

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, July 19, 2010

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

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETING (Tuesday, July 6, 2010)

Alderman Robinson moved for the approval of the minutes from July 6, 2010. Alderman Tilden seconded and the motion passed.

OUTSIDE THE RAIL

Lynn Walsh; National Night Out

Ms. Walsh spoke outside the rail about National Night Out which will be held on Tuesday, August 3, 2010 from 4:30 PM until 8:00 PM at Whites Pool.

COMMUNICATIONS FROM THE MAYOR

Recommendation of John Page for Charter and Ordinance Committee Legal Professional Services

Mayor Louras spoke outside the rail stating Mr. Page has a good rapport with the Board, knows how Chapter 22 of the Charter works with state statute and will work for the Board and with the Board. Alderman Davis moved to suspend the rules. Alderman Barrett seconded motion passed. Alderman Davis moved to accept the recommendation of John Page. Alderman Barrett seconded and the motion passed (*there is a cap of \$5,000.00*)

Treasurer Wendy Wilton, Setting of Tax Rate FY 2011 (item was moved up)

Mayor Louras spoke outside the rail stating the voters approved a budget of \$18,336,539.00 and reported projected revenues are \$2,595,325.00 and spoke of various figures from other departments and transfers from the water, sewer, streets and parking meter funds totaling \$1,638,849.00 that were approved by the Board. Mayor Louras stated there is a surplus of approximately \$900,000 (Mayor Louras provided a handout to the Board with a breakdown of how the surplus figure was calculated). Treasurer Wilton stated the state education tax rate is 9.39%; municipal tax rate is 3.61% which leaves a tax rate of 6.5% (this equates to a \$245.97 tax increase on a home valued at \$150,000.00). Mayor Louras and Treasurer Wilton further explained the tax calculations to the Board. Alderman Davis asked Treasurer Wilton to restate the total increase to a home assessed at \$150,000.00. Treasurer Wilton explained there would be an increase of \$245.97 which is a 6.5% increase (\$177.60 due to education and \$68.37 due to municipal changes) which gives an education tax rate of 9.39% and a municipal tax rate of 3.61% which is 6.5%. President Allaire said by charter the Board needs to set a tax rate by July 20, 2010. Alderman Davis moved to suspend the rules. Alderman Robinson seconded and the motion passed. President Allaire stated the municipal tax rate be set at \$1.3090, in which Alderman Davis so moved. Alderman Robinson seconded. After brief explanation from Treasurer Wilton, the motion passed. Alderman Dress opposed. President Allaire also said by charter the Board needs to set education tax rates; non-residential \$1.6314 and homestead tax rate \$1.3792, in which Alderman Davis so moved. Alderman DePoy seconded and the motion passed. Aldermen Dress and Barrett opposed.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

City Attorney Andrew Costello, CPower Agreement

Alderman Robinson moved to suspend the rules. Alderman Tilden seconded and the motion passed. Alderman Robinson moved to authorize the Mayor to sign the CPower Agreement on behalf of the city. Alderman Notte seconded.

Lou Hotaling; Dept of Public Works

Mr. Hotaling from the DPW spoke outside the rail explaining the CPower Agreement agreement and the addendum to the agreement. Mr. Hotaling said he hopes to see \$2,500.00 to \$3,000.00 annual income because of this. Mr. Hotaling said the contract that was signed last year remains the same.

The motion then passed.

RRA; Barbara Allen, Set Public Hearing, VCDP Planning Grant 2010

Alderman Davis moved to suspend the rules. Alderman Notte seconded and the motion passed. President Allaire stated Ms. Allen would like the VCDP Planning Grant public hearing be set on August 16, 2010 at 6:30 PM, in which Alderman Davis so moved. Alderman Notte seconded and the motion passed.

RRA; Barbara Allen, Set Public Hearing for Transportation Grant (Rutland Creek Path)

President Allaire stated Ms. Allen would like to set the Transportation Grant Public hearing for August 2, 2010 at 6:30 PM, in which Alderman Davis so moved. Alderman Robinson seconded and the motion passed.

Treasurer Wendy Wilton, USDA Loan/Grant Library Repair

Treasurer Wilton spoke briefly outside the rail on this issue and said this document was emailed to the Board and then introduced John Muse of USDA.

John Muse; USDA

Mr. Muse spoke outside the rail stating the total project cost submitted is \$663,200.00, less the \$200,000.00 grant for an actual loan amount of \$463,200.00; current bond rate is 4% fixed for 10 years and if the interest rate goes down at the date of closing the city would get the lower rate. Mr. Muse stated he has a letter of conditions for this loan and said this project is funded through the American Recovery and Reinvestment Act which enabled the larger grant portion. Alderman Sargeant moved to suspend the rules. Alderman Coleman seconded and the motion passed. Alderman Dress moved to authorize the Board President to sign the document. Alderman Barrett seconded and the motion passed.

Treasurer Wendy Wilton, Preliminary 6-30-10 Numbers, YTD & Balance Sheet

Treasurer Wilton spoke briefly outside the rail on this issue.

Treasurer Wendy Wilton, Interfund Transfer Request

Treasurer Wilton spoke outside the rail of the current expense refinance note of \$6,000,000.00 to be paid over 10 years with a level principal payment of \$600,000.00 per year 75% to be paid out of the water fund and 25% to be paid out of the sewer fund. Treasurer Wilton stated she would like a motion to authorize the Mayor and her to sign the note, the borrowing resolution, the tax certificate and the Clerk to attest. Alderman Davis moved to suspend the rules. Alderman Coleman seconded and the motion passed. Alderman Coleman moved to authorize the Mayor and Treasurer to sign the current expense note dated July 20, 2010 in the amount of \$6,000,000.00. Alderman Davis seconded and the motion passed.

Treasurer Wendy Wilton, Request for Referral, Accounts Receivable

No report – will bring to next meeting

Treasurer Wendy Wilton; Reconciliation Issue

Treasurer Wilton spoke outside the rail of a reconciliation issue for the property tax escrow fund.

She stated it was discovered that approximately \$21,000.00 was determined to belong to General Fund but had not been transferred after the completion of tax sales in previous years. She advised the Board the transfer will be made to correct the balance and her advice meets the requirements of the ordinance.

REPORTS OF STANDING COMMITTEES

Sharon Davis; Chair, Community and Economic Development Train Car (7/15/2010)

Alderman Davis read her committee report. Alderman Davis stated the motion in committee is to authorize the City to accept title to a 1913 Rutland Railcar from the Vermont Railway, in which she so moved. Alderman Robinson seconded and the motion passed. This issue will remain in committee.

Sharon Davis; Chair, Form of Government (July 8 & 15, 2010)

Alderman Davis read her committee report stating the committee looked into the Assessor's and Treasurer's job duties and for those positions being appointed rather than elected, keeping the Mayor's position an elected position and having the issue ready for the November election. President Allaire stated he would like to get the issue on the November ballot. Alderman Notte stated he would like all of the questions answered before a ballot item is decided and there is no guarantee the Charter & Ordinance Committee will put this item on a ballot. Alderman Dress spoke in agreement with Alderman Notte and stated the public needs to know where the process lies. Alderman Davis said she would provide a draft copy of the Assessor's duties if needed. Alderman Dress said he would present to the Board where his committee stands on this issue.

Sharon Davis; Chair, Intermunicipal Committee (July 13, 2010)

Alderman Davis read her committee report on the Rutland Town and Alpine Advelorum issues how the towns on the system share information. Information only - issue remains in committee.

REPORTS OF SELECT COMMITTEES

There was none

REPORTS OF REPRESENTATIVES

There was none

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

There was none

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

BOARD OF CONTROL COMMISSIONERS

First Class Liquor License Request; Center Street Alley

Alderman Davis moved to circulate for signature the First Class Liquor License for Center Street Alley. Alderman Barrett seconded and the motion passed.

Outside Consumption Request; Center Street Alley

President Allaire stated City Attorney Costello had noted Center Street Alley has not submitted a certificate of insurance and suggested approving the request pending receipt of insurance. Alderman Robinson moved for the approval pending certificate of insurance. Alderman Davis seconded and the motion passed.

Entertainment Permit Request; Center Street Alley

Alderman Robinson moved for the approval pending certificate of insurance. Alderman Davis seconded and expressed concern of the hours of the permit being 6:00 PM until 2:00 AM of the permit and whether the entertainment is inside or outside. Alderman Davis amended the motion to limit the

entertainment hours to the inside of the bar and the doors are kept closed to the alley. Alderman Tilden reminded the Board entertainment is limited to 12:00 AM. Alderman Robinson seconded the amendment. There was discussion on whether the entertainment request is for inside or outside. The motion then passed

Outside Consumption Request; Rutland Elks Club

Alderman Robinson moved to approve. Alderman Tilden seconded and the motion passed.

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

UNFINISHED BUSINESS

Alderman Robinson; Issue of bond ballot item in August

Alderman Robinson spoke of a potential bond question for the Library Avenue storm water overflow for either the August or November election. City Attorney Costello stated since this issue is still in committee the Board would have to suspend the rules and take the up the issue, in which Alderman Robinson so moved. Alderman Tilden seconded. The motion to suspend the rules failed.

Alderman DePoy; Entertainment Permit for new Center Street Alley

Alderman DePoy stated the owner does want outside entertainment and said the new owner would need to let the Board know what his plans are and follow the confines of the current ordinance.

Tax Rate Clarification

Treasurer Wilton asked for a friendly amendment for the municipal tax rate that was reported earlier should have been reported as 1.3066, not 1.3090. Alderman Davis moved to amend the municipal tax rate from 1.3090 to 1.3066 Alderman 0 to 1.30666 from 1.3090. Alderman Coleman seconded and the motion passed. Alderman Dress opposed.

Police Chief Bossi; Request to purchase 2 new police cruisers

President Allaire said this was not an agenda item and is not sure if this issue had been taken up or not. City Attorney Costello said the Board can approve pending condition this had not been approved in the past. Alderman Robinson moved to suspend the rules. Alderman Tilden seconded and the motion passed. Alderman Davis moved to approve the request with the stipulation that the Police work within their percent share. Alderman Barrett seconded. Alderman Robinson amended the motion to include this has not been approved in the passed. Alderman Larson expressed concerns about the amount of the purchase and mileage of the cars. Alderman Davis moved to refer the issue back to Public Safety. Alderman Notte seconded and the motion passed.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Clifford Giffin; 6 Sonia Drive; Letter Regarding Cemetery of Poor Farm

President Allaire commented on a letter Mr. Giffin sent to him. Alderman Davis moved to receive and file. Alderman Barrett seconded and the motion passed.

Alderman Davis moved to adjourn. Alderman Tilden seconded and passed. The meeting adjourned at 8:30 PM.

Respectfully Submitted,

Susan A. Clark
Deputy City Clerk