CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, September 16, 2013

Members present; President Allaire, Aldermen Kiernan, Humphrey, Notte, Donahue, Siliski, Cassarino, Larson, *Wallstrom, DePoy, And Davis. Also present Mayor Louras, Attorney Romeo, and City Clerk Heck. Alderman Wallstrom arrived at 7:25 PM.

President Allaire called the meeting to order at 7PM.

MINUTES OF PREVIOUS MEETING (September 3, 2013)
A motion was made and seconded (Davis, Larson) to approve the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL
Several members from the library board updated the Board of Aldermen on current conditions at the library. They included Larry Courcelle, Paula Baker and Randall Smathers.

COMMUNICATIONS FROM THE MAYOR
Proclamation; George Bates
Mayor Louras read a proclamation on the Korean conflict, proclaiming Command Sargeant Major George Bates – Retired Day of September 28, 2013 for his dedicated service and those who supported the memorial to be erect in Main St. Park.

Untable Mayoral Appointment, Building Inspector
A motion was made and seconded (Davis, Notte) to untable the Mayoral appointment of Robert Barrett as Building Inspector. **Motion passed.** A motion was made and seconded (Davis, Notte) to circulate the ballot box. **Motion passed.** Clerk Heck collected and presented all ballots to Attorney Romeo. Attorney Romeo noted a unanimous vote in support of Robert Barrett as Building Inspector.

Mayor Louras spoke very briefly on the Project Vision project and the next community function, hopefully updating the public on the grant that could be awarded.

Mayor Louras then asked the Board to approve Vermont Roofing Company as the contractor for the Courcelle Brothers roof project. A motion was made and seconded (DePoy, Notte) to refer the issue to the Committee of the Whole. There was brief debate before the maker of the motion withdrew his motion as the Board decided to adjourn to a time certain to discuss the issue as time was of the essence.

LAZ Parking Deck Information
Mayor Louras spoke very briefly on the parking garage issue recommending that third party, LAZ be awarded the contract, contingent on contract negotiations to formalize provisions in response to the RFP. President Allaire noted a motion to suspend the rules would be in order. A motion was made and seconded (Notte, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** The President then noted a motion to award the contract to third party operator LAZ would be in order. Alderman Cassarino so moved and it was seconded by Alderman Davis. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Cindi Wight; BOA Approve Courcelle Roof Repair
This issue was taken up under Communications from the Mayor.

Barbara Allen; RRA, Request to Circulate Resolution
A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was then made and seconded (Davis, Donahue) to circulate the grant agreement resolution for signatures. **Motion passed.**

James Simonds; Zoning Administrator, Request for Vacation Carry Over
A motion was made and seconded (Davis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion then was made and seconded (Davis, Larson) authorizing the carryover of 37.5 hours of earned vacation time after Mr. Simonds anniversary date of September 22, 2013. **Motion passed.**

Chief Schlachter; Request for Donation of Sick Time
A motion was made and seconded (Notte, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** Chief Schlachter stated that a newer member of his department had been injured off duty and members of the department wanted to donate sick time to cover his absence. A motion was made and seconded (Notte, Davis) authorizing the donation of sick leave time to the individual in question. **Motion passed.**

Wendy Wilton; Treasurer, Treasurer's Report Period 2 FY 14
A motion was made and seconded (Davis, Notte) to receive and place on file the Treasurer's Report, for Period 2 of FY 14. **Motion passed.**

Dave Allaire; BOA President, Recreation Department Audit
President Allaire spoke on the issue noting there had been no action since the Board's request. The President noted his request was for nothing in particular but sought guidance from the Board or any one in city government. There were numerous question directed at the City Attorney. The Attorney responded to all questions. Alderman DePoy did ask that if the Mayor did not want to do it, because it was a ***request*** for proposal. Could the Board direct him (The Mayor) to do it? (Go out for RFP for a forensic audit). City Attorney Romeo stated that he would need to research the question further and get back to the Board. President Allaire then moved on to the next agenda item.

<u>REPORTS OF STANDING COMMITTEES</u>
Sharon Davis, Chair, Community and Economic Development, Baxter Street Alley
Alderman Davis read her committee report, detailing the request from the Farmers Market for funds to build the Baxter Street Alley. Her report included information on the bids and the award recommendation, the scope of work and funds requested. A motion was made coming out of committee to approve an amount not to exceed $52,782, and Alderman Davis so moved. This motion was seconded by Alderman Notte. There was a great deal of debate from within and outside of the rail. One of the main concerns was funding the entire amount from the Zamias Fund. **Motion passed.**

Dave Wallstrom; Chair, Recreation Committee
Alderman Wallstrom read his committee report noting his committee was called to update the Board and public on current activities and accomplishments within that department. Alderman Wallstrom listed various statistical information on activities. There were two motions coming out of committee. The first motion was made and seconded (Wallstrom, Davis) to refer the issue of White's Park and pool capitol needs to the Recreation committee. **Motion passed.** The next motion was made and seconded (Wallstrom, Davis) to refer the Rotary Park field house disposition and park plan to the recreation committee. **Motion passed.**

Tom DePoy; Chair, Public Works
Alderman DePoy read his committee report on Fluvial Erosion Hazard Zone. His report detailed new guidelines passed on how FEMA funds are to be distributed to municipalities after a catastrophic event, such as Tropical Strom Irene. Alderman DePoy's report was for information only.

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

<u>REPORTS OF REPRESENTATIVES</u>
There were no reports

<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
S.E.P. Request; Walk for Children, September 21, from 7AM - 1PM
A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion then was made and seconded (Notte, Davis) to approve the Special Events Permit

for Walk for Children on September 21st from 7Am to 1PM, pending the receipt of proof of insurance. **Motion passed.**

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

<u>BOARD OF CONTROL COMMISSIONERS</u>

Request for First Class Liquor License; Tokyo House

A motion was made and seconded (Davis, Notte) to circulate the license for signatures. Alderman Cassarino noted his abstention from this issue. **Motion passed.**

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

<u>UNFINISHED BUSINESS</u>

There was no unfinished business to come before the Board that evening.

<u>MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS</u>

The President noted a request for an executive session, and asked for a motion to enter into executive session to discuss a contractual issue where premature or general knowledge could place the city at a substantial disadvantage. This request was so moved and seconded (DePoy, Donahue). **Motion passed.** At 8:20 PM the Board recessed for 10 minutes, at 8:30 PM the Board moved into executive session.

At 9:10 PM a motion was made and seconded (Davis, Notte) to come out of executive session. **Motion passed.**

A motion was made and seconded (Notte, Donahue) authorizing the use of up to $75,000 of Zamias Funds and authorize the Mayor to enter into the parking deck management agreement with LAZ Parking and/or Amano McGann. There was a fair amount of debate as a result of repaying the Zamias Fund. A recommendation was made by the President to amend the motion to include language stating "any repayment of the City investment in the Flexible City Parking System would be directed to the Zamias account". The maker and seconder had no issue with the additional language. **Motion passed.**

President Allaire also brought the issue of a policy in regards to Zamias Funding to the Board asking for a referral to discuss that proposal. A motion was made and seconded (Siliski, Wallstrom) to refer the issue of setting a policy for the use of the Zamias Fund to the Community and Economic Development Committee. There was some debate to the committee referred. The maker of the motion withdrew his motion to refer to Community and Economic Development. A motion was made and seconded (Larson, Davis) to refer the issue to the Finance Committee instead. **Motion passed.**

At 9:32 PM a motion was made and seconded (Davis, Cassarino) to adjourn to a time certain of Monday, September 30th at 6:15 PM. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk