CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, April 18, 2011

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

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

<u>MINUTES OF PREVIOUS MEETINGS (April 4, 2011)</u>
A motion was made and seconded (Davis, Notte) to approve the minutes. **Motion passed.**

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

President Allaire asked the Board to sign a letter of support for the rail upgrade on the western corridor. A motion was made and seconded (Robinson, Notte) to suspend the rules. **Motion passed.** A motion was made and seconded (Robinson, Notte) to circulate the letter for signatures. **Motion passed.**

<u>COMMUNICATIONS FROM THE MAYOR</u>
Untable Mayoral Appointments

A motion was made and seconded (Davis, Larson) to untable the Mayoral appointments. **Motion passed.** A motion was made and seconded (Davis, Robinson) to circulate the ballot sheet to vote on the Mayors appointments. Attorney Costello was asked to tally the sheets. Alderman Romeo stated that he would abstain on voting for any police related appointments. President Allaire read the names of the appointments and the Board proceeded to vote. The Ballots were collected and presented to Attorney Costello. President Allaire continued with the agenda.

<u>REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS</u>
Evan Pilachowski; City Engineer, RFP, Professional Services

A motion was made and seconded (Davis, Larson) to suspend the rules. **Motion passed.** A motion was then made and seconded (Davis, Barrett) to approve the request of extending the RFP to Otter Creek Engineering. **Motion passed.**

Evan Pilachowski; City Engineer, City Road & Bridge Standards

Evan explained that the document would specify that just in case roads or bridges were destroyed from a flood or disaster, that they would be rebuilt to today's standards and specifications.

A motion was made and seconded (Davis, Larson) to suspend the rules. **Motion passed.** A motion was then made and seconded (Davis, Barrett) to circulate the request for signatures. **Motion passed.**

Alderman Sargeant spoke of a request from Commissioner Shelvey about a referral of a compliance issue. Alderman Davis explained the referral and a motion was made and seconded (Davis, Barrett) to refer that issue to DPW Committee. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Sharon Davis; Community and Economic Development

Alderman Davis read her report in which her committee met with Michael Coppinger of the Downtown Partnership to discuss their new web site. Alderman Davis stated an overview of the design and working components of the new site. Alderman Notte stated his pleasure with the design and value of the site. Her report was for information only.

The second issue Alderman Davis spoke of was in regards to a land value tax shift. Alderman Davis stated that a junior from UVM worked on a study on the issue and worked closely with the partnership. The issue is to remain in committee until she presents her findings to the entire Board.

The results of the Mayoral Appointments were read.

	YES	NO	BLANK
Mark Foley Jr. - RRA (3 Year)……………………………………….	8	0	3
Thomas Calcagni – Police Commission (3 Years)…………….	7	3	1
Anthony Romeo – Police Commission (3 Years)………………	10	0	1
Larry Jensen – Chair, Police Commission (1 Year)…………..	10	0	1
Scott Holmquist – Vice Chair Police Commission (1 Year)…	6	4	1
Gerald Hanson – Planning Commission (3 Year)………………	11	0	
Michael Hughes – Planning Commission (3Year)…………….	11	0	
Stephanie Lorentz – DRB (3 Years)………………………………….	10	1	
Al Paul DRB (3 Years)………………………………………………………	10	1	

All appointments were confirmed.

President Allaire asked Alderman Larson to report out on his Finance Committee report.

Alderman Larson stated that his committee met to discuss the current issues with the Vermont State Fair license application. He noted that the Fair Association was behind in its water and sewer payment as well as a general bill. He did note that he had been in contact with Richard Rivers, the president of the fair, and was told that all past due accounts had been brought up to date. After brief discussion, the Board felt there was no need to wait on approving the application. A motion was made and seconded (Davis, DePoy) to suspend the rules. **Motion passed.** A motion was then made and seconded (Davis, DePoy) to approve the carnival permit for the Rutland County Agricultural State Fair. **Motion passed.**

REPORTS OF SELECT COMMITTEES

Alderman DePoy was asked to hold his Special Liquor report until the Board moved into the Board of Control Commissioners.

REPORTS OF REPRESENTATIVES

Alderman Larson gave a brief report on the Transit District Board meeting, stating that ridership was up from 2010, speculating gas prices may have lead to the increase.

Alderman Romeo gave a brief update on the Rutland Regional Planning Commission about an open house for newly elected officials to help familiarize them with what the Planning Commission is all about.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Request for Tax Abatement; David McDonald, 208 Stratton Rd

President Allaire asked for a motion to comprise the committee of Aldermen Romeo, Kiernan, and Robinson as Chair to hear the abatement of David McDonald of 208 Stratton Rd. and to report back to the full Board on May,16th at 6:45 PM. The Motion was moved and seconded (Robinson, Davis). Debate. Alderman Notte brought the issue about the request being an abatement that was ineligible based on criteria. Alderman Davis asked the Board to approve the Clerk writing the abated, detailing the specifics of the denial. This request was seconded by Alderman Notte. **Motion passed.**

Special Events Permit; Walk MS – Rutland Sat. April 30th 10 AM - 3 PM

A motion was made and seconded (Davis, Notte) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Barrett) to approve the request for the Walk MS – Rutland on Saturday, April 30th from 10 AM to 3 PM. Alderman Notte requested that the Clerk obtain a route diagram and place it with the file so it is complete. **Motion passed.**

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

President Allaire asked Alderman DePoy to report on his Special Liquor Committee meeting.

Alderman DePoy stated that his committee met to discuss the violations against Chaser's bar & Downtown Tavern. He stated that the violations were administrative and capacity limits. After meeting with DLC and bar representatives all issues were resolved. Alderman DePoy stated that his committee needed to meet earlier that night because there was not a quorum to make a motion to the full Board from the earlier meeting. The recommendation from his committee was for the approval of all license requests and he so moved. With a second from Alderman Wallstrom the **Motion passed.**

<u>BOARD OF CONTROL COMMISSIONERS</u>

2011-2012 Liquor License Renewal Request

A motion was made and seconded (Notte, Barrett) to authorize the Clerk to sign the renewals. Alderman Sargeant looked to acknowledge various establishments on their successful passing of Tobacco sting operations. **Motion passed.**

xx liquor renewals for aldermen	
BUSINESS NAME D/B/A	**BUSINESS LOCATION**
3D's Café	86 Strongs Avenue
Jilly's	24 Merchants Row
Magoo's	52 Strongs Avenue
Moose Lodge #1122	78 Center Street
Muckenschnabel	45 Madison Street
Palms Restaurant	36 Strongs Avenue
Rutland Restaurant	55-57 Merchants Row
Saints of Pub 42	12 Wales Street
South Station	Trolley Square
Tapa's	128 Merchants Row

2011-2012 Entertainment License Request

A motion was made and seconded (Notte, Barrett) to authorize the Clerk to sign the renewals. **Motion passed.**

xx entertainment renewals for aldermen	
BUSINESS NAME D/B/A	**BUSINESS LOCATION**
3D's Café	86 Strongs Avenue
Jilly's	24 Merchants Row
Magoo's	52 Strongs Avenue
Saints of Pub 42	12 Wales Street
South Station	Trolley Square
Tapa's	128 Merchants Row

2011-2012 Outside Consumption Request

A motion was made and seconded (Davis, Barrett) to authorize the Clerk to sign the renewals. **Motion passed.**

xx outside consumption renewals for aldermen		
BUSINESS NAME D/B/A	**BUSINESS LOCATION**	**Comments**
Magoo's	52 Strongs Avenue	
Tapa's	128 Merchants Row	
3D's Café	86 Strongs Avenue	
Jilly's	24 Merchants Row	
Moose Lodge #1122	78 Center Street	

2011-2012 Tobacco License Renewal Request

A motion was made and seconded (Davis, Barrett) to authorize the Clerk to sign the renewals. **Motion passed.**

xx tobacco renewals for aldermen	
BUSINESS NAME D/B/A	**BUSINESS LOCATION**
3D's Café	86 Strongs Avenue
Magoo's	52 Strongs Avenue

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

<u>UNFINISHED BUSINESS</u>
None reported

Alderman Allaire asked the Board to take up a coin drop request for the American Legion as all of the paper work was in order. A motion was made and seconded (Notte, Davis) to suspend the rules. **Motion passed.** A motion was then made and seconded (Notte, Romeo) to approve the request. **Motion passed.**

<u>MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS</u>

Alderman Sargeant asked for a motion to refer the issue of the potential relocation of the Division of Fire Safety from its present location in Rutland to Ludlow. The motion was seconded by Alderman Davis. **Motion passed.**

Alderman Larson formally asked the City Clerk to cancel the Finance Committee meeting as the issue had been resolved earlier that evening.

Attorney Costello; Request for executive session, Consideration of Contract

At 7:43 PM a motion was made and seconded (Robinson, Davis) to move into executive session to discuss the consideration of a contract where premature or general knowledge would place the City at a substantial disadvantage. **Motion passed.**

President Allaire asked for Chambers to be cleared so the Board could move into executive session.

At 8:23 PM a motion was made and seconded (Davis, Barrett) to come out of executive session. **Motion passed.**

A motion was made and seconded (Notte, Barrett) to authorize the City to offer Warren Conner insurance consistent with the 1999 contract. **Motion passed.**

A motion was made and seconded (Davis, Robinson) to go back into executive session for the consideration of negotiating real estate options. **Motion passed.**

At 8:40 PM a motion was made and seconded (Robinson, Notte) to come out of executive session. **Motion passed.**

A motion was made and seconded (Robinson, Barrett) to refer the issue of meeting with the City School Commissioners to talk about City property to the Committee of the Whole. **Motion passed.**

At 8:43 Pm a motion was made and seconded (Davis, Notte) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk