CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 1, 2020

Member present; President Whitcomb, Aldermen Gorruso, Humphrey, Ryan, Ettori, Talbott, Mattis, Gillam, DePoy and Davis. Also present were Mayor Allaire, Attorney Bloomer and City Clerk Heck. Alderman Clifford was absent.

7:00 PM BOARD OF ALDERMEN MEETING

President Whitcomb called the meeting to order at 7:02 PM and noted that he and Clerk Heck had confirmed all present except for Alderman Clifford and moved on in the agenda.

MINUTES OF PREVIOUS MEETINGS (May 18, 2020)

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

OUTSIDE THE RAIL

Ivan Rochon a local downtown businessman presented a letter about his concern with parking enforcement within the downtown. Mr. Rochon was available via teleconference and asked the Board to help him enforce the laws that were already established in ordinance. The debate lasted over thirty minutes with a motion to refer to public safety being withdrawn and the issue of the downtown parking enforcement referred to the Police Commission by Alderwoman Humphrey and seconded by Alderwoman Davis. **Motion passed.**

Brennan Duffy, RRA Director requested to refer the issue of outdoor seating for bars and restaurants to the Community and Economic Development Committee. The request was so moved and seconded (Gillam, Ryan). **Motion passed.**

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire noted that he had nothing for the Board, but reviewed the parking enforcement discussion and offered to help in any capacity.

ADDITIONS AND DELETIONS TO THE AGENDA

Green Mountain Power (GMP) Pole and Wire request.

President Whitcomb introduced the request and sought to add it to the agenda under petitions letters and miscellaneous communications. That request was so moved and seconded (Davis, Gillam). **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Zoning Administrator (ZA) Tara Kelly; City Owned Property Committee Request

ZA Tara Kelly noted a recommendation from the City Owned Property Committee to authorize a change at 31 Howe Street. ZA Kelly noted the request from Joe Giancola and explained that Mr. Giancola was requesting a change to redevelop the property. Mr. Giancola noted that the property was unsalvageable and to demo and rebuild was not cost effective. MR. Giancola was requesting to demolish the building and to split the property between to adjoining properties owned by Mr. Giancola. A motion was made and seconded (Gorruso, Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gorruso, Gillam) authorizing the mayor to sign the agreement between the City and Crestmark Incorporated that the following; The parties agree that the Development Plan dated April 12, 20018 should be replaced with the Development Plan attached as Exhibit A (letters and attachments submitted under Crestmark Incorporated letterhead dated April 14, 2020 and May 14, 2020) and anywhere the Quitclaim Deed between the City of Rutland and Crestmark Incorporated dated June 13, 2019 and filed in the City of Rutland Land Records at Book 685, Pages 509-510 references a Development Plan, it applies to the plan attached as Exhibit A. Debate. **Motion passed.**

Treasurer Markowski; Municipal Checklist for Internal Control – FY20-21

Treasurer Markowski briefed the Board on her request for internal control checklist as required by the State. A motion was made and seconded (Ettori, Gorruso) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Ettori, Gillam) to authorize the BOA President to signoff the checklist for internal controls. **Motion passed.**

Treasurer Markowski; Update, Property Tax and Water/Sewer Collections

Treasure Markowski gave a quick overview on the Water & Sewer collections to keep the Board up to date on the current status with the extended grace period because of the COVID issues. This information was for information only.

Barbara Spaulding; Master Plan Adoption

Barbara Spaulding asked the Board to approve the Master Plan as presented as of April 21, 2020. The request was tabled for further review of the plan, (DePoy, Gorruso). There was discussion on the motion to table, if it was even possible based on timelines. Mrs. Spaulding noted there was an extension in place till September 1, 2020. Alderman Ettori noted a motion to table was not debatable and sought a roll call vote. President Whitcomb asked the Clerk to call the roll.

Alderman Gorruso		YES	
Alderwoman Humphrey			NO
Alderwoman Ryan			NO
Alderman Ettori			NO
Alderman Talbott			NO
Alderwoman Mattis			NO
Alderman Gillam		YES	
Alderman Clifford	ABSENT		
Alderman DePoy		YES	
Alderwoman Davis		YES	

Clerk Heck noted the vote was 4 YES and 5 NO the **Motion Failed for lack of majority.**

Debated continued from Alderman Ettori who noted two (2) previous public hearings on the issue and the work committed to the plan. Alderman Ettori moved to adopt the Master Plan. Alderwoman Humphrey seconded. There was a point of order and noted rules suspension was in order. A motion was made and seconded (Ettori, Humphrey) to suspend the rules. Motion was not unanimous, as such a roll call vote was needed. President Whitcomb ask the Clerk to call the roll.

Alderman Gorruso		NO	
Alderwoman Humphrey			YES
Alderwoman Ryan			YES
Alderman Ettori			YES
Alderman Talbott			YES
Alderwoman Mattis			YES
Alderman Gillam		NO	
Alderman Clifford	ABSENT		
Alderman DePoy		NO	
Alderwoman Davis			YES

Clerk Heck noted vote was six YES and three NO. President Whitcomb stated the vote and noted motion passed. Alderman Ettori moved to adopt the Master Plan as presented. Alderwoman Humphrey seconded. Alderman Gorruso commented on the tabling motion. President Whitcomb noted Attorney Bloomer stated that the motion to suspend actually failed for a lack of majority. President Whitcomb opened the floor to further discussion. Debate continued. The Board discussed options and possible motions prior to Attorney Bloomer noting a motion to retable would need a reconsideration of those in the minority vote. Alderwoman Davis moved to reconsider. There was debate on the majority/minority question. With no one on the prevailing/ majority side wanting to reconsider the motion to table, Alderman DePoy asked that in two weeks when the Board meets again to have the request placed on the agenda. There was no further debate and President Whitcomb moved on.

Attorney Bloomer; Request for Referral, Non-Union Police Department pay and policies.

Attorney Bloomer noted his memo sent out earlier noting his request to refer the issue of non-union pay and policies be referred to the HR Committee. The request was so moved and seconded (Gillam, Gorruso). **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman Clifford; Public Works Committee

Alderman Clifford was not present, so Alderwoman Mattis read his committee report. Alderwoman Mattis noted the committee met on May. 20, 2020 to discuss sewer allocation policy revision and an update on the Wastewater Bond projects. The report was for information only and no action was requested.

REPORTS OF SELECT COMMITTEES

There were no select committee reports.

REPORTS OF REPRESENTATIVES

There were no representative reports.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Addition: GMP Pole & Wire Request

President Whitcomb noted the addition of a Pole & Wire request from Green Mountain Power (GMP). A motion was made and seconded (Gorruso, Ryan) suspending the rules and taking action on the request. **Motion passed.** Alderwoman Davis moved to approve with the seven standard conditions.

Alderman Gorruso seconded. Alderwoman Humphrey recused herself from voting as she is employed by GMP. **Motion passed.**

<u>BOARD OF CONTROL COMMISSIONERS</u>
There were no items to come before the Board of Control Commissioners.

<u>UNFINISHED BUSINESS</u>
There was no unfinished business to come before the Board.

<u>MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS</u>
Alderman Gorruso noted the increase in group size to 25 and sought information from Attorney Bloomer on having meetings in person. Alderwoman Davis seconded for debate. There was debate on the request, based on present State COVID guidelines. **Motion passed.**

Alderman Gorruso asked about a rumor he heard that the new fire truck had been involved in an accident. Mayor Allaire noted that the truck had been in a incident where it hit a truck and had some minor damage. A motion was made and seconded (Gillam, Gorruso) to have the Fire Chief report on damage with a memo. **Motion passed.**

Alderwoman Humphrey read a prepared statement from Police Chief KilCullen on the murder of George Floyd and Black Lives Matter. Chief Kilcullen's statement condoned the murder of George Floyd and will work to better prepare the men and women of the Rutland City Police and recognizes their need to work with the community. A motion was made and seconded (Gillam, Davis) to receive and file. **Motion passed.**

Alderman Gillam brought the issue of outside liquor consumption and what bars and restaurants need to do in order to serve outside. The Clerk spent about 5 minutes explaining the new liquor control guidelines during this COVID environment.

With no other business to come before the Board, President Whitcomb asked for a motion to adjourn. The request was so moved and seconded (Gorruso, Davis). **Motion passed.**

The Board adjourned at 8:40 PM.

Respectfully submitted,

Henry A Heck
Rutland City Clerk

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