

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, August 18, 2014

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

President Allaire Called the Meeting to order 7:04 PM.

MINUTES OF PREVIOUS MEETING (August 4, 2014)

A motion was made and seconded (Davis, Larson) to approve the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL

DPW Commissioner Wennberg presented information and introduced Craig Hewitt of Otter Creek Engineering who updated the Board on the Northwest sewer separation project.

Kam Johnston presented the Board with documents pertaining to a "relief request to foster Rutland City's compliance with Vermont State Law". Mr. Johnston explained his request and sought action from the Board. A motion was made and seconded (Larson, Davis) to receive and place on file those documents. **Motion passed.**

COMMUNICATIONS FROM THE MAYOR

Mayoral Appointment

Mayor Louras read his recommendation for the appointment of Matt Bloomer to the Board of Aldermen. A motion was made and seconded (Davis, Larson) to table the Mayoral appointment. **Motion passed.**

Untable Mayoral Appointments: Leach, Barrett

A motion was made and seconded (Davis, Larson) to untable the Mayoral appointments. **Motion passed.** A motion was made to circulate the ballot box (Davis). President Allaire stated the name of Stephen Leach for first inspector. Clerk Heck circulated the ballot box and presented the votes to Attorney Romeo for tabulating. President Allaire asked for a motion to circulate the ballot box for Robert Barrett as acting Zoning Administrator. This request was so moved and seconded (Larson, Davis). **Motion passed.** Clerk Heck circulated the ballot box and presented the votes to Attorney Romeo for tabulating. President Allaire noted while the attorney was tabulating, the Board would move on in the agenda.

ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Treasurer Wilton; Update to preliminary FYE 14 & FY 2015 July

Treasurer Wilton apologized to the Board and reported that she did not have the July 2015 Period 1 report ready. The Treasurer did report out on the FY2014 preliminary year-end report. The Treasurer wanted the Board to be aware of the updated unassigned fund balance and presented that figure at just over 1.8 million. The Treasurer then proceeded to outline funding of projects and how important the fund balance related to those. There were no questions from the Board.

Attorney Romeo; Request for Executive Session to discuss pending civil litigation: In re: Hickory Street Housing Permit (playground)." The President noted the past practice of the Board on requests for executive sessions and moved the request to the end of the meeting.

Attorney Romeo; Approval of Correction to 2014 Grand List re: Vermont Railway

The President read the request and asked Attorney Romeo to brief the Board on his request. Attorney Romeo explained that this was part of an earlier request the Board of Tax Abatement took up. The Attorney explained the request to correct the 2014 Grand List and stated that a motion to suspend the rules would be needed to take the matter up. The request was so moved and seconded (Davis, Notte). **Motion passed.** President Allaire read the prepared motion from Attorney Romeo, ***to approve the Assessor's correction of an error to the 2014 grand list by changing the status of 57 and 60 Strong Ave to tax exempt as property used for railroad purposes which has been appraised by the state pursuant to statute.*** The motion was so moved and seconded (Notte, Davis). There was brief debate on the motion. **Motion passed.**

President Allaire then presented the tally of the votes for the appointments made by Mayor Louras. Mr. Leach 1st Inspector Ward 3, 10 YES 0 NO, Mr. Bob Barrett acting Zoning Administrator, 9 YES, 1 NO. **Both appointments were approved.**

REPORTS OF STANDING COMMITTEES

There were no Standing Committee reports.

REPORTS OF SELECT COMMITTEES

There were no Select Committee reports.

REPORTS OF REPRESENTATIVES

There were no Reports of Representatives

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

S.E.P. Request; Killington Motorcycle Classic, Friday August 29th, 6:30 – 10PM

A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Siliski) to approve the Special Events Permit request for the Killington Motorcycle Classic for Friday August 29th, from 6:30 – 10PM on Center St., Merchants Row & Evelyn Street. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Request for second Class Liquor License Vt. Tap House

President Allaire read the request for a second class license. The motion was made and seconded (Davis, Siliski) to circulate the application for signatures. **Motion passed.**

A motion was made and seconded (Davis, Larson) to move out 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 Siliski; Referral to Finance Committee Fund Transfer

The President introduced the issue from Alderman Siliski. Alderman Siliski reviewed the request for referral from Chief Baker. A motion was made and seconded (Siliski, Notte) to discuss the requested interfund transfer of excess revenues through cruiser usage fees from the General Fund to the Equipment Replacement Fund into the Finance Committee. There was brief debate. **Motion passed.**

President Allaire noted that the Board had an earlier request from Attorney Romeo for an executive session.

Attorney Romeo noted the new open meeting laws and requested the Board move to find that premature or general public knowledge of the discussion pertaining to the matter of the Hickory Street Housing Permit (playground) would clearly place the City at a substantial disadvantage by disclosing litigation strategy. This request was so moved and seconded (Davis, Notte). **Motion passed.**

Attorney Romeo then requested a motion to move into executive session to discuss Hickory Street Housing Permit (playground) and pending civil litigation. This request was so moved and seconded (Notte, Kiernan). **Motion passed.**

At 7:57 PM the Board moved into executive session.

At 8:02 PM a motion was made and seconded (Davis, Notte) to come out of executive session. **Motion passed.**

President Allaire asked for a motion. Attorney Romeo stated the motion should be, to authorize the City Attorney, to engage in settlement negotiations within the parameters discussed in executive session. This request was so moved and seconded (Davis, Notte). **Motion passed.**

At 8:03 PM a motion to adjourn was passed.

Respectfully submitted,

Henry A. Heck
Rutland City Clerk