CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, August 2, 2010

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

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

MINUTES OF PREVIOUS MEETING (Monday, July 19, 2010)
A motion was made and seconded (Coleman, Davis) to approve the minutes. Motion passed.

OUTSIDE THE RAIL
Roland Woodard of Citizens on Patrol gave a brief update on their organization. He mentioned that COP was holding a fundraiser and invited anyone to donate to their tag sale.

Anne White brought a traffic concern to the Board. She stated that at the intersection of Ripley Rd and Rt. 4 it was extremely difficult to take the left hand turn when cars were parked at the old Sofa-N-More location. Alderman Davis made a referral to traffic committee, with a second from Alderman Coleman the motion passed.
Ms. White also offered to give the Board information on potential funding ideas for a new recreation facility.

Warren Conner spoke outside the rail in regards to the routes 4 & 7 project. He gave new-members a brief history of the project and referenced the latest Board of Highway Control Commissioners meeting. Warren requested a referral for further discussion. A motion was made and seconded (Davis, Notte) to refer to the Routes 4 & 7 committee. Motion passed.

COMMUNICATIONS FROM THE MAYOR
Recommendation for Legal Professional Services, Moon Brook Watershed
Mayor Louras briefly reviewed his letter of recommendation of Joseph McLean from the firm of Stitzel, Page, & Fletcher in regards to the potential litigation related to the Moon Brook watershed. A motion was made and seconded (Notte, Tilden) to suspend the rules. Motion passed. A motion was made and seconded (Notte, Barrett) to confirm the Mayor's recommendation.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Commissioner Shelvey; Request to sell DPW Truck
A motion to suspend the rules was made and seconded (Davis, Notte). Motion passed.
A motion was made and seconded (Davis, Robinson) to approve the commissioner's request with the proceeds going into the equipment replacement fund. After brief debate the motion passed.

Engineer Pilachowski; Request to award RFP
A motion to suspend the rules was made and seconded (Davis, Tilden). Motion passed.
A motion was made and seconded (Davis, Dress) to approve the RFP. Motion passed.
A motion was made and seconded (Davis, Barrett) to refer the issue to the Public Works Committee. Motion passed.

Barbara Allen; RRA, Resolution, Forest Park Redevelopment Phase 1
A motion to suspend the rules was made and seconded (Notte, Robinson). Motion passed.
A motion was made and seconded (Notte, Robinson) to circulate the Resolution for signatures. Motion passed.

Rutland City Police; Request for referral
A motion was made and seconded (Tilden, Barrett) to refer the issue of a vicious dog complaint to the Committee of the Whole. Motion passed.

REPORTS OF STANDING COMMITTEES
William Notte; Chair, Public Works Committee
Alderman Notte read his report; he gave a brief review of the issue as it had been discussed several times before the full Board. Alderman Notte also stated that Harold and Karen Weissman property owners on Library Avenue were present at the committee meeting. At the end of his report a motion was made and seconded (Notte, Tilden) to place the question of a bond for the library Avenue project on the November Ballot.
Several Alderman expressed concerns about public perception of Board approval.
Alderman Dress stated that he did not fully believe in the project and would not support the motion.
Several Aldermen spoke in support even though rates had increased and other projects waited in the wings.
Alderman Notte spoke on the possibility that the State will mandate the project even if the Board does not place the question as a bond on the next ballot.
Alderman DePoy questioned how the State could offer financial help if the municipality agreed and if they did not agree would make them do the project without financial help. He questioned the use of backflow preventers.
Alderman Larson questioned the level of pain that tax payers felt and could not increase that level of pain by increasing projects. Alderman Larson mentioned paying for the project without bonding.
Alderman Robinson stated that he felt is was not up to the Board to decide on the project but to allow the voters to state their desire.
Alderman Coleman stated that normally he would allow an issue to be voted on, but this circumstance was different. He did not like the fact that the City could possibly loose $75,000 and the State matching Grant was not guaranteed.
After more debate Harold Weissman spoke on the issue stating all he was looking for was an opportunity for the public to vote on the issue, and if the issue is not placed on the ballot it would be like a slap in the face. He asked the Board to please give the voters an opportunity to decide. Mr. Weissman spoke of negligence and the potential risk the City could face if the Board chose not to allow the voters a chance to vote.
Alderman Davis questioned when would the list of projects stop; she stated that the members of the Board where elected to make tough decisions.
Debate continued. A roll call vote was called by Alderman Larson. After several more minutes of debate President Allaire asked the Clerk to call the roll.

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

6 **NO,** 4 YES, motion was defeated.

Christopher Robinson; Chair, General Committee
Alderman Robinson read his report stating that the committee met to further discuss the creation of an inventory list of all City computers. He mentioned that Treasurer Wilton was approached in regards to using NEMRIC as the controlling software. The Treasurer presented the committee with 7

recommendations as to the process. The committee will reconvene in August to further discuss the issues.
The committee also discussed language for a new computer and internet use policy, and is awaiting approval from the City attorney. The final issue discussed was on a capitol improvement fund. A motion was made and seconded (Robinson, Dress) to use $800 from a returned Aldermen stipend to obtain training from VLCT on establishing a capital improvement fund. An amendment was made to approve the transfer of up to $800 from the Legislative Salary Line to the Training & Professional Development Line. Motion passed.

At this time a five minute recess was called to allow Alderman Dress to prepare for his slide show.

Dave Dress; Co-Chair, Form of Government
Alderman Dress's committee presented a slide show detailing the results of the committee's process. The slides with narration from Ted Mandeville outlined the process and the step by step outline the committee used to obtain their decision to promote a City Manager form of government.

Sharon Davis; Co-Chair, Form of Government, July 22 & 29
Alderman Davis presented her committee's report on an appointed vs. elected process. She stated that her committee was also in favor of an appointed Assessor. She detailed how her committee gathered and reviewed information. The committee will look at the same 4 step process used to evaluate the assessor to do the same with the treasurer. She also stated that her committee felt the opposite to Alderman's Dress in regards to the Mayor position. Alderman Davis's committee felt the strong Mayoral form was best suited than the City manager.

REPORTS OF SELECT COMMITTEES
Dave Allaire; Chair, Rutland Rail Yard Relocation Committee
President Allaire, the Chair of the rail yard relocation committee, stated that his committee met to see how the project could move forward. Dave reported on how the project could move forward and the importance to both Rutland City and Town. He stated that the committee was looking for a joint letter (Town, City, RRA) or resolution requesting the Vt. Agency of Transportation to petition the Federal Government to reopen the EIS (Environmental Impact Study) for the rail yard project. He continued by stating the support from Town Selectman James Hall. A motion was made coming out of committee formally endorsing the opening of the EIS, and he so moved. The motion was seconded by Alderman Davis. Motion passed.

REPORTS OF REPRESENTATIVES
None to Report

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION
Donna Rounds; Abatement Request, 9 Elm St.
President Allaire asked for a motion to approve the committee of Aldermen DePoy, Davis and Allaire to report back to the full Board on Sept. 7, 2010 at 6:45 PM with Aldermen Allaire as chair. The motion was so moved and seconded (Robinson, Notte). Motion passed.

Special Events Permit Request; Alzheimer's Memory Walk, 9/18, Main Street Park
A motion to suspend the rules was made and seconded (Davis, Robinson). Motion passed
A motion was made and seconded (Davis, Barrett) to approve the Special Events Permit for the Alzheimer's Memory Walk on September 18, starting at Main St. Park. Motion Passed.

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

BOARD OF CONTROL COMMISSIONERS
A motion was made and seconded (Davis, Robinson) to authorize the Clerk to sign. Motion passed

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

<u>UNFINISHED BUSINESS</u>
<u>None to Report</u>

<u>MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS</u>
Alderman Robinson stated that earlier at the public meeting for the Creek Path, Michael Smith had requested the possibility of a bike lane being painted on Crescent Street from Lincoln Ave. to the Creek Path. A motion was made and seconded (Robinson, Notte) to refer the issue to the Traffic Committee. Motion passed.

Alderman Larson stated that "in the wake of an occurrence in the last couple months" he felt a motion or referral was necessary to establish a policy in which City Department Heads will notify the Board of Finance to any donation in excess of $1,000, and in turn the BOF will report such donation to the BOA. Alderman Larson again made reference to the recent event and made a motion to establish policy that any City Department Head in receipt of a donation over a $1,000 in value notifies the BOF who in turns notifies the BOA. The motion was seconded by Alderman Barrett. Debate.

President Allaire stated that if the issue was going to be taken up that evening a motion to suspend the rules was in order.

Alderman Larson stated that he was interested in taking up the issue that evening. A motion was made and seconded (Larson, Barrett) to suspend the rules. Motion passed.

Alderman Larson restated his first motion which was seconded by Alderman Davis. Debate again ensued with several Aldermen voicing concerns without hearing from department heads or the mayor.

Alderman Robinson voiced his concern and made a motion to refer the issue to Finance Committee, stating a referral superseded a motion. Alderman Davis seconded the motion. President Allaire confirmed the reference to the superseding. The motion to refer passed.

Alderman Davis made note of the recent water bill, and the length of the period billed. She also made reference to the notice on the back explaining hand held meter reading devices. She made a motion to send the issue of water meter reading & the Meter Division to the Public Works Committee. Alderman Barrett seconded and the motion passed.

With no other miscellaneous motions, resolutions or new business, President Allaire called for a motion to adjourn.

At 9:13 PM a motion was made and seconded (Davis, Tilden) to adjourn. Motion passed.

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk