

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, July 6, 2015

Members present; President Notte, Aldermen Allaire, Humphrey, Skates, Etti, Siliski, Donahue, Larson, Bloomer, DePoy and Davis. Also present, Mayor Louras, Attorney Romeo and City Clerk Heck.

The meeting was called to order at 7:00 PM

MINUTES OF PREVIOUS MEETINGS (June 16, 2015)

A motion was made and seconded (Allaire, Davis) to approve the minutes of the previous meeting. Alderman Etti requested a portion of the Finance Committee report be changed. This request was to add the language "without her having all the financial information in hand", this request was seconded by Alderman Davis. **Motion passed.** The President stated that we are back to approving the minutes as amended. **Motion passed.**

OUTSIDE THE RAIL

A gentleman by the name of Daniel Konyk spoke on the issue of the restricted use of bikes on the routes 4 & 7 roadways. Mr. Konyk read a portion of the Burlington ordinance on bike use. His concern was that the sidewalks were more dangerous to ride for pedestrians and bikers than the road. He asked the Board to review the bike ordinance in Rutland and to mimic the State laws on bike road use. Gus Ojala wanted to speak on a pole request. The President noted that it was on the agenda and will be addressed during the meeting.

Two women (Ms. Brunell and Cathy Reese) spoke on the fireworks issue and their non-support of the request.

COMMUNICATIONS FROM THE MAYOR

Request for RFP for Compensation Survey for City Officials

Mayor Louras explained his desire for the request, noting a sticking point with the Board on compensation for City Officials during the budget process. A motion was made and seconded (Davis, Allaire) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Donahue) for the Mayor to obtain an RFP in relations to Department Heads salary for Budget Year 2017. **Motion passed.**

Request for RFP for Contract with a Process Improvement Consultant for the B & Z / Assessor's Offices

The Mayor stated that with the retirement in the Assessor's Office, the administration was looking to combine the Building & Zoning and Assessor's offices administration positions into one. In doing so, the Mayor wanted to contract with a Process Improvement Consultant to guarantee the tools and resources necessary to effectively and efficiently perform those duties. A motion was made and seconded (Donahue, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Donahue, Skates) to allow the Mayor to put out an RFP for contract with a Process Improvement Consultant for the Building & Zoning and Assessor's Offices. There was brief debate. **Motion passed.**

Request for RFP for Crime Analysis Services

The Mayor noted that the Memorandum of Understanding was about to expire with the current vendor of this service and he wanted to continue to utilize this crime analysis data service. A motion was made and seconded (Larson, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Larson, Davis) authorizing the Mayor to send out an RFP for Crime Analysis Services associated with the evidence-based data-driven model of crime reduction. **Motion passed.**

ADDITIONS AND DELETIONS TO THE AGENDA

The President noted that there were several items to be added and asked for a motion to add Lorentz, 67-71 Wales Street under the abatement portion of the meeting to set a hearing date. The request was so moved and seconded (Allaire, Larson) **Motion passed.** The next request was from Brennan Duffy, Vacant/Blighted Property Tax Stabilization Agreement. The President asked for this request to be added. This request was so moved and seconded (Etti, Bloomer). **Motion passed.** The Mayor then requested to add two (2) executive sessions. The first was for a labor relation agreement with an employee. The second was an appointment or employment for the evaluation of a public officer or employee. The President noted the request and sought a motion to add. Both were so moved and seconded (Davis, DePoy). **Motion passed.** The President noted that those executive sessions will be held at the end of the meeting. A request from Commissioner Wennberg that was left off the agenda by the Clerk was requested for the carry/over of Vacation time for Munroe. This request was so moved and seconded (Davis, DePoy). **Motion passed.** Treasurer Wilton then asked to add a request for the authorization from the Board to sign Bond Papers for bridge work. This request was so moved and seconded (Davis, Etti). **Motion passed.**

The President then asked the Board to take up the Pole and Wire request that was tabled at the last meeting. Seeing no objections, the Board moved to that request.

Untable Pole & Wire Request GMP, Charter Hill Solar Project

The President noted that Gus Ojala GMP representative was present and that there was a large print out of the proposed plans on everyone's desk. The President stated a motion to un-table would be in order. The request was so moved and seconded (Allaire, Etti). **Motion passed.** There was a brief question and answer period from the Board and Mr. Ojala. Alderman Humphrey recused herself from the debate and voting as she is an employee of GMP. A motion was made and seconded (Allaire, Etti) to approve the request with the seven (7) standard conditions. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Barbara Spaulding; VTRANS Bicycle & Pedestrian Program Application

Mrs. Spaulding noted the earlier Public Meeting on this issue and sought the Mayor's signature on the application to the VTRANS Bicycle and Pedestrian Program FY 16. A motion was made and seconded (Davis, Allaire) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Donahue) approving the Mayors signature on the application. **Motion passed.**

Chief Covell; Request to Sell City Property

President Nottle introduced the request and asked the Board for direction. A motion was made and seconded (Allaire, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Allaire, Davis) authorizing to sell one (1) 2005 Chevrolet Tahoe vehicle with the monies from that sale to go to the Police Department Vehicle Fund, with account number listed. **Motion passed.**

Barbara Spaulding; RRA, Authorize Mayor & BOA to Sign Resolution, Start-up in a Day Pledge. Mrs. Spaulding noted an advanced e-mail describing the request of a "Start-up in a Day Pledge" and asked for the Boards approval. A motion was made and seconded (Davis, Allaire) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Allaire) to authorize the Mayor to sign and circulate the "Start-up in a Day Pledge" resolution. There was brief debate. **Motion passed.**

Commissioner Wennberg; Request to Set Public Hearing for July 20th

Commissioner Wennberg gave a brief history of the request and asked the Board to follow the protocol of the (FONSI) Finding of No Significant Impact, and set a public hearing. The President stated a motion to suspend would be in order to take the issue up that evening. It was so moved and seconded (Davis, Allaire). **Motion passed.** A motion was made and seconded (Davis, Allaire) to set the public hearing for July 20th to hear the report on the preliminary Phase 1A Northwest Sewer Separation Project at 6:20 PM. **Motion passed.**

Commissioner Wennberg; Recommendation for Traffic Signal/Street Light Maintenance

Commissioner Wennberg introduced the request and sought the Boards approval on authorizing the Mayors signature on the contract to hire LaFaso Electric, Inc. as the City's traffic signal/street light maintenance contractor. The President noted if the Board wished to move further it would need a rules suspension. There was no such motion. The President sought direction from the Board. At first there was a motion to table, no second was made. A motion was made and seconded (Etti, Davis) to refer the request to the Public Works Committee. **Motion passed.**

Brennan Duffy; Director RRA, Request to enter into, Vacant/Blighted Property Tax Stabilization Agreement

Mr. Duffy reviewed the request his committee sought from the Board. It was noted that this was the second request for tax stabilization agreement. It was also noted that the RRA, based on the Vacant/Blighted Property Tax Stabilization Agreement, would recommend to the BOA that tax stabilization be entered into with this applicant. It was noted by Alderman Davis that this process had been vented before and she moved to suspend the rules. Alderman Etti seconded. **Motion passed.** A motion was made and seconded (Davis, Etti) to approve the Vacant/Blighted Property Tax Stabilization Agreement with Russell Marsan of Carpenter & Costin. **Motion passed.**

Commissioner Wennberg; Request for Vacation Carry-over, Rod Munroe

Commissioner Wennberg gave a very detailed history of the request at hand. The Commissioner asked the Board to approve nine (9) days of carry-over vacation time into the next year for Mr. Munroe. A motion was made and seconded (Allaire, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Allaire, Davis) to authorize the request of the carry-over vacation time under the circumstances that were explained by the Commissioner. (The Clerk asked for a specific number of days) It was noted that it was a request for Nine (9) days. **Motion passed.**

Treasurer Wilton; Authorization to Sign Bond Papers

The Treasurer sought Board approval authorizing the Mayor, Treasurer and the Clerk to sign the Bridge Bond II documents. The Treasurer stated this is the second part of the bridge funding which was approved by the voters in March 2012 for \$2 million. The City issued the first \$1 million in 2012 and we have about \$200,000 remaining of that amount, which will be used rather quickly this year on the bridge projects under way. The additional \$1 million bond requested will be used to complete the bridge projects this year and next. A motion was made and seconded (Davis, Allaire) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, DePoy) authorizing The Mayor, Treasurer and Clerk to sign the appropriate Bridge Bond documents. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman Siliski; Chair Finance Committee, Set Tax Rate Review & Unassigned Fund Balance

Alderman Siliski read his committee reports from June 24th on the setting of the City Tax rate and the unassigned fund balance. The Committee discussed how the tax rate is set and a desire to meet prior to the next BOA meeting and set the rate at that meeting. (July 16th was suggested). The Board also spent some time discussing the unassigned fund balance and the amount of money needed in that particular fund. The Report was for information only. Alderman Etti did question the idea of moving the water & sewer payment dates and moved to refer that issue to the Finance Committee. Alderman Davis seconded. **Motion passed.**

Alderman Larson; Chair, Public Safety Firework Sales in the City of Rutland

Alderman Larson read his report from June 30th noting that his committee met to discuss a request from Mr. Chip Greeno to operate a fireworks concession store within Rutland City. The Committee heard from a source of opinions including Police and Fire officials as well as Matt Hart Mr. Greeno's attorney. The Committee sought more details and left the matter in committee while they gathered more information. There was a period of question and answers from within the Board. A motion was made and seconded (Larson, DePoy) to refer the fireworks ordinance to the Charter & Ordinance Committee. Debate followed. President Nott called the question where the outcome was in doubt and the President asked for a show of hands. **Motion passed.** Alis Headlem a citizen from the City read a statement against fireworks and asked the Board to do more research on the issue.

Alderman DePoy; Chair, Public Works

Alderman DePoy read his report from June 23, 2015. The report noted a concern from Mr. Joe Giancola with the new road work done around his apartment complex at 103 Library Ave. Mr. Giancola wants the road lowered as it was prior to the project. It was noted because of the new drainage/piping that the road height needs to be where it is. The Commissioner and Mr. Giancola have met several times with no resolution. Mr. Giancola did address the Board and stated that he will raise his own driveway and sidewalk if necessary because he is concerned with flooding. Mr. Giancola asked for permission to work on the sidewalk, per the City's guidelines. The Board and Attorney discussed the necessary steps that Mr. Giancola would need to take prior to any reconstruction taking place. Commissioner Wennberg spoke and stated that the sidewalk reconstruction by Mr. Giancola was the first he had heard of. The Commissioner noted prior discussions and associated resolutions to Mr. Giancola's concerns. A motion was made and seconded (Davis, DePoy) to refer the issue to the Public Works Commissioner. **Motion passed.**

Alderman Davis; Chair, Community and Economic Development, Business Incentive Fund

Alderman Davis read her committee report from June 18, 2015. Alderman Davis noted that the committee met to specifically discuss the funding mechanism for the Business Incentive & Assistance Program (BIAP) fund. The Committee reviewed two (2) proposals, one from the RRA and one from the Treasurer. The Committee also reviewed the Memorandum of Understanding (MOU) between the City and the Heritage Family Credit Union (HFCU). A Motion was made and seconded (Davis, Allaire) to approve the MOU with the Heritage Family Credit Union for the administration of the Revolving Loan Fund and authorize the Mayor to sign pending the approval of the City Attorney. There was no debate. **Motion passed.**

A seconded motion was made and seconded (Davis, Allaire) to approve a one-time draw from the Zamias Account for \$50,000 to the Business Incentive Fund and \$25,600 from the Stafford Hill Lease Agreement and \$30,600 from the Stafford Hill Lease Agreement due August 1, 2015.

A lengthy debate to the motion ensued with Alderman Etti noting a possible change to the capitalization method approved in committee. The issue brought debate from several aldermen, Brennan Duffy, Treasurer Wilton and Mayor Louras. Treasurer Wilton provided the Board with a letter detailing her thoughts on the funding issue and her suggestion to use the Zamias Fund as it has ample cash. Mayor Louras addressed the Treasurers' comments and was emphatic that if the Board followed the Treasurer's guidance the Board would be back each year looking at the Zamias Fund to which he completely disagreed with as a funding source. Alderman Etti asked how he would go about utilizing the Zamias Fund as a sole source for funding the program in the first year. Debate followed from several Aldermen. Alderman Davis withdrew her second motion from committee, but noted the time her committee had spent and the amount of time spent venting this issue. After some debate Alderman Etti moved to place Alderman Davis's withdrawn motion back on the floor. That motion

was seconded by Alderman Bloomer. Debate continued with several Aldermen noting the time spent on this issue and agreed with the Mayor's assessment on the best funding practice of using tax revenues from solar projects. There was debate again from several Aldermen with the final debate from Treasurer Wilton and Alderman Davis on the effects of using solar revenues versus Zambias Funds on the tax rate. President Notte asked once more if they were set on debate. He then called the motion. **Motion passed.**

Alderman Davis then moved on to her third motion and stated that 50% of Solar Revenue would go to the Business Incentive Fund and 50% would go to tax payer relief during years 2-5 and she so moved. This motion was seconded by Alderman Allaire. There was no debate. **Motion passed.**

Alderman Davis noted other discussions from the meeting involved the Boards involvement in the process and wanting to be involved and not just a rubber stamp for the RRA. Alderman Davis noted it was a good discussion with the RRA and that concluded her report.

REPORTS OF SELECT COMMITTEES

There were no reports of any Select Committees.

President Notte noted that there were no Select Committee Reports but did notice some people waiting for a Special Events Permit and asked to take that issue up.

S.E.P. Request; Walk a Mile in Her Shoes, Sunday Oct.18, 2015 10-2PM

A motion was made and seconded (Davis, Allaire) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Allaire) to approve the Special Events Permit request for Walk a Mile in Her Shoes on Sunday October 18th from 10 – 2PM. **Motion passed.**

REPORTS OF REPRESENTATIVES

Alderman Siliski; Planning Commission

Alderman Siliski stated that the City Plan has been accepted and detailed some plans for the Planning Commission.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

William Gray; FirstLight Fiber, Request to Relocate Municipal Wire

Mayor Louras spoke on this issue informing the Board of his concerns with the movement of any municipal wires. A motion was made and seconded (Allaire, Davis) to refer the issue to the Public Works Committee. **Motion passed.**

S.E.P. Request; Get Fit 5K Road Race, Oct. 3, 2015

President Notte introduced the request and stated a motion to suspend would be in order. His request was so moved and seconded (Allaire, Davis) **Motion passed.** A motion was made and seconded (Allaire, Davis) to approve the request for Get Fit 5K Road Race, October 3, 2015. **Motion passed.**

S.E.P. Request; RAVE Movie Night at the Paramount, Sat July 11, 2015, 5:30 –9PM

President Notte introduced the request. A motion was made and seconded (Davis, Allaire) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, DePoy) to approve the request for a Special Events Permit request for the RAVE Movie Night at the Paramount, Saturday, July 11, 5:30 – 9PM. **Motion passed.**

A motion was made and seconded (Davis, Allaire) to move into the Board of Tax Abatement. **Motion passed.**

BOARD OF TAX ABATEMENT

Lorentz, 67-71 Wales St. The President asked the Board to hear this request on July 20, 2015 at 6:30 PM. The request was so moved and seconded (Davis, Larson). **Motion passed.**

A motion was made and seconded (Davis, Donahue) to move out of the Board of Tax Abatement. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Hop'N Moose; Outside Consumption Request, July 10, 17, 24, 31 & Aug 1, 2015

President Notte introduced the request. A motion was made and seconded (Davis, Donahue) authorizing the Clerk to sign the outside consumption request for the Hop'N Moose on July 10th, 17th, 24th, 31st and August 1st. **Motion passed.**

A motion was made and seconded (Davis, Donahue) 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 Donahue; Request to form Select Committee, Pension Issue

President Notte introduced the request and sought input from Alderman Donahue. Alderman Donahue reviewed his concerns about the City Pension and sought two motions from the Board. The first motion was made and seconded (Donahue, Davis) to request that President Notte create a Select Committee, with the goal of finding an acceptable and affordable solution to the pension under-funding. There was brief debate with Alderman Larson abstaining from the vote. **Motion passed.** The second motion was made and seconded (Donahue, Davis) authorizing President Notte to add any non-board member to the committee as needed. Again Alderman Larson abstained. **Motion passed.**

President Notte noted that concluded the normal agenda but, the Board still had the two executive session requests from the Mayor and sought language from the City Attorney.

Attorney Romeo stated a motion would be in order where the BOA finds that premature or general public knowledge would place the City at a substantial disadvantage. This language was so moved and seconded (Allaire, Davis). **Motion passed.** The seconded motion from the Attorney was to move into executive session for the consideration of labor relation agreements with employees. **Motion passed.**

The President asked for the room to be cleared, and moved into executive session at 9:30 PM.

At 9:45 PM a motion was made and seconded (Allaire, Siliski) to come out of executive session. **Motion passed.**

President Notte stated that, that was the first of two executive sessions and asked the Attorney for language for the second. Attorney Romeo stated that this was a one motion, motion. The BOA moves to go into executive session for the consideration of the appointment or employment of a public officer. This request was so moved and seconded (Allaire, DePoy). **Motion passed.**

At 9:47 PM the Board moved back into executive session.

At 10:02 PM a motion was made and seconded (Allaire, Larson) to move out of executive session. **Motion passed.** A motion was made and seconded (DePoy, Ettori) to Adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Rutland City Clerk