

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, September 5, 2017

Members present; President Davis, Aldermen Notte, Humphrey, Ryan, Ettori, Tommola, Mattis, Cook, Larson, DePoy and Donahue. Also present, Mayor Allaire, Attorney Bloomer and City Clerk Heck.

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (August 21, 2017)

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

OUTSIDE THE RAIL

No one spoke outside the rail.

COMMUNICATIONS FROM THE MAYOR

Requests BOA Authorization to Sign Community Support for USDA Rural Development

Mayor Allaire introduced the topic and asked the Board to suspend their rules and take action on the request before them. A motion was made and seconded (DePoy, Ryan) to suspend the rules and take the issue up that evening. **Motion passed.** At first Alderman Donahue sought a motion to refer. There was no second. There were a few questions from the Board to the Mayor and Tom Heubner, CEO of the RRMCC, who was present. A motion was made and seconded (Notte, DePoy) to authorize the appropriate person (Mayor) to sign the document of support. **Motion passed.**

Mayor Allaire noted that Cindi Wight, Recreation Superintendent was leaving the City for a new job. Mayor Allaire noted and thanked Cindi for her time with the City. Mayor Allaire noted the search for a new Superintendent was under way.

Mayor Allaire also noted and thanked the fire fighters who were in Texas as part of the Vermont Swift Water Rescue Team and thanked their families for their support.

ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Attorney Bloomer; Request for Executive Session, Labor Relations Agreement with Employees Request to authorize Mayor to seek proposals from qualified law firms to provide outside legal counsel

Both of these requests were moved to the end of the agenda per the Board's normal practice.

Barbara Spaulding; RRA, Hickory Street Phase III

President Davis introduced the request and noted that Mrs. Spaulding was not present. President Davis also noted that the request was to circulate a resolution for Board signatures. A motion was made and seconded (Mattis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Mattis, Notte) moving to circulate the resolution for signatures designating the RRA as the public agency to perform the grant administration duties regarding the Hickory Street Phase III project.

REPORTS OF STANDING COMMITTEES

Alderman DePoy; Recreation Committee

Alderman DePoy read his committee report from Wednesday, August 30, 2017, noting his committee met to discuss several issues. The first was a tour of the Recreation facility to potential vendors interested in vending or concession services at that facility. The committee then proceeded to City Hall to continue with their meeting.

The next issue discussed was an update on the gymnasium proposal to be built on the east end of the current recreation facility. Alderman DePoy noted criteria and associated cost estimated at \$2.5 million.

The final item discussed was for fees for exclusive use of City Parks and Facilities. Alderman DePoy noted there was no set standard on this issue and the superintendent was looking to make the fee structure more consistent. All of these reports were for information only and no action was requested or taken.

REPORTS OF SELECT COMMITTEES

Fire Chief Search Committee

Alderman Notte read the committee report from Tuesday, August 22, 2017 on the continued search for a new fire chief. The report noted a survey to be used during the process and outlined the agenda for their next meeting. This report was for information only.

REPORTS OF REPRESENTATIVES

Two updates were noted. The first was from the RCSWD and a new scale going in at the landfill and Alderman DePoy noted that Killington Avenue would be closed next week for the covert replacement.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Susan Schreibman; Chair Planning Commission, Invitation to View New Sign Ordinance

A motion was made and seconded (Larson, Notte) to receive and place on file. **Motion passed.**

SEP Request Knights of Columbus "Tootsie Roll" Coin Drop

President Davis introduced the request and sought the Board's pleasure. A motion was made and seconded (DePoy, Larson) suspending the Board rules and taking the request up that evening. **Motion passed.** A motion was made and seconded (DePoy, Larson) approving the Knight's of Columbus "Tootsie Roll" Coin Drop in front of their building from 10 AM to 2 PM on September 30th. There was brief debate on some of the paperwork. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Outside Consumption Request; American Legion

President Davis introduced the request and noted a motion authorizing the Clerk to sign would be in order. That request was so moved and seconded (DePoy, Ryan). **Motion passed.**

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

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Mattis moved to refer the item of coin drop policy to the General Committee to further discuss a concern shared by Alderman Larson at an earlier meeting. Alderman Larson seconded. **Motion passed.**

Alderman Larson shared his concern on the lateness of RRA Minutes and asked the Mayor or Board President to request they be presented in a timelier manner.

Alderman Notte paid honor to Gail Johnson who recently passed from a battle with cancer. President Davis and Alderman Etori also offered kind words and a hope someone from the Northwest neighborhood would step up and take on some of Gail's passions.

With nothing further coming before the Board, President Davis noted two requests for executive sessions and sought the motions from Attorney Bloomer.

Attorney Bloomer noted a motion would be in order that finds premature or general public knowledge regarding a labor relations agreement would clearly place the city at a substantial disadvantage, because the discussion will divulge the Mayor's and Board's stance on the things to be negotiated and will include confidential attorney client communications made for the purpose of providing professional legal services to the City. This request was so moved and seconded (Notte, DePoy). **Motion passed.**

Attorney Bloomer then stated a motion would be in order to enter into executive session including the Mayor and City Attorney to discuss the Labor Relation Agreement as aloud under Title 1 Section 313 (a)(1)(B) and Title 1 Section 313 (a)(1)(F). This request was so moved and seconded (Ryan, Larson). **Motion passed.**

At 7:27 PM the Board, Mayor and City Attorney moved into executive session.

At 7:59 PM a motion was made and seconded (Larsen, Ettori) to come out of executive session. **Motion passed.**

A motion was made and seconded (Larson, Mattis) authorizing the Mayor to sign the Memorandum of Understanding between the City, Union and certain employees of the Recreation & Parks Department as presented tonight. **Motion passed.**

President Davis then noted one more request from Attorney Bloomer for an executive session to seek an RFP from qualified law firms to provide outside legal counsel and asked the attorney for the necessary language.

Attorney Bloomer noted a motion to find that premature general public knowledge regarding the negotiation of a contract in response to an RFP would clearly place the City at a substantial disadvantage because the discussion will divulge the Mayor and Board's stance on the items to be negotiated. This request was so moved and seconded (Mattis, Ryan). **Motion passed.**

Attorney Bloomer also noted a motion to enter into executive session (with the inclusion of the Mayor and City Attorney) to discuss the selection of outside legal counsel as allowed under Title 1, Section 313(a)(1)(A). This request was so moved and seconded (Mattis, Ryan). **Motion passed.**

At 8:03 PM the Board moved back into executive session.

AT 8:34 PM a motion was made and seconded (Mattis, DePoy) to come out of executive session. **Motion passed.**

A motion was made and seconded (Mattis, Ryan) authorizing Mayor Allaire to invite proposals for general legal services, in the format presented. **Motion passed.**

At 8:35 PM a motion was made and seconded (Larson, Ryan) to adjourn. **Motion passed.**

Respectfully submitted

Henry A. Heck
Rutland City Clerk