CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 4, 2012

Members Present: President Allaire, Aldermen Romeo, Notte, Donahue, Siliski, *Robinson, Sargeant, Wallstrom, DePoy, and Davis, City Attorney Costello, Mayor Louras, and City Clerk Heck. Alderman Kiernan was absent. *Alderman Robinson arrived at 8:07 PM.

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

<u>MINUTES OF PREVIOUS MEETING (Monday, May 21, 2012)</u>
A motion was made and seconded (Davis, Romeo) to approve the minutes of the previous meeting. **Motion passed.**

<u>OUTSIDE THE RAIL</u>
No one spoke from outside the rail.

<u>COMMUNICATIONS FROM THE MAYOR</u>
Mayor Louras spoke briefly on the 2011 Annual Report, stating that portions were available on line and a printed hard copy was to be available within several weeks. Mayor Louras also updated the Board on Irene related FEMA issues, mainly that FEMA representatives were ready to close the books on Irene related issues. Alderman Davis asked for a breakdown of those cost.

<u>REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS</u>
Treasurer Wilton; Request for Board authorization Bridge Bond, Phase 1
Treasurer Wilton explained the bond bank sale of the voter approved bridge bond and was looking for their authorization, approving the Mayor, Treasurer and Clerk's signature on the document. 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, Notte) authorizing the Mayor, Clerk and Treasurer to sign the fore mentioned contract for one-million dollars. **Motion passed.**

At this portion of the meeting President Allaire asked the Board to hear from guest representing the Creative Economy. President Allaire stated as a representative of the Boards he had asked representatives to update the BOA on what they were working on. Paul Gallo, Katie Munger, Chuck Pitrowski, Susan Schribeman, Tara Kelly, Myra Peffer and Christopher Ettori chairs of sub-committees updated the Board on their various projects.
Susan Schribeman asked the Board to approve the Mayor signing the letter of intent in regards to phase 3 of the Creek Path. 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) authorizing the Mayor to sign the letter of intent. **Motion passed.**

<u>REPORTS OF STANDING COMMITTEES</u>
Sharon Davis; Chair, Community and Economic Development, SBD & Tax Stabilization
Alderman Davis read out her first report from May 23rd on Special Benefits District Boundaries. The committee discussed the roles of the RRA and the BOA in reference to the district. Through court proceedings and findings it was determined that the BOA sets the district boundaries. The RRA also can set boundaries; they as well apply the assessment and collect the district tax. Alderman Davis stated that her report was for information only. (Report is kept in committee minutes).
Alderman Davis read her next report from May 30th. She stated that her committee met to discuss the issue of a Tax Stabilization Policy. The committee discussed two draft policies taking no action on either one.
The committee also discussed various levels of stabilization, from industrial to residential, and commercial or vacant blighted properties. The objective was to grow the grand-list. Alderman Davis stated that no action was taken and her report was for information only.

William Notte; Chair Public Works (No reports provided)
Alderman Notte had two reports for the Board. The first meeting dealt with meeting new EPA Standards on drinking water requirements. The committee discussed several options presented

by Commissioner Pilachowski along with their associated cost. The committee proposed using chloramine to comply with EPA requirements. A motion made in committee to use Chloramine failed, Alderman Notte stated that the committee was going to do more research and report back to the full Board in late June. His report was for information only.

Alderman Notte also reported on his May 29th committee meeting dealing with the issue of Septage Rates. Alderman Notte reported that related income from septage disposal had fallen significantly. After DPW had completed a thorough analysis, Commissioner Pilachowski recommended setting a new rate at .06 cents or a minimum of $20.00. A motion was made and seconded (Notte, Sargeant) to set the septage rate at .06 cents with a $20 minimum. **Motion passed.**

Alderman Notte then questioned President Allaire as to whether he should continue with his next issue or move into executive session as the issue dealt with contractual matters. President Allaire asked for Alderman Notte to hold off until the end of the meeting.

Charles Romeo; Chair, Charter and Ordinance
Alderman Romeo read his report related to Entertainment Club Ordinance and allowing 18 year olds and up to be on premise when alcohol is being served. This issue has been to committee three times, yet there has been no definitive decision made. Alderman Romeo's committee made a motion out of committee denying the request for an Ordinance change, and Alderman Romeo so moved. Motion was seconded by Alderman Davis. Debate.

At the full Board level there was lengthy debate on the issue with no immediate resolution. President Allaire restated the motion and asked the Board if they understood the motion. President Allaire then called the motion, vote was taken and the **Motion failed.** Alderman DePoy made a motion to refer the issue to Special Liquor Committee. Debate. Several Aldermen debated the referral. **Motion failed.** A motion was made and seconded (Romeo, Robinson) to instruct the Charter and Ordinance Committee draft language that would permit for a one year period by which over 21 clubs could apply for a permit to have one-time events with under 21 persons to be reviewed by the BOA with consultation with the Chief of Police. No debate. **Motion passed.**

REPORTS OF SELECT COMMITTEES
Alderman DePoy; Special Liquor
Moved to the Board of Control Commissioners portion of the agenda.

REPORTS OF REPRESENTATIVES
None to Report

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION
ARC – Rutland Area; Ballot question
There was some confusion as to the request of the applicant, as the same request was presented to the Board last year. After brief discussion, 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, Sargeant) to approve the language change presented to the Board. There was a good deal of debate. A motion was made and seconded (Robinson, Romeo) to refer the issue to the General Committee. With no debate the **motion to refer passed.**
A motion was made and seconded (Davis, Romeo) to move into the Board of Control Commissioners. **Motion passed.**

BOARD OF CONTROL COMMISSIONERS
Alderman DePoy reported out on his Special Liquor Committee. His report contained the request for an outside consumption request from C J's Suds South and The Downtown Tavern. His committee also reviewed an application for an entertainment license from Magoo's.

Alderman DePoy stated that he spoke with owner CJ Abatiell about the Boards concern of taping off and expanding his outside consumption request for two summer events. Mr. Abatiell stated that he would use a more secure fence and increase staff to monitor the events. The Special Liquor committee approved those changes and Alderman DePoy so moved to the full Board. Alderman Notte seconded. The **Motion** to approve the expanded outside consumption request for two summer events **passed.**

Alderman DePoy stated that the Downtown Tavern had requested an outside consumption license; their application was incomplete because their insurance policy was expiring and the liability amount was under the City requested 1 million dollars. Erica Belestra, owner of the tavern provided a new updated insurance policy meeting all of the City request. A motion was made and seconded (DePoy, Notte) to approve the request for an outside consumption permit. **Motion passed.**

Alderman DePoy's final item of his report involved the request from Magoo's for an entertainment license. The license request did not contain the signature of the Treasurer for unpaid balances due to the City. Alderman DePoy stated that Clairette Ferrara, owner of Magoo's had brought all balances due to the City up to date. A motion was made and seconded (DePoy, Notte) to approve the request for an entertainment license. **Motion passed.**

UNFINISHED BUSINESS

There was no unfinished business to report.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

There were no new motions, resolutions or new business to report.

President Allaire asked Alderman Notte to finish his Public Works Committee report. Alderman Notte stated that his committee discussed the delayed pipe repair on South Main St. The main issue was who was going to do the work and would the City incur any grievance from the union.
The City approached the union to work out a sub agreement allowing the City to bid out projects that may take the City's DPW to long to complete or impeded on other duties. The Union asked the City for certain concessions as well. The committee reviewed the contract and approved bringing it to the full-board for approval. A motion was made and seconded (Notte, Sargeant) to authorize the Mayor to sign the sub-agreement. Debate.
Alderman Romeo moved to enter into executive session to discuss labor relations and agreements where premature or general knowledge could place the City at a substantial disadvantage. Motion was seconded by Alderman Notte. **Motion passed.**

At 8:45 PM the Board moved into executive session. At 8:57 PM a motion was made and seconded (Robinson, Davis) to come out of executive session. President Allaire stated that the motion was to authorize the Mayor to sign the sub-agreement. **Motion passed.**

At 8:58 PM a motion was made and seconded (Davis, Romeo) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk