CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, June 7, 2010

Members Present: President Allaire, City Attorney Costello, Aldermen Barrett, Notte, Larson, Tilden, Robinson, Sargeant, Coleman, DePoy, Davis and Deputy City Clerk Clark

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

MINUTES OF PREVIOUS MEETING (Monday, May 17, 2010)
Alderman Robinson moved to approve the minutes of the Monday May 17th meeting. Alderman Coleman seconded motion and the motion passed.

OUTSIDE THE RAIL
There was none.

COMMUNICATIONS FROM THE MAYOR
Pension Board Recommendation
Mayor Louras spoke outside the rail stating the Pension Board is currently made up of the members of the Board of Aldermen, members of the School Board and the City Treasurer as a voting member as Administrator. Mayor Louras stated it is the recommendation of the School Department to change the make up of the Pension Board to model other public pension boards as a professional board consisting of financial specialists for their professional judgment without regard to politics or labor issues with no employee members and the Treasurer being the pension Administrator. Alderman Robinson moved to refer the applicable ordinance to reconstitute the Pension Board the Charter & Ordinance Committee. Alderman Notte seconded. Alderman Davis spoke against the referral. After brief discussion, the motion to refer passed with Alderman Davis opposing.

Water/Sewer Enterprise Budget FY 2011
Mayor Louras spoke outside the rail saying there are neither cost of living allowances (COLA) nor new personnel additions to the administration's recommended budget and there are significant and necessary capital improvement expenses with the budget recommendation. Mayor Louras requested this issue be referred to the appropriate committee and to have Dave Adams from Efficiency Vermont noticed to attend the committee meeting. Discussion of carbon ensued with Alderman Robinson moving to refer the Water/Sewer Enterprise Fund Budget FY 2011 to the Public Works Committee and have Mr. Adams from Efficiency Vermont be warned. Alderman Notte seconded. Alderman Davis asked if water and sewer rates estimates would be available. Mayor Louras said it would be available when the budget is to be approved. The motion to refer passed.

Legal Services Request for Proposal
Mayor Louras spoke outside the rail asking the board to authorize the mayor to invite proposals (RFP) for outside legal services for two separate issues: rewriting the Charter for the Police Commission and for options for the Moon Brook Watershed. Alderman Davis moved to suspend the rules. Alderman Notte seconded and the motion passed. Alderman Notte moved to authorize the Mayor to invite proposals and seek outside council for potential revisions to Chapter 22 Police Department. Alderman Davis seconded. Alderman Sargeant suggested modifying the motion to include 16 recommendations that were discussed in committee. President Allaire said they are looking for guidance at this time. Alderman Notte spoke against modifying the motion to keep this as simple as possible. The issue was debated and ended with the motion passing.

President Allaire said the second item is to authorize the Mayor to seek professional services (RFP) for the Moon Brook Stormwater impaired designation Watershed. Alderman Davis so moved with Alderman Notte seconding and stating this issue is in the Public Works & Intermunicipal Committees. The motion passed.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Anthony Bossi; Chief of Police, Request for Authorization to sell two Police Cruisers
Alderman Davis moved to suspend the rules. Alderman Notte seconded and the motion passed. Alderman Davis moved for the approval of selling two cruisers that was to go out to bid and the proceeds from the sales to be returned to the Equipment Replacement Fund. Alderman Notte seconded and the motion passed. Aldermen Larson and Coleman opposed.

Evan Pilachowski; City Engineer, Library Ave. Storm Sewer Separation Project
Alderman Davis moved to refer the issue to the Public Works Committee. Alderman Robinson seconded then stated the referral should be referred to the Finance Committee for possible bonding issues. Alderman Davis and Notte stated the appropriate committee is Public Works. After brief discussion, the motion to refer to the Public Works Committee passed.

Wendy Wilton; Treasurer, Unexpected Insurance Revenue from Accident
Treasurer Wilton spoke outside the rail explaining the $1,500.00 the city received is to compensate for destruction of a mature tree city tree a motorist accidentally hit and requested authorization to increase the budget for tree planting by $1,500.00 accordingly. Alderman Davis moved to suspend the rules. Alderman Robinson seconded and the motion passed. Alderman Davis moved for the approval. Alderman Barrett seconded. Alderman Coleman questioned the whether they can increase a line item by a "transfer". Treasurer Wilton explained they are not changing the budget that they approved but this is unexpected insurance revenue. The motion passed.

Wendy Wilton; Treasurer; Interfund Transfer Request
Treasurer Wilton spoke outside the rail requesting the board authorize the Treasurer to transfer $10,000.00 in the Professional Services under DPW Administration line to the Sewer Fund. Alderman Davis moved to suspend the rules. Alderman Robinson seconded and the motion passed. Alderman Robinson moved to approve the transfer. Alderman Davis seconded. Treasurer Wilton asked for an amendment to include resources & expenditures. Alderman Robinson agreed and the motion passed.

Wendy Wilton; Treasurer; Treasurer's Report (EMAILED)
Treasurer Wilton spoke outside the rail and updated the board on financial figures as of May 30, 2010. Treasurer Wilton asked the board for a referral to committee for a policy to ensure water and sewer funds are self-sufficient and maintain sufficient cash (2 months worth). Alderman Robinson moved to refer the issue to the Public Works Committee. Alderman Barrett seconded. Alderman Notte said the water & sewer shortfalls issue is both the Public Works and Charter & Ordinance Committees. Treasurer Wilton said this referral is for a specific recommendation on how to cure the problem. After discussion, the motion passed. Treasurer Wilton also discussed vacant properties in the City and if the board had suggestions on this issue. President Allaire said a related issue is in the Charter & Ordinance Committee.

Wendy Wilton; Treasurer, Employee Request; Waiver from contract agreements & past practice
Treasurer Wilton explained she is requesting to refer this issue to the General Committee. Alderman Notte so moved and Alderman Robinson seconded the motion passed.

Michael Coppinger; Downtown Partnership, Request involving Revolving Loan to S & E Enterprises
Mr. Coppinger spoke outside the rail regarding S&E Enterprises looking to secure a loan from the Revolving Loan Fund in the amount of $110,000.00 for 42 Center Street. Mr. Coppinger said the Revolving Loan Fund Committee discussed this request and said the motion made in committee for the City of Rutland to subordinate the first mortgage position on 42 Center Street for a total amount of debt service on the building not to exceed $140,000.00 ($110,000.00 on the first mortgage with the bank and $30,000.00 with the Revolving Loan Fund). Alderman Notte moved to suspend the rules. Alderman Sargeant seconded motion passed. Alderman Notte moved to approve the subordination of the Revolving Loan Fund. Alderman Robinson seconded. Alderman Notte, Sargeant, and the City Treasurer spoke in favor of the motion. The motion then passed.

Mr. Coppinger then spoke an application to the Revolving Loan Fund from John Sabataso for 43 Strongs Avenue to create a gallery and artist space on second floor. The loan is for $25,000.000 and he would use 38 Strongs Avenue as additional security and equity for this loan. Alderman Robinson moved to suspend the rules.

Alderman Larson seconded and the motion passed. Alderman Robinson moved to approve the $25,000.00 from the Revolving Loan Fund. Alderman Davis seconded and the motion passed.

REPORTS OF STANDING COMMITTEES

Sharon Davis; Vice-Chair, Finance Committee

Alderman Davis said the issue of outside legal council was already reported out tonight by the Mayor and will file with the Clerk.

Sharon Davis; Chair, Community and Economic Development; Paramount Roof Repair w/Zamias Funds

Alderman Davis read her committee report and said the motion from committee is to take $28,243.00 from the Zamias Fund to support the Paramount Roof repair with $15,000.00 to be paid back from the Historic Preservation Fund to be used to repay the Zamais Account, in which she so moved. Alderman Notte seconded. Alderman Robinson expressed concerns using Zamais Funds and feels this situation is better suited for the Revolving Loan Fund. Aldermen Notte, Davis, DePoy, Sargeant, Barrett, Larson & Coleman spoke in favor of the motion. Aldermen Tilden also expressed concern of how Zamais money is used.

Edward Clark; 1 E Washington Street (Facilities Chair of the Paramount & local architect)
Mr. Clark spoke outside the rail in favor of using the Zamias fund for the roof repair and stated that the Historic Preservation Grant would not be awarded retroactively if the project has already started.

After further debate, the motion passed with Aldermen Tilden and Robinson opposing.

William Notte; Chair, Public works Committee

Alderman Notte read his committee report and stated a motion in committee was to authorize the City Treasurer to establish a Bridge Repair & Replacement Fund to address the work required in the on-going maintenance, repair and replacement of city owned culverts and bridges, in which he so moved. Alderman Davis seconded. Alderman Sargeant spoke in favor of the motion and the motion passed.

Christopher Robinson; Chair, Public Safety (Challenges for change)

Alderman Robinson said minutes were not submitted at this time and read his committee report and asked for this issue is closed. Information only.

REPORTS OF SELECT COMMITTEES

There was none.

REPORTS OF REPRESENTATIVES

There was none.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

President Allaire moved the following issue forward:

Rutland Area Prevention Coalition; Request for Ordinance Change banning smoking in City Parks

Ann Marie McNeil; Deborah Drive
Ms. McNeil spoke outside the rail in favor of this request.

Emily Knapp; West Rutland
Ms. Knapp spoke outside the rail saying they will pay for the signage and asked for a referral to committee.

Alderman Robinson moved to refer the issue to the General Committee. Alderman DePoy seconded. Alderman Notte suggested the committee should be Charter & Ordinance. Alderman Robinson amended his motion to refer to Charter & ordinance. Alderman Depoy agreed and seconded. Alderman Notte will include the Recreation and DPW Departments. The motion passed.

Alderman Davis moved the following issue forward:
Special Events Permit: Friday Night Live, June 25-Aug. 20, 2010 6:00 AM – 10:00 PM
Mr. Coppinger spoke outside the rail of Friday Night Live. Alderman Tilden moved to suspend the rules. Alderman Notte seconded and the motion passed. Alderman Coleman moved to approve Friday Night Live Special Events Permit. Alderman Notte seconded and after brief discussion, the motion passed.

10 minute break @ 8:50 PM

President Allaire moved Art in the park forward
Special Events Permit; Chafee Art Center, Art in the Park, August 14 & 15, 2010 10:00 AM – 5:00 PM
Alderman Davis moved to suspend the rules. Alderman Tilden seconded motion passed. Alderman Davis moved to approve the Chaffee Art Center Special Events Permit for Art in the Park on August 14 & 15, 2010. Alderman Robinson seconded.

Sherri Birkheimer-Rooker; 18 Catherine Drive
Ms. Birkheimer-Rooker spoke outside the rail about the event.

The motion to approve the Special Event permit passed.

Special Events Permit; Chafee Art Center, Art in the Park, October 9 & 10, 2010 10:00 AM – 5:00 PM
Alderman Robison moved to approve the Chaffee Art Center Special Events Permit for Art in the Park on October 9 & 10, 2010. Alderman Davis seconded and the motion passed.

Request for Tax Abatement; Margaret Robertson, 234 Pearl Street
President Allaire set a committee of Aldermen Davis, DePoy & Sargeant with Alderman Davis as chair for July 6, 2010 at 6:45 PM. Alderman Notte seconded and the motion passed.

Hope Rogers; CVPS, Pole & Wire Request, Howard Ave, Piedmont Drive, & Stratton Rd
Alderman Davis moved to suspend the rules. Alderman Tilden seconded and the motion passed. Alderman Davis moved to approve the pole & wire request with the seven standard conditions. Alderman Coleman seconded and the motion passed.

Fair Point Communications; Request for Pole & Wire Location State St. & Pierpoint Ave
Alderman Davis moved to suspend the rules. Alderman Tilden seconded and the motion passed. Alderman Davis moved to approve the pole & wire request with the seven standard conditions. Alderman Robinson seconded and the motion passed.

Symmes, Maini & Mckee Associates; Request for Water Allocation
Alderman Davis moved to refer the water allocation request to the Intermunicipal Committee. Alderman Coleman seconded and the motion passed.

Jim O'Gorman; RCSWD Request for Contract Extension
President Allaire said this issue was acted on at the January 19, 2010 meeting. Alderman Davis to receive and file with the City Attorney to follow up to make sure RCSWD has necessary signatures. Alderman Robinson seconded and the motion passed.

Village Snack Bar Request for Entertainment Permit
President Allaire said all signatures were received, is in order. Alderman Robinson moved to suspend the rules. Alderman Notte seconded motion passed. Alderman Robinson moved to approve the Entertainment Permit. Alderman Notte seconded. There was discussion of the days and times of the permit and this being a renewal permit. Alderman Davis moved to refer the issue to the General Committee. Alderman Barrett seconded and after discussion, the motion passed. Aldermen Coleman and DePoy opposed.

Alderman Davis moved to go into the Board of Control Commissioners. Alderman Robinson seconded and the motion passed.

BOARD OF CONTROL COMMISSIONERS

Center St. Saloon; Request for Outside Consumption Permit

President Allaire said the motion to approve and authorize the Clerk to sign, in which Alderman DePoy so moved with Alderman Davis seconding. City Attorney Costello said to approve contingent upon receipt of certificate of insurance. Alderman Robinson moved to amend the motion to include certificate of insurance.

Alderman Davis seconded and asked the City Attorney if the Building Inspector needs to sign off on this and said there should be approval by Jim Simonds. Alderman Davis amended the motion to authorize the Clerk to sign pending receipt of insurance and Building Inspector signs off on the permit. Alderman Robinson seconded and the motion passed.

Alderman Davis moved to go out of the Board of Control Commissioners. Alderman Robinson seconded motion passed.

UNFINISHED BUSINESS

There was none.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Unexpected Funds; City Treasurer Memo

Alderman Davis moved to refer to the Finance Committee. Alderman Robinson seconded and the motion passed.

Treasurer Wilton suggested setting the tax rate on Monday July 19th.

Alderman Davis moved to adjourn. Alderman Robinson seconded and the motion passed. The meeting adjourned at 9:20 PM.

Respectfully Submitted,

Susan A. Clark
Deputy City Clerk