

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, January 16, 2018

Members present; President Davis, Aldermen Notte, Humphrey, Ryan, Ettori, Tommola, Mattis, Cook, Larson,*DePoy and Donahue. Also present, Mayor Allaire, Attorney Bloomer and Clerk Heck. Alderman DePoy arrived at 7:16 PM.

7:00 PM BOARD OF ALDERMEN MEETING

President Davis called the meeting to order at 7:00 PM

MINUTES OF PREVIOUS MEETINGS (January 2, 2017)

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

OUTSIDE THE RAIL

Marion Pratico was present to speak about pedestrian crosswalks, smoking issues at hotels and bugs.

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire briefly updated the Board on his recent visit to Montpelier and working on the opiate problem. Mayor Allaire noted the success with Project Vision and how the State is copying our plan to deal with this issue State wide.

ADDITIONS AND DELETIONS TO THE AGENDA

None.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Treasurer Markowski; Treasurer's Report

Treasurer Markowski gave a brief update to the Board on the mid-point to the fiscal year. Treasurer Markowski also noted that the audit was almost done and looked forward to getting the results.

Brennan Duffy; RRA Director, BIAP Funding Request

Brennan Duffy briefly introduced the request and had Jacqueline (Beth) Fleck introduce her business concept. A motion was made and seconded (Ettori, Notte) to suspend the rules and take the request up that night. **Motion passed.** A motion was made and seconded (Ettori, Notte) authorizing the \$5,000 BIAP Loan to Ruff Life Coffee. Alderman Ettori asked Beth Fleck to explain her business concept. **Motion passed.**

Barbara Spaulding; RRA, Evelyn Street Redevelopment Study

Brennan Duffy introduced the request and explained to the Board that this was the final hearing notice regarding the Evelyn Street Redevelopment Study planning grant and invited the Board to that meeting. A motion was made and seconded (Ettori, Ryan) to receive and file the notice. **Motion passed.**

Tara Kelly; Request for BOA Approval of Zoning Ordinance Rewrite Contract

Zoning Administrator Kelly introduced the request and sought to transfer the existing contract to Birchline Planning. A motion was made and seconded (Mattis, Ettori) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Mattis, Notte) to transfer the existing contract for the zoning rewrite project from Orion Planning & Design to Birchline Planning. There was some debate as to the contract and location of Birchline Planning. **Motion passed.**

Attorney Bloomer; Ordinance Amendment Approval

Attorney Bloomer introduced the request and noted that the ordinance amendment was lengthy and needed to be posted in the paper. Attorney Bloomer showed the Board a shorter version and explained how the posting would work. Attorney Bloomer also noted the Boards approval for doing so. A motion was made and seconded (Mattis, Ettori) suspending the rules and taking the issue up that evening. **Motion passed.** Motion was made and seconded (Mattis, Ryan) approving the ordinance amendment to be posted in the paper. **Motion passed.**

Attorney Bloomer; Executive Session Request Related to a Contract

This executive sessions request was moved to the end of the meeting.

REPORTS OF STANDING COMMITTEES

Alderman Ettori; Community & Economic Development

Alderman Ettori read his committee report from January 8, 2018, with two items on the agenda. The first issue discussed was the Regional Marketing initiative. Upon reading his committee report, Alderman Ettori noted a request from his committee to approve \$16,000 from the Zamas Impact Fees to RRCC/REDC joint marketing committee Regional Marketing Initiative and he so moved. This request was seconded by Alderman Humphrey. **Motion passed.** Alderman Ettori continued with his report noting the committee then discussed the disposal of City Owned Property. The report was brief and for information only.

Alderman DePoy; Special Liquor

Alderman DePoy read his committee report from January 9, 2018 with the issue of a first class liquor request from Trevor Smith. There was lengthy debate from the committee; Mr. Smith was present during the meeting. Chief Kilcullen shared some concerns with loud music and people drinking out front of TECHNO Club owned by Mr. Smith. The motion out of committee was to deny the request and that motion passed 5-0. Alderman DePoy so moved his motion from committee to the full Board. Alderman Notte seconded that request. There was some debate from the Board. President Davis noted that vote would be held under the Board of Control Commissioners. Mr. Smith did speak briefly on his business and his hope to receive a license.

REPORTS OF SELECT COMMITTEES

There were no select committee reports.

REPORTS OF REPRESENTATIVES

There were no representative reports

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

SEP Request; Northeast Shrine Association Fall Field Days

President Davis introduced the request. Alderman Etori spoke on how he would like to refer this request to the Community & Economic Development Committee and he has warned a meeting to discuss it further. Alderman Ryan seconded the referral. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

1st Class Liquor Request Rutland Tokyo House Restaurant

President Davis introduced the request. A motion was made and seconded (Mattis, Etori) to circulate the application for signatures. There was brief debate on location and previous licensing. **Motion passed.**

1st Class Liquor Request TECHNO Club

President Davis introduced the request and noted that the Special Liquor Committee moved to deny the first class request and looked to call for a vote on that motion out of committee. Alderman Etori recused himself from voting. President Davis called for a vote to deny. **Motion passed.** President Davis then noted the Board still needed to circulate the application. A motion was made and seconded (DePoy, Notte) to circulate the application for signatures. Alderman Etori recused himself from this vote. There was some discussion on the denial and process. **Motion passed.**

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

UNFINISHED BUSINESS

Attorney Bloomer told Alderman Donahue that his rooster ordinance was all set.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Donahue moved to re-activate the Pension Liability Committee to work on ways to relieve the deficit within the pension. Alderman Etori seconded. There was brief debate. **Motion passed.** President Davis noted she would need to appoint members

President Davis then sought language to move into executive session. Attorney Bloomer noted a motion finding that premature general public knowledge regarding the negotiation of a contract would clearly place the City at a substantial disadvantage because the discussion will divulge the Board's position on the items to be negotiated and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. Alderman Mattis so moved the request. Alderman Notte seconded. **Motion passed.**

Attorney Bloomer then noted a motion to enter into executive session (with the inclusion of the City Attorney, Mayor) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A) and Title 1, Section 313(a)(1)(F). This language was so moved and seconded (Ryan, Mattis). **Motion passed.**

At 7:56 a motion was made and seconded (Cook, Notte) to come out of executive session. **Motion passed.**

A motion to adjourn was made and seconded (Cook, Ryan). **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk