CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 18, 2012

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

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

MINUTES OF PREVIOUS MEETING (Monday, June 4, 2012)
A motion was made and seconded (Davis, Wallstrom) to approve the minutes from the previous meeting. **Motion passed.**

OUTSIDE THE RAIL
Donald Billings, owner of Roots the Restaurant came before the Board looking to get their input on an event to raise money in support of local farmers. Mr. Billings presented a sketch of the proposed event looking to close a portion of Wales and Center St. The Board stated that at this point they supported the event and looked forward to the formal application process.

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

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Chief Schlachter; Airport Fire Protection Contract
A letter was presented to the Board from Chief Schlachter in regards to a new contract for an Airport Fire Protection Agreement. The letter requested the BOA to authorize the Mayor to sign the new agreement. A motion was made and seconded (Sargeant, Robinson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Sargeant, Robinson) to authorize the Mayor to sign the new Airport Fire Protection Agreement for the period from 7/1/2012 – 6/30/2014 as presented by Chief Schlachter. **Motion passed.**

Barbara Allen; RRA, 2012 Bicycle Parking Application
A motion was made and seconded (Davis, Robinson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Robinson) to circulate the application for signatures. Clerk Heck passed the resolution to the Board for signatures, and presented the document to Brennan Duffy.

Treasurer Wilton; Treasurer's Report Period 11, Preview of Year End
Treasurer Wilton presented the Board with a packet for Period 11, and a cover letter stating bullet points of her report. A motion was made and seconded (Robinson, Davis) to receive and place on file her report. **Motion passed.**

Commissioner Pilachowski; RFP for Killington Ave. Water Main Replacement
Commissioner Pilachowski stated that the next part of the water distribution system capitol replacement plan is to replace 1400 feet of water main on Killington Ave. He is requesting an RFP for engineering services for the design of this project. There was some discussion as to sidewalk

connecting, curbing, the 8" main replacement and repaving schedule. A motion was made and seconded (Notte, Robinson) 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 issue an RFP for engineering services relating to the design of the replacement of the Killington Ave. water main. **Motion passed.**

Commissioner Pilachowski; Combined Sewer Overflows, RFP for Library Ave. Water Project
Commissioner Pilachowski spoke of a 1272 order from the State in regards to combined sewer overflows in the City. Evan stated that in order to comply with State requirements the City needs to begin preliminary design of the Library Ave. project and is requesting an RFP for engineering services. 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, Davis) authorizing the DPW request for an RFP for engineering services relating to the Library Ave. project. **Motion passed.**

Attorney Costello; CVPS Petition to Public Service Board
Attorney Costello stated that CVPS was looking for a certificate of public good from the Public Service Board in order to perform work on 2.4 miles of transmission lines. Andrew noted that the City is an abutter of the project and was notified as such. The Board has the option of notifying the Public Service Board of any objections or doing nothing. There was brief discussion from the Board as how to proceed. Alderman Robinson stated a motion to table the issue, there was no second. A motion was made and seconded (Notte, Davis) to receive and place on file the notification. There was brief debate. **Motion passed.**

REPORTS OF STANDING COMMITTEES
Sharon Davis; Chair, Community and Economic Development, Tax Stabilization Policy
Alderman Davis stated that her committee met on June 13th to discuss the issue of tax stabilization for vacant/blighted industrial property. The committee discussed varying options for tax stabilization and how to proceed. There was brief discussion on residential blighted property, but that issue would need further discussion.

Alderman Davis stated that there were two motions that she would present to the Board from her meeting. The first dealt with language to be placed on a ballot asking ***"Shall the Board of Aldermen be granted general authority, pursuant to 24 V.S.A. §2741, to enter into contracts for tax stabilization of commercial property?"*** At this point in her report Alderman Davis asked Brennan Duffy to speak on the issue. Brennan spoke on the benefits of stabilizing real/personal property tax on commercial property and asked the Board to support the policy in question. Alderman Davis stated that this policy would be a marketing tool for the RRA and allow the City an opportunity to grow the grand list. A motion was made and seconded (Davis, Robinson) to adopt the industrial property tax stabilization pending review of the City Attorney. Andrew stated that he has reviewed the policy. **Motion passed.** The next motion was made and seconded (Davis, Robinson) to place on the ballot the question for authority to tax stabilize commercial property ***"Shall the Board of Aldermen be granted general authority, pursuant to 24 V.S.A. §2741, to enter into contracts for tax stabilization of commercial property?",*** with that language to be placed on the Primary Election Ballot on August 28, 2012. There was brief debate as to why August. With no further debate. **Motion passed.**

William Notte; Chair Public Works, June 5 & 14

Alderman Notte stated that his committee met twice, on June 5th & 14th. The discussion dealt with the same issue of debris in Mendon Brook. The first meeting dealt with a $5,000 donation from the City to the Town of Mendon to help with cost associated with debris clean up in the brook from the Tropical Irene related flooding. In return, the City asked for a waiver of liability for future issues related to the brook.
Alderman Notte stated that the Town and City are still working towards a mutually agreeable waiver of liability and Attorney Costello will keep the Board informed as to the status of the issue. This report was for information only.

The next issue reported out dealt with an erosion issue near the Wheelerville Road. The issue was located on City property and the Town of Mendon was looking for the City to pay the 10% associated cost to repair the issue. Alderman Notte continued by thanking Mayor Louras for contacting VTRANS in regards to the issue. VTRANS stated that it is not the responsibility of the land owner in regards to this issue. They also stated that it was not the City's financial responsibility to pay for the repairs. Alderman Notte stated that no action was taken in committee.

The finale two issue he reported on dealt with right of way access to cross City owned property to remove debris piles in the brook and the authorizing of the Mayor to sign those right of ways. The later issue was later discovered to not involve the Mayor to sign off, but actually the consent of the DPW Commissioner. Alderman Notte reported that the City Attorney did concur that the Commissioner needed to sign those rights of ways and had already done so. This concluded Alderman Notte's Committee report.

<u>REPORTS OF SELECT COMMITTEES</u>
Alderman Sargeant stated that he did not have a Select Committee report but wanted members of his Public Safety Committee to be aware of the State's release of criteria involving marijuana dispensaries and to be ready to discuss that criteria and any associated concerns they may have for the City.

<u>REPORTS OF REPRESENTATIVES</u>
Alderman Robinson noted the Downtown Rutland Partnership will be electing its Board of Directors.

President Allaire also mentioned that the Police Chief search Committee will be meeting to go over the list of candidates that have been submitted on Thursday, June 28th at 6 PM.

<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
Request for Tax Abatement; Gail Porter-Beckley 80 Engrem Ave. Unit #3
Request for Tax Abatement; Eileen and Jim Godfrey 80 Engrem Ave. Unit #1
President Allaire stated that two requests have been received for abatements and he would like to assign the committee of Allaire, as chair, Davis and Kiernan to report back on July 16th at 6:45PM. This request was so moved and seconded (Notte, Davis). **Motion passed.**

Request for Special Events Permit, Buddy Walk/Family Fun Day, Sat. Oct. 13, 8AM to 4PM
A motion was made and seconded (Davis, Wallstrom) 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 of the Buddy Walk & Family Fun Day on Saturday, October 13th, from 8 – 4 PM at the Main St. Park. **Motion passed.**

Request for S.E.P., Special Olympics- VT, Rutland Eagles Coin Drop, 7-21, 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 (Notte, Davis) to approve the Special Events Permit for a Special Olympics – VT, Rutland Eagles Coin Drop to be held July 21st with a rain date of July 28th from 10 – 2PM on Merchants Row. **Motion passed.**

Request for S.E.P., Feast of the Assumption, Parish Picnic, August 12, Noon – 3PM
A motion was made and seconded (Wallstrom, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Wallstrom, Davis) to approve the request for the Feast of the Assumption, on August 12 from noon – 3 PM contingent on an updated insurance rider is provided to Attorney Costello. **Motion passed.**

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

There was brief debate as to whether these applicants met the previous conditions that were requested by Michael Coppinger of the Partnership. The Board was informed by the Clerk that the applicants had been informed of the requirements.

BOARD OF CONTROL COMMISSIONERS

Outside Consumption Request, Center Street Saloon, Friday Night Live
A motion was made and seconded (Davis, Notte) to approve the request for an outside consumption request for the Center Street Saloon pending that the applicant meets the criteria set by the Partnership. **Motion passed.**

Outside Consumption Request, Sabby's, Friday Night Live
A motion was made and seconded (Davis, DePoy) to authorize the Clerk to sign Sabby's Friday Night Live application with the same criteria as set by the partnership. **Motion passed.**

Outside Consumption Request, Center Street Alley, Friday Night Live
A motion was made and seconded (Davis, DePoy) to authorize the Clerk to sign Center St. Alley's application with the same criteria as set by the partnership for Friday Night Live events. **Motion passed.**

Entertainment Permit Request; Rutland Bowlerama
President Allaire stated that the Board had a request for an Entertainment Permit from the Rutland Bowlerama. A motion was made and seconded (Davis, Robinson) to approve the request. **Motion passed.**

A motion was made and seconded (Davis, Wallstrom) to move out of the Board of Control Commissioners. **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 the Board to enter into a brief executive session to hear contractual issues where premature or general knowledge could place the City at a substantial disadvantage. At 8:23 PM that request was so moved and seconded (Davis, Robinson). **Motion passed.**

The Board moved into executive session.

At 8:37 PM a motion was made and seconded (Davis, Robinson) to come out of executive session. **Motion passed.**

At 8:38 PM a motion was made and seconded (DePoy, Davis) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk