

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, September 26, 2016

Members present; President Notte, Aldermen Allaire, *Humphrey, Robertson, Etti, *Tommola, Donahue, Gides, *DePoy and Davis. Also present, City Clerk Heck. Alderman Larson was absent. Alderman Humphrey arrived at 5:08 PM, Alderman Tommola arrived at 5:25 PM and Alderman DePoy arrived at 5:30 PM.

Clerk Heck called the meeting to order at 5:04 PM and noted two items to be addressed. Clerk Heck noted that President Notte was present and sitting as the acting Mayor as Mayor Louras was out of town. Clerk Heck asked for any nominations for interim-chair for that evening.

A motion was made and seconded (Davis, Donahue) nominating Alderman Allaire as interim-chair. Clerk Heck asked if there were any other nominations, seeing none, a motion was made and seconded (Davis, Etti) to close the nominations. **Motion passed.** Clerk Heck then called for the vote of Alderman Allaire as interim-chair. **Motion passed.**

Alderman Allaire took the chair as President and noted that there was not a quorum present and asked the Board to stand down until another member arrived. Alderman Humphrey arrived at 5:08 PM and the meeting continued.

President Allaire revisited the issues to be discussed and asked the request of Clerk Heck, (Special Events Permit) be added to the agenda. That request was so moved and seconded, (Davis, Etti). **Motion passed.** President Allaire then asked the Board to approve a special events request of 802GO! 5 K, on Saturday, October 1st be approved. The request was so moved and seconded (Donahue, Davis). **Motion passed.**

President Allaire then noted the reason for the adjourned meeting was to discuss the Rutland MS4 designation appeal and requested a motion to move into executive session, finding that premature general public knowledge of discussions pertaining to a pending civil action would clearly place the City at a substantial disadvantage. This request was so moved and seconded (Davis, Etti). **Motion passed.**

President Allaire then asked for a motion, to enter executive session for the purpose of discussing pending civil litigation to which the City is a party, pursuant to 1 V.S.A. §313(a)(1)(E). This request was so moved and seconded, (Davis, Etti). **Motion passed.**

At 5:20 PM the Board, Attorney Cooper and Commissioner Wennberg moved into executive session.

At 5:48 PM a motion was made and seconded (Davis, Etti) to move out of executive session. **Motion passed.**

A motion was made and seconded, to approve the settlement agreement in "Rutland MS4 Designation Appeal" as discussed in executive session and authorize the Mayor to Sign."

At 5:50 PM a motion was made and seconded (Davis, Etti) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Rutland City Clerk