CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, September 3, 2013

Members present; President Allaire, Aldermen Humphrey, Notte, Donahue, Siliski, Cassarino, Larson, *Wallstrom, DePoy, and Davis. Mayor Christopher Louras, City Attorney Charles Romeo, and City Clerk Henry Heck. Alderman Wallstrom arrived at 7:22 PM, Alderman Kiernan was absent.

At 7:00 PM President Allaire called the meeting to order.

***It needs to be noted that the Clerk's recording had lapses in the recording, and was not recognized until the next day. The cause was not determined**.*

MINUTES OF PREVIOUS MEETING (August 19, 2013)
A motion was made and seconded (Davis, Larson) to approve the minutes of the previous meeting. Kam Johnston asked the President if he read the minutes as he did not vote on their approval. **Motion passed.**

OUTSIDE THE RAIL
Kam Johnston asked for a point of order, the President stated that Brennan Duffy was recognized to speak. There was brief debate between Mr. Johnston and the Board President.

Brennan Duffy noted that Grow Solar was ready to exercise their option to lease a portion of the Poor Farm for solar ray development and asked for a motion to refer the issue to the appropriate committee for discussion. A motion was made and seconded (Davis, Larson) to refer the request to the Community and Development Committee. **Motion passed.**

COMMUNICATIONS FROM THE MAYOR
Mayoral Appointment, Building Inspector
Mayor Louras introduced Bob Barrett as his nomination for the position of Building Inspector. James Simmonds has been appointed Zoning Administrator, leaving the position of Building Inspector vacant. A motion to table the appointment was made and seconded (Davis, DePoy). **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Evan Pilachowski; City Engineer, NW Neighborhood Sewer Separation Project, Phase 1
Engineer Pilachowski explained the process and necessary steps to move the project along. A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Larson) authorizing DPW to sign the application and apply for the final design funds in the amount of $181,000. **Motion passed.** The seconded request was to circulate the application for Board signatures. This request was so moved and seconded (Davis, DePoy). **Motion passed.**

Evan Pilachowski; City Engineer, Efficiency VT Energy Audit Incentive and RFP
Engineer Pilachowski explained the request to engage with Efficiency Vermont to conduct an energy audit at the wastewater treatment plant. A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Larson) authorizing the DPW Commissioner to sign the agreement with Efficiency Vermont. **Motion passed.** Engineer Pilachowski also requested that the process include an RFP with those results being shared with the Board. The request was so moved and seconded (Davis, Larson). **Motion passed.**

Chief Schlachter; RFD; Airport Fire Protection Agreement Extension
Chief Schlachter introduced the new airport manager. Chief Schlachter also briefed the Board on his request to extend the Airport Fire Protection Agreement. A motion was made and seconded (Davis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (DePoy, Larson) authorizing the Mayor to sign the extension. There was brief debate with a request that the contract be reviewed by the City Attorney as previously established by the Board. **Motion passed.**

Chief Schlachter; RFD; Request to Review Open Burning Ordinance
Chief Schlachter asked the Board to refer the issue of open burning ordinances to the appropriate committee. A motion was made and seconded (Notte, Larson) to refer the issue to the Charter and Ordinance Committee. **Motion passed.**

A third request from the Chief involved another referral. A motion was made and seconded (Davis, DePoy) to refer the issue of all related fire ordinances including fire prevention to the Charter & Ordinance Committee. There was brief debate with the Chief requesting a 60 day time period to gather associated materials for the request. **Motion passed.**

Barbara Allen; RRA, FY14 Municipal Planning Grant Application
Barbara Allen of the RRA came before the Board with a request to circulate a resolution in support of a grant application to hire a professional consultant to conduct a comprehensive study related to improving gateways within the City. A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, DePoy) circulating the resolution for a municipal planning grant for signatures. **Motion passed.**

Wendy Wilton; Treasurer, Abatement Request
A motion was made to receive and file the request (Larson, DePoy). There was brief debate with the City Attorney explaining the process from the State and the need for further action. The motion to receive and file was withdrawn. A motion was made and seconded (Davis, Donahue) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, DePoy) waiving the 3% penalty, per the Treasurer's request. **Motion passed.**

David Allaire, Rutland Free Library Update
This item was moved to the next meeting.

Cindi Wight; Acting Rec Superintendent, Request to sell City Property
Cindi Wight asked the Board to approve the sale of several items, including a commercial potato peeler, two vehicles that no longer run and two small dump truck loads of "Z" brick. A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Notte) authorizing the acting Superintendent to sell the list of items as described. **Motion passed.**

Charles Romeo; City Attorney, Authorize the Mayor to Sign Scoping Study Segment 5 C.P
Susan Schribeman explained the request and also updated the Board on the other phases of the Creek Path. A motion was made and seconded (Davis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Larson) authorizing the Mayor to sign the contract to hire a consultant to due a scoping study for segment 5. **Motion passed.**

President Allaire asked the Board to move the executive sessions to the end of the meeting.

Charles Romeo; City Attorney, Executive session, Consideration of Contract
Charles Romeo; City Attorney, Executive session, Consideration of Collective Bargaining Agreement

REPORTS OF STANDING COMMITTEES

Ed Larson, Public Safety

Alderman Larson read his committee report on the request by the Police Department from purchasing their police vehicles to leasing them. Alderman Larson's report detailed the reason for, and associated plan over the next four (4) years for moving forward with this leasing plan. A motion was made and seconded (Larson, Davis) adopting the lease to own program as reviewed by the committee. There was brief debate. **Motion passed.**

Sharon Davis, Chair, Community and Economic Development, Sculpture Garden

Alderman Davis read her committee report noting the request from the Downtown Partnership for placing sculptures along the green space in front of the Walmart Plaza. Alderman Davis noted that the plan was to install concrete pads with lighting and to rotate in and out sculptures every 6 months or so. A motion was made and seconded (Davis, Notte) to allow the DRP to access the right of way along Merchants Row for a sculpture garden. **Motion passed.**

William Notte; Charter and Ordinance

Alderman Notte read his report on fire alarm billing. The Committee discussed present ordinances on fire alarm connections and their associated cost. There were several members of the fire department at the meeting sharing their concerns with the issue at hand. Alderman Notte noted that the issue was to remain in committee and that his committee and the City Attorney along with Alderman Larson will continue to rework ordinance language. His report was for information only.

REPORTS OF SELECT COMMITTEES

There were no reports from select committees.

REPORTS OF REPRESENTATIVES

Alderman Siliski gave a short review of the Planning Commission.

President Allaire noted that the Transportation Council had not met all summer and was looking to do so in October. Both reports were for information only.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Request for S.E.P.; Knights of Columbus, Coin Drop, on Oct. 12th from 10-2PM

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, Larson) to approve the request of the Knights for a coin drop on October 12th, from 10 – 2PM. **Motion passed.**

Request for S.E.P.; Partnership, Harvest Festival, Oct. 12th from 9-2PM

A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Notte) to approve the request for the Harvest Festival on October 12th on Center St. from 9 – 2PM. **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

There were no items for the Board of Control Commissioners.

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Donahue wanted everyone to know that a local community had opted to go with a carbon filter system instead of Chloramines. Alderman Donahue also voiced his support for the President on his decision banning Kam Johnston from outside the rail portion of the meeting.

Mr. Johnston started to discuss rule 6-2? When a motion was made and seconded (Davis, Notte) to move into executive session to discuss a contract where premature or general knowledge could place the City at a substantial disadvantage. (8:17 PM) **Motion passed.**

At 8:49 PM a motion was made and seconded (Notte, Larson) to come out of executive session. **Motion passed.**

A motion was made and seconded (Notte, Larson) authorizing the Mayor to sign the contract with the State for leasing the "Parking garage". **Motion passed.**

At 8:50 PM a motion was made and seconded (Davis, Notte) to move into executive session to discuss a contract where premature or general knowledge could place the City at a substantial disadvantage. **Motion passed.**

At 9:16 PM a motion was made and seconded (Davis, Notte) to come out of executive session. **Motion passed.**

A motion was made and seconded (Davis, Notte) authorizing the Mayor to sign the DPW Union Contract (AFSCME Local 1201). **Motion passed.**

At 9:18 a motion was made and seconded to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk