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

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

President Allaire called the meeting to order at 7PM.

MINUTES OF PREVIOUS MEETING (Tuesday, January 22, 2013)

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

OUTSIDE THE RAIL

Nick Santoro continued the water discussion with the Board. He presented them with a list of questions and answers from Commissioner Pilachowski and looked forward to the continued discussion on best practices for high water quality in the City.

Kam Johnston of Pine St. spoke of the recent home intrusion at 110 Maple St. Mr. Johnston was very concerned with the crime within the City and proposed two options to deal with that very issue. A motion was made and seconded (Robinson, Wallstrom) to refer the issue of installing cameras downtown to the Public Safety Committee. Debate. Alderman Robinson withdrew his motion to make a new motion referring the issue of camera installation City-wide. This motion was seconded by Alderman Notte. **Motion passed.**

COMMUNICATIONS FROM THE MAYOR

There were no communications from the Mayor.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Evan Pilachowski; DPW Commissioner, Request for RFP

President Allaire read the request of Commissioner Pilachowski. 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, Sargeant) granting permission to solicit an RFP for water and sewer main relocation design for the Dorr and Forest Street bridges. **Motion passed.**

Wendy Wilton; Treasurer, Referral Request, Home Depot Account for Creek Path

A motion was made and seconded (Notte, Robinson) to refer the issue to the Finance Committee. Alderman Robinson asked that a Creek Path representative be warned for that meeting. **Motion passed.**

Wendy Wilton; Treasurer, Referral Request, Resolution of a Due to General Fund

A motion was made and seconded (Davis, Notte) to refer the issue to the Finance Committee. **Motion passed.**

Wendy Wilton; Treasurer, Fund Review Chart

Treasurer Wilton presented the Board with an updated review chart, per their request. The Treasurer stated that the Board should utilize it during their upcoming meeting on related issues. Alderman Notte asked the Treasurer to send the Board an electronic copy if it was available.

Wendy Wilton; Treasurer, Schedule Meeting with Auditor

Treasurer Wilton stated that the auditor would be available for the next meeting on February 19th to discuss the City's fiscal year 2012 audit.

REPORTS OF STANDING COMMITTEES

Christopher Robinson; Chair, General Committee

Alderman Robinson's committee met to discuss, Equipment Funds, their funding source and if there was enough funding versus the need. Alderman Robinson's read his report which contained information on the present needs and future concerns the General Committee had with present day Equipment Funds. He stated that the General Committee requested the Chair to inquire from department heads "rolling stock" and related information. The issue is to remain in committee as further work is needed. No action was taken.

Christopher Robinson; Chair, General Committee

Alderman Robinson read his report, stating that during the FY 2014 budget process the Board cut $31,000 from the Giorgetti Repay-Rink Improvement line. During the budget process a motion was made to refer the issue of "keeping excess revenues from Giorgetti and placing them in the Giorgetti Capital Account and a resolution to do the same" to the General Committee, hence the essence of this report. The committee discussed that any increased revenue should be reinvested back into the park.

The Committee felt the best way to accomplish this was by an Ordinance change and resolution. There was some concern on placing an appropriation into ordinance without a sunset date. The committee felt a review after five years would help evaluate its effectiveness. They also felt that since the 2014 budget was going before the voters and the appropriation was not included, a resolution would be needed directing the Treasurer to transfer the revenues from the General Fund to a newly established capital fund.

Alderman Robinson then made a motion to establish a Giorgetti Capital Fund; this motion was seconded by Alderman Romeo. There were several minutes of debate. **Motion passed.**

Alderman Robinson then made a motion to strike ordinance 8010 "Giorgetti Park" and replace it with updated language as follows. This motion was seconded by Alderman Romeo.

§ 8010 Giorgetti Park ~~Revenues~~

~~1. Between May 1st and June 30th of each year the Superintendent of the Recreation Department shall provide the Mayor a record of revenues and expenses associated with the operation of Giorgetti Park for the previous fiscal year.~~

~~2. In the event there is a balance of net revenues associated with the operation of Giorgetti Park for the previous fiscal year, said balance of funds shall be deposited into the Giorgetti Fund.~~

~~3. Any indebtedness incurred as a result of improvements or construction at the Giorgetti Park Ice Rink shall be paid back as follows: first, to the "Zamias Fund" of the City of Rutland. (Added 2007, No. 249, eff. July 4, 2007)~~

§ 8010 Giorgetti Park Capital Fund

1. The Superintendent and the Mayor shall appropriate $30,000.00 annually for capital improvements at Giorgetti Park to be transferred to the Giorgetti Capital Fund.

2. This ordinance shall sunset June 30, 2019 unless expressly renewed by the Board of Aldermen.

Over the next twenty minutes, Board members debated for and against the motion. Prior to a vote, a new motion was made and seconded (Robinson, Wallstrom) to refer the issue to the Charter and Ordinance Committee. The maker felt that with all the discussion a referral would be best. **Motion passed to refer.**

Alderman Robinson continued with his report, making his final motion. A motion was made and seconded (Robinson, Romeo) recommending that the Board adopt a resolution directing the Treasurer to transfer $30,000 of unassigned General Fund fund balance at the end of FY-2014 to the Giorgetti Capital Fund Account. **Motion passed.** (Copy of Resolution in Committee report.)

Christopher Siliski; Chair, Finance Committee
The Finance Committee met on January 24th to discuss Common Level of Appraisal and Coefficient of Dispersion. The committee discussed the use of both CLA and CoD as necessary tools for evaluating and assessing property in the City. The committee recommended three topics to the Assessor in regards to securing the most accurate information on CLA and CoD. Alderman Siliski stated that no formal motions were made, however the committee was in agreement that at this time a re-assessment was not necessary. Alderman Siliski did state that some members of the committee felt that the City should begin the process of preparing for re-assessment. His report was for information only.

Christopher Siliski; Chair, Finance Committee
The Finance Committee met on January 29th to discuss, Fund Account Review. Alderman Siliski stated his committee met to review the City's Special Revenue, Permanent, and Agency Funds. These funds were established with the auditor to ensure proper classification for accounting compliance.   The committee looked at existing fund descriptions, ensuring current use and adequate funding source. No motions were made and the report was for information only.

Charles Romeo; Chair Charter and Ordinance
Alderman Romeo stated that his committee meeting was postponed, as the issue of draft ordinance language on blighted property was not complete. Alderman Romeo stated that new information gathered on the issue needed to be sent back to the steering committee for further review. Alderman Romeo stated that a meeting in the near future would take place.

Sharon Davis; Chair, Community and Economic Development Committee
Alderman Davis read her report on tax stabilization for Keith's II at the Armory Building on West St. Alderman Davis noted that Keith's II Sports was moving to its new location in Rutland, creating 25 new jobs. She noted the attached Tax Stabilization agreement, and noted those figures. A motion was made and seconded (Davis, Sargeant) approving the Tax Stabilization Agreement and authoring the Mayor to sign. **Motion passed.**

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

<u>REPORTS OF REPRESENTATIVES</u>
President Allaire; Rutland Regional Transportation Council
President Allaire gave a brief review of the Regional Transportation Council meeting and asked for the report to be received and placed on file. The request was so moved and seconded (Davis, Notte). **Motion passed.**

David Shortsleeve; Waste Water Treatment Operator, Early Vacation Request
A motion was made and seconded (Romeo, Robinson) to refer the issue to the DPW Committee. **Motion passed.** (Clerk Heck wanted to note that this issue was placed under the wrong heading. The request should have come under the Petitions, Letters, Miscellaneous Communications Heading)

<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
Reaffirmation of 2009 Board Action, Per Alderman Davis
This request was referred by Alderman Davis at the previous meeting. It dealt with sidewalk and streetlight updating. Specifically, the sidewalk repairs and lighting replacement along the west side of Wales St., from the Washington St. corner to the Sweeney Todd building location. A motion was made and seconded (Davis, Sargeant) to suspend the rules and take the issue up that evening. **Motion**

passed. A motion was made and seconded (Davis, Robinson) to reaffirm committee and Board action of June 15, 2009, with the remaining Zamias funds of $25,000 being used towards the improvement of sidewalks on Wales St. There was brief debate. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Alderman DePoy reviewed his Special Liquor Committees report held that evening. Alderman DePoy referred to a noise complaint from a neighbor on Cottage St. After speaking with the owner of the Local Night Club, Chip Greeno, Alderman DePoy stated that the owner will make sure the back door is used for emergency purposes only. Alderman DePoy reported no action was taken by his committee.

The next issue was for the Local nightclub holding a 18 year old and up night. Mr. Greeno had been sighted for breaking a City Ordinance, along with a subsequent violation from the State for violating a City Ordinance as well. Mr. Greeno's Attorney Matt Hart stated that Mr. Greeno was compliant with City Ordinances and had appealed the violation. Chief Baker stated that Mr. Greeno was trying to circumvent the rules with a loophole and had violated the ordinance. Alderman DePoy stated that Attorney Hart was appealing the violations to State Court and as such made no recommendations or took any action on the issue.

A motion was made and seconded (Davis, Romeo) to move out of 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 Donahue requested that any paper work on the agenda be placed in the packet and not on the Aldermen desk prior to the meeting. He felt that there was no time prior to the meeting to deal with items that had not been placed in the packet and left on Aldermen's desk.

At 8:42 PM a motion was made and seconded (Davis, Notte) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk