CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 17, 2013

Members present; President Allaire, Alderman Kiernan, Humphrey, Notte, Donahue, Siliski, Cassarino, Larson, *Wallstrom, DePoy, Davis and City Clerk Heck. Attorney Romeo was absent. Alderman Wallstrom arrived at 7:35 PM.

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

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

OUTSIDE THE RAIL
Tom Donahue, CEO of the Chamber of Commerce came before the Board to update them on several events coming to town.

Kam Johnston notified people of the appeal process.

Marsha Cassell from R.I.S.E. came before the Board to ask for the funds budgeted for R.I.S.E. be released to them. A motion was made and seconded (Cassarino, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Cassarino, Davis) to release the funds to R.I.S.E. **Motion passed.**

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

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Evan Pilachowski; City Engineer, 2013 VTrans Bicycle and Pedestrian Program
Engineer Pilachowski gave a brief outline of the request stating that DPW and the Planning Commission are working together on the Killington Ave. Project. The City Engineer presented information regarding the 2013 VTrans Bicycle and Pedestrian Program in relation to an application for the funding of a scoping study that the Department of Public Works plans to submit. The Department has identified a missing segment of sidewalk between East St and Stratton Rd as a high priority project. Upon initial review, Killington Ave has been selected as the most likely location for the sidewalk project, though other alternatives may be considered in the scoping study.

Engineer Pilachowski explained what the scoping study would include, the expected timeline of the project, the cost estimate and local match required for the scoping study. A discussion from the Board followed as to the relative merits of the Killington Ave site versus another site in the same area. While no comments were made by any members of the public during the meeting, the City Engineer stated that comments received prior to the grant application would also be considered in the application. A motion was made and seconded (DePoy, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (DePoy, Davis) authorizing the DPW and Mayor to apply for the grant.

Evan Pilachowski; City Engineer, Crescent St Bridge Report and Repair Alternatives
Engineer Pilachowski gave a brief overview of the issue and sought a referral to committee on repair alternatives. A motion was made and seconded (DePoy, Davis) to refer the issue to the Public Works Committee. **Motion passed.**

President Allaire brought a late issue of an agreement for consulting and engineering services with Lamoureux & Dickinson Consulting Engineers as presented to the Clerk on segment 4 of the Creek Path Project. 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 application. **Motion passed.**

President Allaire moved to Petitions and Letters portion of the agenda.

SEP Request; RRCC; Winter in August
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) to approve the Special Events Permit for Winter in August on August 13 from 5PM – 8PM. **Motion passed.**

SEP Request; RRCC; New England Rally 2013
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) to approve the Special Events Permit for the New England Rally 2013 on July 24 from 6AM – 9AM. **Motion passed.**

SEP Request; Down Right Special, Buddy Walk
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, DePoy) approving the Special Events Permit for the Buddy Walk for Downs Syndrome on October 5 from 10AM – 3PM. **Motion passed.**

SEP Request; Block Party on Traverse Place
President Allaire noted that this was a late request and asked the Board if they would take the issue up that evening. 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, DePoy) to approve the request for a Special Events Permit. **Motion passed.**

<u>REPORTS OF STANDING COMMITTEES</u>
Chris Siliski; Chair, Finance Committee
June 6th Audit review: The finance committee met to review the City's 2012 audit. The review lasted approximately an hour. The City's Treasurer, Wendy Wilton, walked the committee through the audit, highlighting major points she deemed worthy of attention. Committee members, as well as others present, had ample time to ask questions. The auditor was available via conference call, but the committee chose not to call as all of the information seemed clear, precise and accurate.
Highlights in the audit include:

- The City's unassigned fund balance holds $2.9 million dollars in working capital. This ensures that the City does not need to borrow funds to make payroll.

- The City had a reduction in long term obligations (bonds payable) of $1+ million.

- The City received an unqualified opinion on grant reporting.

- The auditor recorded two "findings" for the audit as a whole: 1. The City has not established controls over recording and monitoring of Notes Receivables; and 2. Inventory balances are not regularly updated throughout the fiscal year. Regarding the later, the Treasurer noted that improved practices which will meet expectations have already been established. The prior will need to be addressed.

- Other significant concerns include the fact that the sewer fund at the end of the FY has no cash in it and the City pension is significantly underfunded. The rate increase the BoA addressed in the FY 2014 budget cycle should help or alleviate the first concern. The City needs to continue to address underfunding of the pension.

With those highlights, the committee unanimously approved the motion to: "present to and approve the audit (as received from Bruce A. Corrette and Associates) by the Rutland City Board of Aldermen." and Alderman Siliski so moved. Alderman Davis seconded, there was no debate. **Motion passed.**

Chris Siliski; Chair, Finance Committee
The finance committee met to discuss the potential allocation of Zamias Funds to revitalize the West Street, Church Street, and Wales Street corner. Alderman Siliski report contained various project ideas. Discussions also included the size and scope of work and if the proposed funds ($50,000) were adequate for the project. The City Engineer had reviewed the request but had not placed any hard cost associated with it. A motion was made and seconded (Siliski, Notte) requesting that the City set aside $50,000 from the Zamias Fund to be used for the West, Wales and Church Street Project. There was a fair amount of debate. Alderman Larson brought an amendment to the motion asking the maker to amend the original to say up to $50,000. **Motion passed.**

William Notte; Chair Charter and Ordinance Committee
Smoking ban at downtown events:
The Charter & Ordinance committee met to discuss a request from the Downtown Rutland partnership to make their special events in the downtown smoke-free. Michael Coppinger spoke about the DRP's efforts to make their events downtown family friendly and how they believe going smoke-free is the next logical step.

Sarah Cosgrove of the Rutland Area Prevention Coalition spoke about a survey they conducted in regards to banning smoking at downtown events. If such a ban was adopted 43.7% of the people who took the survey stated they would be more likely to attend events downtown, whereas only 6% said they would be less likely to attend events.

This issue had been discussed with former City Attorney Costello and he was of the opinion that for such a ban to have any real enforcement to back it up there would need to be a change in ordinance, which is why the request was made to send this issue to committee. Various possibilities for implementing this change were discussed as well as which specific events downtown would be affected with one possibility being a check-box on future special events permit requests to designate whether or not the event was requested as smoke-free.

While there is no ticketing enforcement possible without an ordinance change, it was determined that the existing special events permit does give the Partnership the right to put up non-smoking signs and to ask people who ignore the no smoking requests to leave the area of the event.

With the start of downtown Friday night events coming very soon it was therefore decided to make this year a trial year with the Partnership attempting a smoking ban at their events without an ordinance in place to give the ban more enforcement power. The issue will remain in committee and another meeting will be held at the end of the summer season (or earlier at the Partnership's request) to review how the ban went and to determine if an ordinance change is needed for next year. In preparation of this future meeting the City Attorney will prepare a draft ordinance for the committee to review.

William Notte; Chair Charter and Ordinance Committee
Vacant Building Ordinance:
Alderman Notte read his report on vacant building ordinance. The Committee discussed concerns on home owners that lived or worked away from their homes more than three months a year. Alderman Notte and Larson spent considerable time with Chief Baker discussing the need of a vacant home data base. The committee also dealt with the definition occupant vs. vacant. The issue is to remain in committee for further discussion, no motions were presented.

REPORTS OF SELECT COMMITTEES
There were no reports from Select Committees

REPORTS OF REPRESENTATIVES
Rutland Downtown Partnership; Alderman Wallstrom gave a brief update from the Partnerships annual meeting. The report was for information only.

Alderman Kiernan gave a very brief update on the MVRTS "The Bus" stating ridership was up in all categories and that they had purchased two (2) new vans and seven (7) new buses.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION
Tax Abatement Request; Margaret Mullin, 36 Hillcrest Road
President Allaire move to form a committee to hear the request when a point of order was brought by Alderman Notte. There was some confusion as to who would hear the request. Upon referring with the Clerk the President noted an error by the Clerk and moved to assign the committee of Aldermen Donahue as chair, Siliski and Cassarino and to report back on July 15th at 6:45PM. There was brief debate before the request was so moved and seconded (DePoy, Davis). **Motion passed.**

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

Alderman Cassarino abstained from any actions in the Board of Control Commissioners.

BOARD OF CONTROL COMMISSIONERS
First Class Liquor Request, William Noel, New England Smoked Seafood
A motion was made and seconded (Davis, Wallstrom) to circulate the application for signatures. **Motion passed.**

Outside Consumption Request; Don Hubert, Griffins Publick House
A motion was made and seconded (Davis, DePoy) authorizing the Clerk to sign the request. **Motion passed.**

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

UNFINISHED BUSINESS
Alderman Siliski noted several recommendations from his committee report on leveraged investment initiative and his response to those questions or concerns.

Alderman Wallstrom wanted to thank the Police Commission and Rec Department for their information handouts located in the packet.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS
Alderman Donahue had placed a handout in the packet on the Rutland Area Amateur Radio Field Day Emergency Preparedness Drill. Alderman Donahue an avid amateur (Ham) radio operator noted the event to be held at the High School press box and encouraged participation from anyone interested.

Alderman Wallstrom asked to have the Board updated on staffing levels at the Police Department and he also wanted an update from the City Attorney on court issues.

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

Henry A. Heck
Rutland City Clerk