CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, March 4, 2013

Members present; President Allaire, Aldermen Kiernan, Romeo, Notte, Donahue, Siliski, Robinson, Sargeant and Davis, Attorney Costello and City Clerk Heck. Alderman DePoy was absent.

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

MINUTES OF PREVIOUS MEETING (Tuesday, February 19, 2013)
A motion was made and seconded (Davis, Romeo) to approve the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL
Kam Johnston asked the Board for a tax abatement. The President stated that based on past practice his request would be forwarded to the Clerk.

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

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Andrew Costello; City Attorney, "Request for Referral – Placement of VFFC Sign on City Property".
A motion was made and seconded (Notte, Robinson) to refer the issue to the Community and Economic Development Committee. **Motion passed.**

Barbara Allen; RRA, Assign Agreement, 194 & 196 Columbian Ave
A motion was made and seconded (Notte, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Notte, Romeo) to authorize the Mayor to sign the agreement. **Motion passed.**

Barbara Allen; RRA, Request for Referral
A motion was made and seconded (Davis, Romeo) to refer the issue of Anti-displacement plan to the Community and Economic Development Committee. **Motion passed.**

Barbara Allen; RRA, Request to Set Public Hearing for April 1
A motion was made and seconded (Davis, Sargeant) to set a public hearing for the VCDP, to fund a planning grant (Master Plan) on April 1, 2013 at 6:45 PM. **Motion passed.**

Evan Pilachowski; Commissioner DPW, Recommend Award for Crescent St Bridge Repair Design
A motion was made and seconded (Notte, Sargeant) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Notte, Davis) to authorize the DPW Commissioner to enter into a contract with Hoyal Tanner and Associates to perform engineering services for repairs to the Crescent St. Bridge consistent with the attached scope of work and proposal. **Motion passed.**

Evan Pilachowski; Commissioner DPW, Recommend to Award Dorr and Forest St Bridges
A motion was made and seconded (Notte, Sargeant) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Notte) authorizing the DPW Commissioner to facilitate an engineering agreement between the State of Vermont and CLD Consulting Engineers for water and sewer relocation design associated with the replacement of Dorr and Forest St. Bridges. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Sharon Davis; Chair, Community and Economic Development, Baxter St Walkway

Alderman Davis read her report on the Baxter Street walkway proposed by the Farmers Market located on West Street. After reading her report, Alderman Davis stated that the City was requested to participate, and the issue was to remain in committee. Her report was for information only.

Sean Sargeant; Chair, Public Safety, Parking Issues

Alderman Sargeant read his report stating that his committee met to follow up on a previous meeting on the same issue. A motion was made and seconded (Sargeant, Robinson) to refer the issue of creating an ordinance governing the sale and use of construction bags to the Charter and Ordinance Committee. **Motion passed.** The committee then discussed the enforcement of Saturday parking. A motion was made and seconded (Sargeant, Robinson) supporting the current downtown meter parking policy of enforcement from 8:00 AM to 6:00 PM Monday thru Saturday. There was brief debate. **Motion passed.** A motion was then made and seconded (Sargeant, Robinson) to refer the issue of downtown parking ticket validation ordinance to the Charter and Ordinance Committee. **Motion passed.** Alderman Sargeant then stated that even though he would not be on the Board he had warned a Committee meeting in April to discuss the referred issues and to help the new chair if there were any questions.

Charles Romeo; Chair Charter and Ordinance, Giorgetti Ordinance

Alderman Romeo highlighted his 6 page committee report before recommending to the full Board the adoption of the ordinance that originated from General Committee and referred to the Charter and Ordinance Committee. There was some debate as to the committee's recommendation. Alderman Wallstrom then made a motion to amend the original motion made in General Committee.

Alderman Wallstrom made a motion to amend the original motion, a handout was distributed and then he read the amendment. Alderman Davis seconded. Over the next hour there were several attempts to pass various motion and amended motions.

A motion was made and seconded (Davis, Donahue) to refer the issue to the Charter and Ordinance Committee. Debate. Alderman Romeo wanted the record to reflect the referral was for the amended motion only. Debate. Alderman Davis rescinds her motion to refer.

Alderman Romeo made a motion to refer to the Committee of the Whole, there was no second. **Motion fails.**

A motion was made and seconded (Kiernan, Robinson) to call the question. President Allaire called for a vote, unsure of the voice results he asked for a show a hands. The President counted 5 yes and stated that the **Motion failed.** The Board continued to debate Alderman Wallstrom's amended motion.

A motion was made and seconded (Romeo, Robinson) to amend the amendment, striking language in part 2 of the amendment replacing it with more defined language. President Allaire stated that an amendment to the amendment was made and asked for a 5 minute recess to have the language clarified. The Board recessed for 7 minutes and resumed their discussion.

The Board continued to debate the motion on the floor. Alderman Romeo's amendment failed. The Board then entered into the debate of needing a unanimous vote on the original motion. President Allaire asked for a 5 minute recess to confer with attorney Costello.

President Allaire stated that he had conferred with Attorney Costello and determined that the original amendment had been discussed at the February 4th (?) meeting. This determination concluded that a vote on the original motion did not need to be unanimous. President Allaire noted that the motion on the floor was to amend the amendment presented by Alderman Wallstrom. Alderman Davis wanted the record to reflect that she respectfully disagreed with the ruling presented by the President.

A motion was made and seconded (Wallstrom, Romeo) to call the question. President Allaire called the question. In doubt he asked for a show of hands. **Motion passed, 6-3**.

President Allaire then called the amended motion on the floor. **Motion failed.** Debate.

A motion was made and seconded (Davis, Robinson) to call the question (Original motion). **Motion passed.**

President Allaire called the question (The original motion on the floor). **Motion passed.**

Sharon Davis; Chair, Community and Economic Development, Solar
Alderman Davis read her report stating that her committee met to discuss the evolving solar request to lease property from the City. Her report contained a large amount of data. Alderman Davis stated that her committee with the help of Brennan Duffy from the RRA would continue to review all request, to determine what would be best for the City. Her report was for information only and the issue was to remain in committee.

Chris Siliski; Chair, Finance
Alderman Siliski read his report noting members present and the committees' agenda. A motion was made and seconded (Siliski, Donahue) releasing the encumbrance on the Home Depot account. **Motion passed.** Alderman Robinson stated that he was not present during the committee process and the record should reflect that.

The second item was a request to repay the City General Fund the amount of $9,567.27 from the Giorgetti Trust Fund. There was a good deal of debate. A motion was made and seconded (Davis, Romeo) to table the issue. **Motion passed.**

<u>REPORTS OF SELECT COMMITTEES</u>
There were no issues to report.

<u>REPORTS OF REPRESENTATIVES</u>
Charles Romeo; Rutland Regional Planning Commission
Alderman Romeo read the minutes from his meeting with the Rutland Regional Planning Commission. His report was for information only.

<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
Request for Tax Abatement, 130 South St
Alderman Romeo asked to receive and file. There was debate. The Board asked the Clerk to forward a letter to the requestors as their request did not meet the criteria of the Board of Abatement. Alderman Romeo withdrew his original motion. A motion was made and seconded (Romeo, Donahue) to receive and file and to have the Clerk draft a letter notifying the requestors of the Boards set criteria for hearing abatement request.

<u>BOARD OF CONTROL COMMISSIONERS</u>
There were no issues for the Board of Control Commissioners.

<u>UNFINISHED BUSINESS</u>
Alderman Robinson brought the issue of the donated rail car and the need to authorize the Mayor to sign the contract agreement. Attorney Costello reviewed the highlights of the contract for the Board. A motion was made and seconded (Robinson, Sargeant) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Robinson, Sargeant) authorizing the Mayor to sign. **Motion passed.**

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Several Aldermen stated their gratitude for Aldermen Robinson and Sargeant for their support and dedication while on the Board.

At 9:28 PM a motion was made and seconded (Robinson, Sargeant) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk