Heck reported four (4) YES, four (4) NO and two (2) DID NOT VOTE/RESPOND. **Motion failed.**

Alderman DePoy immediately asked for language to enter into executive session. President Whitcomb asked before entering executive session if there was any further miscellaneous motions, resolutions or new business. Seeing none, President Whitcomb asked Attorney Bloomer for language to enter into executive session.

Attorney Bloomer noted a motion to find that premature general public knowledge regarding probable litigation, to which the City would be a party, would clearly place the City at a substantial disadvantage because the discussion will divulge the City’s strategy in such pending litigation and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. This language was so moved and seconded (Davis, Etti) **Motion passed.**

Attorney Bloomer then noted a motion to enter into executive session (with the inclusion of the City Attorney, Interim-DPW Commissioner, Treasurer and Mayor) to discuss probable litigation, as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). This language was so moved and seconded (Davis, DePoy). **Motion passed.**

At 9:00 PM, President Whitcomb asked the Board to sign off and sign into executive session.

At 9:30 PM a motion was made and seconded (Clifford, DePoy) to come out of executive session. **Motion passed.**

At 9:31 PM President Whitcomb asked the Board to sign back into the public site.

At 9:32 PM, back in the public site Attorney Bloomer sought language authorizing the Mayor to sign the agreement with Belden Company in substantially the form presented. Alderwoman Davis and Mattis so moved and seconded. **Motion passed.**

A motion was made and seconded (DePoy, Davis) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk

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