CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, November 18, 2013

Members present; President Allaire, Alderman Kiernan, Humphrey, Notte, Donahue, Siliski, Larson, Wallstrom, and Davis. Also present, Attorney Romeo and City Clerk Heck. Aldermen DePoy and Cassarino were absent.

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

MINUTES OF PREVIOUS MEETING (November 4, 2013)
A motion was made and seconded (Davis, Larson) to approve the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL
Lynn Walsh from R.U.N. made two announcements on future meetings. The first will be held in the Northwest section of the City at the Cavalry Bible Church on Thursday evening. Ms. Walsh also noted a police commission meeting with updates from project vision on 12-9.

Treasurer Wilton noted several issues that were to be discussed on the recreation department during the Finance Committee report.

COMMUNICATIONS FROM THE MAYOR
There were no communications from the Mayor.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Wendy Wilton; Treasurer, Treasurer's Report October 2013
A motion was made and seconded (Davis, Notte) to receive and place on file the Treasurer's report. **Motion passed.**

Michael Coppinger; Downtown Partnership, Revolving Loan Fund Request
Michael Coppinger brought a request from Shawn and Jamie Pemrick on obtaining a Revolving Loan Fund in the amount of $30,000. Mr. Coppinger explained the request and what the money was to be used for. A motion was made and seconded (Notte, Wallstrom) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Notte, Larson) to approve the request of $30,000 for a revolving loan fund for Shawn and Jamie Pemrick at 7 – 13 Evelyn Street with a 10 year amortization, with monthly payments at 2% interest and for security, a 2nd mortgage will be placed on the property and a signed promissory note from the Pemricks. **Motion passed.**

Cindi Wight; Rec Superintendent, Update on equipment sales. Superintendent Wight updated the Board on the sale of several items that she brought before the Board earlier in the month.

Approval of firm for Rotary RFP Ms. Wight asked the Board to approve Otter Creek Engineering firm as the low bidder for the RFP at Rotary Field. Ms. Wight briefly explained the project. A motion was made and seconded (Davis, Wallstrom) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Wallstrom, Davis) to approve the RFP to Otter Creek Engineering for the project at Rotary Park. **Motion passed.**

Invitation to public forum on 12/3/13 at the Fox Room.
Ms. Wight then noted a public forum on the Recreation Department. The forum is to inform the public

on how the recreation department is moving forward and to gain input from the public on areas they feel needs improvement. The meeting will be held on Tuesday December 3rd at 7 PM in the Fox Room. This issue concluded the Superintendents' report.

Charles Romeo; City Attorney, Assignment of Bardwell Leases
President Allaire noted a late request by the City Attorney and asked him to explain the request of the Bardwell House. Attorney Romeo noted that the City had entered into two lease agreements back in the 80's with the Bardwell House. These leases were renewed and update in 2010. The request brought by Attorney Romeo on behalf of the Bardwell was to authorize the Mayor to sign the assignments as the Bardwell representatives were going through a business reorganization, creating a new legal entity. Attorney Romeo stated, "we are simply consenting for the entity we currently have the leases with to assign them to the new business entity". Attorney Romeo noted that the leases pertained to the alley and parking spaces.

A motion was made and seconded (Larson, Donahue) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Larson, Davis) to authorize the Mayor to sign the two new assignments. Debate. There was a good deal of debate from the Board. Several members were put off by the request as it was dealing with a contract, and the request was very late to the Board. Attorney Romeo noted several times that the request was just a minor business reorganization. During the debate the Board President recessed to gather information and to allow the Board to review the contract. Kam Johnston also spoke on the issue and expressed his concerns. Board President Allaire called the vote, unsure of the outcome he asked for a show of hands. The President noted a 4 – 4 tie and stated the **Motion failed.** (lack of 6 yes votes) A motion was made and seconded (Notte, Wallstrom) to refer the issue to the General Committee. With no debate the President called for a vote, unsure of the outcome again the President asked for a show of hands. 6 Yes, 2 no. **Motion passed to refer.**

<u>REPORTS OF STANDING COMMITTEES</u>
Chris Siliski; Chair, Finance Committee
Alderman Siliski read his report. The reports main issue dealt with the current audit and how the City stood at this point in the process. Alderman Siliski noted that the Auditor was present and available to the Board. During the Alderman's report it was noted that the auditor to this point had found no issues and expected to give the City a "clean unqualified opinion". Auditor Randall Northrup spoke on the issues discovered within the Recreation Department. The Auditor spoke specifically to associated fees that were charged and where funds had been deposited. The Auditor noted that steps were being taken within the Treasurer's office and with the new Superintendent at the Recreation Department to rectify and correct those issues. There were no questions from the Board and Alderman Siliski noted his report was for information only.

<u>REPORTS OF SELECT COMMITTEES</u>
There were no Select Committee reports.

<u>REPORTS OF REPRESENTATIVES</u>
Alderman Siliski gave a very short report on the Planning Commission. The report included minutes from the Board's previous meeting and an update on the Master Plan. The report was for information only.

<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
Virginia Marconi; Abatement Request, 28 Highland Avenue
President Allaire asked for a motion to approve the committee of Aldermen Siliski, Cassarino, and Larson, with Alderman Larson as chair. The President also asked for that committee to report back to the full Board on December 16th at 6:45 PM. The request was so moved and seconded (Davis, Notte), **Motion passed.**

<u>BOARD OF CONTROL COMMISSIONERS</u>

There were no issues to come before the Board of Control Commissioners.

UNFINISHED BUSINESS
Alderman Davis asked for an update on the street lighting project. She noted several concerns and was looking to gather information on this project.

Alderman Wallstrom noted that on July 15, 2012 the Board passed a capitol budget ordinance and noted that the Board should have received information for the FY 15 budget back in September on this issue. Alderman Wallstrom noted his concern and wants the Board to keep the issue in the budget process.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS
President Allaire asked if there were any miscellaneous motions, resolutions or new business to come before the Board. There was nothing from the Board, but the president asked for a three (3) minute recess to speak with the City Attorney. Upon reconvening the President asked the City Attorney to address the Board on the previous voted issue of the Bardwell House assignment.

Attorney Romeo asked the Board about the time element as he needed guidance to bring back to the Bardwell's Attorney's. After a brief debate the Board noted it could hold the committee meeting and then adjourn to a time certain of Thursday night for the committee to report to the full Board on the issue.

A motion was made and seconded (Wallstrom, Notte) to adjourn to a time certain of Thursday, November 21, at 6PM. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk