

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, February 7, 2011

Members present; President Allaire, Aldermen Dress, Barrett, Notte, Larson, Tilden, Robinson, Sargeant, Coleman, DePoy, and Davis. City Attorney Costello and City Clerk Heck.

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

MINUTES OF PREVIOUS MEETING (Monday, January 18, 2011)

A motion was made and seconded (Davis, Larson) to approve the minutes. **Motion passed.**

OUTSIDE THE RAIL

Dawn Hance of Rutland City came before the Board with a request to have Attorney Costello explain the Charter Articles that have been placed on the March 1, 2011 ballot. Ms. Hance stated that the language is confusing and feared that voters may not understand the action of their vote. Attorney Costello explained that on Charter Articles 1 & 2 a YES vote would replace the current language of the Charter (the Assessor and Treasurer would be appointed) a NO vote would keep the language as it is (the Assessor and Treasurer would be elected).

Chief Schlachter asked to have Tristan Pellen come before the Board to be recognized for saving the life of a man she came upon when delivering food for Meals on Wheels. The Board stated that they would be happy to recognize her good deed, when Chief Schlachter could arrange the meeting.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Andrew Costello; City Attorney, "Request for Executive Session – Pending Civil Litigation"
President Allaire asked for a motion to move the executive session to the end of the meeting. Alderman Davis so moved and with a second from Alderman Tilden; the **motion passed.**

Alan Shelvey; Commissioner of DPW, Bridge List and Needs

After a brief discussion with Commissioner Shelvey the issue was referred to Public Works Committee (Davis, Robinson). **Motion passed.**

Wendy Wilton; Treasurer, Treasurer's Report

Treasurer Wilton gave an overview of the current fiscal standings of the City. She stated that expenses and revenues were in line with the current fiscal timeline.

Wendy Wilton; Treasurer, Funding for Artificial Turf

Treasurer Wilton gave the Board the option of self funding the purchase of artificial turf for Giorgetti Park. She stated that the Board of Finance approved the purchase with the option of a lease to buy with a 4.71% interest rate. The Treasurer asked if she could

look into finding a lower finance option. Upon her research she found that if the City was to self finance they could save over \$21,000. A motion was made and seconded (Davis, Dress) to suspend the rules. **Motion passed.** A motion was then made and seconded (Robinson, Dress) to approve the budget amendment to move \$28,600 in expense from the Rec Programs to Giorgetti. **Motion passed. See attached sheet on description of the self-funding mechanism.**

Treasurer Wilton asked for one last request from the Board dealing with an amendment to the 457 plan. A motion was made and seconded (Davis, Dress) to suspend the rules. **Motion passed.** President Allaire stated that there was a need for an amendment to authorize the City to accept the stock and liquidate in an appropriate manner. Alderman Davis so moved. There was a second from Alderman Dress. After brief debate, the **Motion passed. (Alderman Larson abstained)**

REPORTS OF STANDING COMMITTEES

Sharon Davis, Chair Community & Economic Development

Alderman Davis read her report which contained three separate issues with motions. The first issue was the closing of a grant for the Food-Hub in the amount of \$18,000. A request to set a public hearing for the closer of this grant was requested for February 22, 2011 at 6:50 PM and she so moved. With a second from Alderman Dress the **Motion passed.**

The next issue dealt with the Rutland Creek Path the final design phase. Alderman Davis stated that VTrans was getting ready to release \$630,000 of federal money for the project. The next step in the process would be for an RFQ. The Creative Economy has agreed to pay for the advertisement. A motion was made and seconded (Davis, DePoy) to authorize the Mayor to allow the advertisement of the RFQ (Request for Qualification) for the Rutland Creek Path. **Motion passed.**

The last issue dealt with the Center Street Alley Project. Alderman Davis stated that \$973,834 was earmarked by the Feds for the project. The total cost was to be around \$1.5 million with the remaining funds coming from in kind work or donations. The next step is for a request for qualification for engineer and design work with construction this season. A motion was made and seconded (Davis, Barrett) to authorize the Mayor to sign the agreement with the State. **Motion passed.**

REPORTS OF SELECT COMMITTEES

None to report

REPORTS OF REPRESENTATIVES

Alderman DePoy stated that he just wanted the public to know that there will be a Public Hearing on February 24 at 6PM at the Dana Rec Center in regards to the proposed Giorgetti expansion project.

Alderman Robinson reported on the Rutland Downtown Partnership where he sits as a representative from the Board. He spoke of \$1,000 Micro Grants that will be available to local businesses. Alderman Robinson made a motion which was seconded (Robinson,

Davis) to refer the issue of the new Partnership website to the Community and Economic Development Committee. **Motion passed.**

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Nate McKay; Request for fee waiver, RAVE Car Show, July 9-10, 2011

A motion was made and seconded (Davis, Tilden) to suspend the rules. **Motion passed.**

A motion was made and seconded (Davis, Robinson) to approve the fee waiver for the RAVE Car Show on July 9-10. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Request to approve the following Licenses

2011-2012 Liquor Licenses

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

xx liquor renewals for aldermen	
BUSINESS NAME D/B/A	BUSINESS LOCATION
American Legion Post #31	33 Washington Street
Bedard's Cash Market	137 Library Avenue
Church St. Discount Beverage (Beer King)	57 Crescent Street
Circle K Vermont, Inc,	86 Woodstock Avenue
Cumberland Farms #8004	212 South Main Street
Little Harry's	121 West Street
New Kong Chow Fusion	48 Center Street
Party Store	129 Strongs Avenue
Price Chopper #131	38 Rutland Shopping Plaza
Rite Aid	7 West Street
Rutland Country Store	215 North Main Street
Stewart's Shop #192	Strongs Ave/South Main St.
Stewart's Shop #194	81 State Street.
Stewart's Shop #196	194 Woodstock Avenue
Submuloc, Inc. (Knights of Columbus)	21 Merchants Row
Three Tomatoes Trattoria	88 Merchants Row
VFW Post #648	15 Wales St.
Walgreens 01756	10 Woodstock Ave
Washbucklers	147 State St.

2011-2012 Tobacco Licenses

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

xx tobacco renewals for aldermen	
BUSINESS NAME D/B/A	BUSINESS LOCATION
Bedard's Cash Market	137 Library Avenue
Church St. Discount Beverage (Beer King)	57 Crescent Street
Circle K Vermont, Inc,	86 Woodstock Avenue
Cumberland Farms #8004	212 South Main Street
Price Chopper #131	38 Rutland Shopping Plaza
Rite Aid	7 West Street
Rutland Country Store	215 North Main Street
Stewart's Shop #192	Strongs Ave/South Main St.
Stewart's Shop #194	81 State Street.
Stewart's Shop #196	194 Woodstock Avenue
Walgreens #01756	10 Woodstock Avenue

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

UNFINISHED BUSINESS

None to Report

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Robinson made a request for the Planning Commission to refer the issue of a walking safely survey conducted by the AARP to the Public Safety Committee. **Motion passed.**

Alderman Davis wanted to thank the DPW for all of their hard work recently with plowing and snow removal. She also wanted the Commissioner to be aware of complaints from citizens in regards to the height of the snow banks and the difficulty at intersections trying to see oncoming traffic. A motion was made and seconded (Davis, Barrett) to refer this issue to the Commissioner and would like him to report back to the Board with a resolution to the problem. **Motion passed.**

President Allaire commented on an article in the Boston Globe in regards to our City and Pine Hill Park. He stated how positive it was and that we should all be proud.

At 7:55 PM a motion was made and seconded (Davis, Notte) to move into executive session to discuss Civil Litigation where premature or general knowledge could place the City at a substantial disadvantage. Attorney Costello also stated that there would be

discussion on labor relation agreement with employees where premature or general knowledge could place the City at a substantial disadvantage. **Motion passed.**

At 8:30 PM a motion was made and seconded (Coleman, Notte) to come out of executive session. **Motion passed.**

A motion was made and seconded (Notte, Sargeant) to approve Attorney Costello's proposed contract amendment request. Following brief debate the **motion passed.**

At 8:35 PM a motion was made and seconded to go back into executive session (Davis, Coleman). **Motion passed.**

At 8:45 PM a motion was made and seconded (Davis, Tilden) to come out of executive session. **Motion passed.**

A motion was made and seconded (Robinson, Larson) to allow VLCT to join the City of Rutland and Barre City cases. **Motion passed.**

At 8:54 PM a motion was made and seconded (Coleman, Tilden) to go back into executive session. **Motion passed.**

At 9:01 PM a motion was made and seconded (Tilden, Davis) to come out of executive session. **Motion passed.**

A motion was made and seconded (Robinson, Tilden) to except the settlement of Lorman vs. the City of Rutland on the terms suggested by Vermont League of Cities and Towns (VLCT). Various Aldermen abstained from voting on the issue sighting personnel (Sargeant) professional (Dress) and previous work (Larson) relationships. **Motion passed.**

At 9:03 PM a motion was made and seconded (DePoy, Robinson) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk