CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, July 6, 2010

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

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

MINUTES OF PREVIOUS MEETING (Monday, June 21, & 28, 2010)
A motion was made and seconded (Davis, Barrett) to approve the minutes. Motion passed.

OUTSIDE THE RAIL
Tom Donahue asked the Board to refer the issue of placing a 1913 railcar on exhibit at the train station to committee. A motion was made and seconded (Notte, Robinson) to refer the issue to the Community and Economic Development Committee. Motion passed.

COMMUNICATIONS FROM THE MAYOR
None to Report

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Tom Donahue, *Rutland Chamber of Commerce, US Route 4 VT. Byway Designation*
Tom stated that the Chamber is in support of the Rutland Regional Planning Commission's collaborative efforts to have US Route 4 designated a Vermont Scenic Byway. He introduced Seth Webb Director of Economic Development of Killington who gave a brief overview of the proposal. Tom was looking for a representative from the Board to sit on the steering Committee to act as a representative for the City. A motion was made and seconded (Notte, Larson) to suspend the rules. Motion passed. A motion then was made and seconded (Notte, Larson) to express interest in joining the Byway program and to authorize the Board President to select a representative from the Board, to represent the City. Motion passed.

Wendy Wilton, Treasurer*; 1. TAN approval for RPS, $3.5 million*
Treasurer Wilton came before the Board asking for authorization for her and Mayor Louras to sign the Revenue Anticipation Note in the amount of $3.5 million dollars. A motion was made and seconded (Notte, Davis) to suspend the rules. Motion passed. A motion was made and seconded (Davis, Notte) to authorize the Mayor and Treasurer to sigh the note. Motion passed.

2. Update on Delinquent Taxes and Utilities Bills
Treasurer Wilton Presented the Board with information pertaining to the delinquencies facing the City. The charts detailed historic information pertaining to delinquencies and the present state facing the City. She stated that the delinquency rate as of 6-30-2010 was 3.4% comparatively low compared to other municipalities. A motion was made and seconded (Davis, Notte) to refer the Alpine Portion of the delinquencies list to the Intermunicipal Committee for further discussion. Motion passed.

3. Request to sell IBM AS-400 Server
A motion was made and seconded (Davis, Robinson) to suspend the rules. A motion was made and seconded (Davis, Notte) to authorize the Treasurer to sell the IBM AS-400 server. Debate. Alderman Dress asked for an amendment asking to not invest more than $50 to try and sell the AS-400. Amendment was approved by maker and seconder. Motion passed.
REPORTS OF STANDING COMMITTEES
Sharon Davis; Chair, Community and Economic Development
Alderman Davis read her report. She stated that the Downtown Partnership had requested funds from the Zamias account to help finance a new web site featuring downtown businesses and activities,

including an active calendar. A motion was made and seconded (Davis, Robinson) to approve a $3,000 match, to develop a web site. There was brief debate to the often requested use of Zamias funds. Motion passed.

William Notte; Chair, Public Works
Alderman Notte stated that his committee met to discuss two issues. The first being the request of William"JR' Bullock to waive the sewer allocation fee for his project on Stratton Rd. After brief discussion the committee moved to reinstate the moratorium on sewer allocation fees for a period from March 31, 2010 to March 31, 2011, Alderman Notte so moved the motion to the full Board. Motion was seconded by Alderman Barrett. Motion passed.

The second issue discussed in committee was the potential bond question for the Library Ave. sewer separation project. There were several issues within the request that made it time sensitive. Specifically, when would the bond question be placed on the ballot, August or November? If it were the latter an RFP for $75,000 would be needed for the design process. A motion made in committee was later withdrawn and the report was for information only. After Alderman Notte's report, a motion was made and seconded (Robinson, Tilden) to place the bond question on the November Ballot. Debate; there was a question as to the RFP for $75,000 and where the funds would come from. Following further debate on the issue the motion was withdrawn.

Christopher Robinson; Chair, General Committee
This report was not listed on the agenda as the meeting was held prior to the Board meeting.
Alderman Robinson's General Committee met to discuss the request from Fred Rathjen. The issue of his request, to retire, and he pays his COBRA payment for insurance until March of 2011, at which time he makes the mandatory retirement age to collect his pension as well as his OPEB's. As this request would alter contract language there was concern that the Boards decision could set precedence. There was a great deal of debate.
A motion was made and seconded (Notte, Davis) to request the City Attorney to draft a one time exemption to the current DPW union contract allowing Fred Rathjen, to retire at the soonest possible opportunity providing he pay 100% of his health care cost until March 2011. At which time the City of Rutland will assume his cost of health care as if he had continued to work until age 58 as stated under the **current contract**.
At this junction the President asked the City Attorney if the Board needed to discuss the issue in executive session. At 8:50 PM a motion was made and seconded (Coleman, Tilden) to move into executive session. President Allaire asked the Board for a 5 minute recess, the motion passed.

At 9:20 PM the Board came out of executive session. The president restated the motion made by Alderman Notte, Alderman Robinson asked for a friendly amendment stating that the **current contract** meant July 1, 2007 until June 30, 2010. Alderman Robinson wanted to make sure that if the new contract stated different language that it would not pertain to Fred Rathjen. The maker and seconder agreed to the amendment. A roll call vote was requested by Alderman Barrett, the Chair asked the Clerk to call the roll.

Alderman Dress	**YES**	
Alderman Barrett	**YES**	
Alderman Notte	**YES**	
Alderman Larson	**YES**	
Alderman Tilden	**YES**	
Alderman Robinson	**YES**	
Alderman Coleman		NO
Alderman DePoy	**YES**	
Alderman Davis	**YES**	

Motion passed 8-1.

<u>REPORTS OF SELECT COMMITTEES</u>
<u>None to Report</u>

REPORTS OF REPRESENTATIVES
None to Report

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION
Special Events Permit; Sidewalk Sales and Ethnic Festival, July 30 & 31
A motion was made and seconded (Davis, Tilden) to suspend the rules. Motion passed.

A motion was made and seconded (Davis, Barrett) to approve the Special Events Permit for the Sidewalk Sale days and Ethnic Festival to be held July 30 & 31. Motion passed.

Special Events Permit; Special Olympics Coin Drop, September 18, 2010
A motion was made and seconded (Davis, Robinson) to suspend the rules. Motion passed.

A motion was made and seconded (Davis, Barrett) to approve the Special Events Permit for the Special Olympics coin drop to be held on September 18, 2010 from 10 to 2 PM. Motion passed.

*****Special Events Permit; MSJ Athletic Association, 8-14 -2010, 6 to 10PM***
(** added to the agenda the night of the meeting)
A motion was made and seconded (Davis, Tilden) to suspend the rules. Motion passed.

A motion was made and seconded (Davis, Tilden) to approve the Special Events Permit for the MSJ Athletic Association Yearly Raffle, to be held at the American Legion Post 31, 33 Washington St. Motion passed.

A motion was made and seconded (Robinson, Notte) to move into the Board of Control Commissioners

BOARD OF CONTROL COMMISSIONERS
Outside Consumption Request; American Legion Post 31
A motion was made and seconded (Tilden, Notte) to authorize the Clerk to sign. Motion passed.
* Noted Alderman Larson's concern on the dimensions of 20x40.

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

UNFINISHED BUSINESS
None to Report

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS
A motion was made and seconded (DePoy, Robinson) to reconsider the water and sewer vote from June 28th setting the increase at 14.9%. Motion passed 8-1.

A motion was made and seconded (Davis, DePoy) to refer the issue back to the Committee of the Whole. Motion passed.

Alderman Davis stated before setting the General Fund Tax Rate that the Board should have revenue projections. A motion was made and seconded (Davis, Larson) requesting the Mayor to provide to the Board prior to setting the General Fund Tax Rate revenues. Motion passed.

At 9:47 PM a motion to adjourn was made and seconded (Davis, Tilden). Motion passed.

Respectfully Submitted,

Henry Heck

Henry A. Heck
Rutland City Clerk