

Board of Aldermen Minutes
City of Rutland
Monday, May 6, 2024

Members present: President Talbott, Aldermen Tadio, Heck, Barbagallo, Davis, McClure, McCann, Adams, Gillam, Whitcomb, and Savage. Also present, Mayor Doenges, Treasurer Markowski, Attorney LaChance, and City Clerk Kapusta.

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (April 15, 2024)

A motion was made and seconded (Davis, Savage) approving the minutes from the previous meeting.
Motion passed.

PUBLIC COMMENT

Dan Roswell – IBOTS Robotics Team

Dan Roswell introduced the IBOTS Robotics Team. The team is made up of students from grades 8-12 and is based out of the Stafford Technical Center. A couple of members from the team spoke about their achievement at the Championship in Houston, Texas. The team won their division and reached the “Superbowl” of robotics competition, the Einstein Finals. The finals include the top 32 teams in the world out of 8,000. This is also the first time the team received the prestigious “Impact Award”.

Lopi LaRoe presented information on adopting a dark sky friendly light ordinance.

A motion was made and seconded (McCann, McClure) to refer proposal of a light ordinance to the Environmental Sustainability Committee. **Motion passed.** Alderman Gillam and Alderwoman Davis voted “no”.

Laurie Borelli from 30 Elm Street spoke about the Transit Center and how it is not getting cleaned. She also spoke about stuff left on the grounds after garage sales and that her landlord can’t get a tenant in her building to stop making noise.

Dave Coppock represents a group of Rutland residents that support improvements and enhancements to roads, sidewalks, and paths for all modes of transportation. This group looks to support and to increase safety on roads and sidewalks. They have adopted the name Great Rutland Streets and can be reached at greatrutlandstreets@gmail.com. Mr. Coppock then asked if the Mayor would do a Proclamation for May, like he did last year, to designate May as National Bike Month.

Nancy Greenwood said she was speaking on behalf of a lot of business owners on Route 7 and Woodstock Avenue and expressed concerns about the “Road Diet”. Ms. Greenwood claims that businesses were not involved in the decision or given a chance to be heard. Alderman Heck said that he had been in contact with Nancy Greenwood and has some questions. He does not believe that bikes are allowed on State Highways. A motion was made and seconded (Heck, Davis) to refer to Charter & Ordinance Committee the Bicycle Ordinance regarding the use of State Highway designated section within the City, Routes 4 & 7. **Motion passed.**

A motion was made and seconded (McCann, McClure) to refer the financial impact of road configuration to the Finance Committee. **Motion passed.** Alderman Heck and Alderwoman Davis voted “no”.

Chris Barnett asked about Act 250 and what the changes will mean for Rutland City.

John Cioffi a business owner on South Main Street expressed his concerns about the “Road Diet” and how emergency services will be able to respond.

COMMUNICATIONS FROM THE MAYOR

Recommendation for awarding RFP for Capital Improvement Planning Consultant

Mayor Doenges introduced Project Consulting, Inc. (PCI) who briefly introduced their company. The Capital Improvement Program Committee met on Monday, April 22, 2024. Mayor Doenges advised that there was one proposal submitted by PCI and the scope was reasonable and in line with the expected price range.

A motion was made and seconded (Tadio, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, McClure) to approve the PCI RFP of \$22,000 to serve as the consultant for the purposes of assisting Rutland City with developing a Capital Improvement Program. **Motion passed.**

- Legislation H687 for Act 250 in the housing bill is very pro-development for Rutland City. The ad hoc housing committee is going to push a developer workshop to show off Rutland and the available sites we have and the advantages to doing business here. Targeting this fall to begin.
- The street light survey is up and running on the City’s website.
- If you are a plot holder at Evergreen Cemetery, there will be a meeting on Monday, May 13th at noon to find a path to keep the existing cemetery association, the existing bank accounts, and the existing structure that is currently in place.
- Parklets are being installed this week on Center Street.
- JCI started their energy efficiency audit.

Mayor Doenges read Rutland City 2024 Bike Month Proclamation.

ADDITIONS AND DELETIONS TO THE AGENDA

President Talbott made a motion to move up Petitions, Letters, Miscellaneous Communications.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Special Event Permit: The MINT’s Downtown Derby; September 14, 2024, from 6:00AM – 6:00PM

A motion was made and seconded (Davis, Savage) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Savage) to approve the Special Event Permit for the MINT’s Downtown Derby on September 14, 2024, from 6:00AM to 6:00PM. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Ed Bove, RRA: Animating Infrastructure Design Grant

Ed Bove, RRA informed the Board that last month the VT Arts Council invited Rutland City to apply for an Animating Infrastructure Design Grant that is due June 3rd. The RRA respectfully requests the Board of Aldermen vote to approve applying for the grant or to refer the potential application to the Community & Economic Development Committee for discussion.

A motion was made and seconded (Tadio, Davis) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, Davis) to approve the RRA to apply for the Animating Infrastructure Design Grant. **Motion passed.**

Barbara Spaulding, RRA: BIAP – The Grateful Vermonter

Barbara Spaulding, RRA presented an application for a Business Incentive Assistance Program (BIAP) Loan for The Grateful Vermonter. The applicant is Brook Caputo. The request is for a \$10,000 BIAP Forgivable Loan and the application meets the criteria through \$10,000 or more of personal financial investment.

A motion was made and seconded (Tadio, McCann) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, Davis) to approve the \$10,000 BIAP Forgivable Loan to The Grateful Vermonter. **Motion passed.**

Barbara Spaulding, RRA: Request to set Final Public Hearing for Rutland County Parent Child Ctr.
Barbara Spaulding, RRA presented the request to set a final public hearing for the Rutland County Parent Child Center (RCPCC) at 16 Chaplin Avenue. The City received a Vermont Community Development Program (VCDP) public facility implementation grant in 2015 for RCPCC expansion. The grant expires June 30, 2024, and requires that the City hold a final public hearing to give the public an opportunity to hear how the grant funds were spent and what activities were accomplished. The RRA requests that the Board of Aldermen set the hearing prior to their meeting on June 17, 2024.

A motion was made and seconded (Davis, Savage) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Savage) to set the public hearing date for June 17, 2024, before the Board of Aldermen meeting. **Motion passed.**

Barbara Spaulding, RRA: Recommendation for Paige Carrara – Blush Salon

Barbara Spaulding, RRA introduced the request. A BIAP Loan of \$10,000 was awarded to Paige Carrara, Blush Salon in April 2020. The three (3) year term ended on May 1, 2023. The loan agreement required the borrower to expand their business into 15 Center Street and hire a minimum of five (5) new employees. The RRA Board found that Paige Carrara had not met the obligations required in the loan agreement and therefore does not qualify to have the loan forgiven. Ms. Carrara could not be in attendance and asked for a referral to committee so she can attend to discuss her BIAP loan.

A motion was made and seconded (McClure, Savage) to refer the Forgivable Loan that was awarded to Paige Carrara, Blush Salon to the Community & Economic Development Committee. **Motion passed.**

Treasurer Markowski: Sullivan, Powers & Company – FY23 Financial Audit

Treasurer Markowski introduced Richard Brigham, CPA from Sullivan, Powers & Company. Mr. Brigham gave a high-level overview of the FY23 Financial Audit for the City of Rutland. The City received a clean opinion “unqualified”.

Fire Chief Lovett: Chittenden Reservoir Emergency Action Plan Exercise, May 14th 6:00PM

Chief Lovett notified the Board and public about the Rutland County Emergency Alerting Plan for the Chittenden Reservoir. On May 14, 2024, at 6:00PM the blowing of the Fire Whistle at the Fire House will occur with four (4) rounds of 5-5-5, totaling 60 blows. This action coincides with the testing of Green Mountain Power Emergency Alerting protocol for Chittenden Dam which includes the use of sirens, located along the East Creek River Basin. These alerting actions will simulate what would take place in the event of an actual emergency at the dam.

Commissioner Protivansky: DPW – Engineering Technician Update

Commissioner Protivansky first thanked Mike Denno, who recently retired, for his 31 years of service. Next Commissioner Protivansky gave the Board an update on the status of the open assistant engineering position. DPW is still looking for a viable candidate to shadow and eventually take the position of Peter Kelly who will be retiring in October after 40 years of service to the City.

Assistant Engineer Gillen: Meadow Street Sewer Separation – Engineering Services Agreement and Loan Amendment

Assistant Engineer Gillen introduced the request and presented the motion. A motion was made and seconded (Gillam, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Gillam, Davis) to approve ESA Amendment #2 with Aldrich & Elliott for final design engineering

services for the Meadow Street Sewer Separation Project, with the final form to be approved by the City Attorney and the corresponding CWSRF loan amendment. **Motion passed.**

Assistant Engineer Gillen: Connor Park CSO Storage – Engineering Services Agreement and Loan Amendment

Assistant Engineer Gillen introduced the request and motion. A motion was made and seconded (Gillam, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Gillam, Tadio) to approve ESA Amendment #1 with Aldrich & Elliott for engineering services for the Connor Park CSO Offline Storage Tank Project with the final form to be approved by the City Attorney, approve and circulate for signatures the corresponding CWSRF loan amendment, and authorize Ted Gillen as the “Authorized Representative” for the City of Rutland. **Motion passed.**

Assistant Engineer Gillen: VTrans Class 2 Highway and Structure Grants

Assistant Engineer Gillen introduced the request and presented the motion. A motion was made and seconded (Tadio, Adams) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, Adams) for the Board of Aldermen to sign Resolutions of Support for the VTrans FY25 Municipal Highway Class 2 Road and Structures Grant Applications. **Motion passed.**

Assistant Engineer Gillen: Municipal Road Grants-In-Aid

Assistant Engineer Gillen introduced the request and presented the motion. A motion was made and seconded (Tadio, Savage) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, Savage) to authorize the Mayor to sign the “Letter of Intent to Participate in the SFY25 Municipal Road Grants-In-Aid”. **Motion passed.**

Assistant Engineer Gillen: Vermont Community Tree Planting Grant

Assistant Engineer Gillen introduced the request and presented the motion. A motion was made and seconded (Tadio, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, McCann) for the Board of Aldermen to sign a Resolution of Support for 2024 Community Tree Planting Grant Application. **Motion passed.**

Assistant Engineer Gillen: Buried Conduit Request – Laverne Drive

Assistant Engineer Gillen introduced the request and presented the motion. A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, McCann) for the Board of Aldermen to approve the Buried Conduit Application dated April 4, 2024, submitted by Consolidated Communications. **Motion passed.**

Police Chief Kilcullen: National Police Week

Chief Kilcullen informed the Board and public that May 15th of each year is Peace Officers Memorial Day in honor of federal, State, and municipal officers who have been killed or disabled in the line of duty. Officer Jessica Ebbighausen will be honored during the 43rd National Peace Officers’ Memorial Service on Wednesday, May 15th in Washington, D.C. Police Department members and representatives will be escorting the Ebbighausen family to Washington to help honor Jessica and participate in the weeks’ events. In addition to the events in Washington on Friday, May 17th at 10:00AM there will be a Dedication of Jessica’s Corner at Justin Thomas Memorial Park. On Friday, May 17th at 4:00PM the Rutland City Police Benevolent Association Memorial Service will take place outside City Hall. At a date not yet determined there will be a Dedication of the Police Department’s Community Room in Officer Ebbighausen’s name.

Police Chief Kilcullen: Request to dispose of City Property – three police cars

Chief Kilcullen introduced the request to dispose of three (3) police cars. A motion was made and seconded (Davis, Adams) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis,

Heck) to approve the sale of the three police vehicles and the money from the sale will go into the Equipment Replacement Fund. **Motion passed.**

Treasurer Markowski: Treasurer's Report on Water/Sewer shut-off process, including status of current year and review of prior year collections

Treasurer Markowski provided information regarding upcoming water/sewer shut offs and provided a report on last year's collections. There will be two rounds of shut offs planned for May and August. Collection through water/sewer shut off is a last resort in the process and will continue to work with customers on an ongoing basis to enter into payment agreements to avoid shut off.

President Talbott: Representative Appointment forms for RCSWD, RRPC, Regional Ambulance and Otter Creek CUD

President Talbott introduced the first is the re-appointment of Alderman Whitcomb to the Board of Regional Ambulance. A motion was made and seconded (McClure, Savage) to suspend the rules. **Motion passed.** A motion was made and seconded (McClure, Savage) to re-appoint Alderman Whitcomb as the representative to the Regional Ambulance Board. **Motion passed.**

President Talbott introduced the second re-appointment of Alderman Gillam as the representative to the Rutland County Solid Waste District Board. A motion was made and seconded (Davis, Savage) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Savage) to re-appoint Alderman Gillam as the representative to the Rutland County Solid Waste District Board. **Motion passed.** Alderman Gillam abstained from the vote.

President Talbott introduced the third re-appointment of Alderman Adams as the representative to the Otter Creek Communications Union District Governing Board. A motion was made and seconded (Davis, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Savage) to re-appoint Alderman Adams to the Otter Creek Communications Union District Governing Board. **Motion passed.**

President Talbott introduced the fourth re-appointment of Mayor Doenges as the representative to the Board of the Rutland Regional Planning Commission and President Talbott as the alternate. A motion was made and seconded (Tadio, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Tadio, McClure) to re-appoint Mayor Doenges to the Board of the Rutland Regional Planning Commission and President Talbott as the alternate. **Motion passed.** Alderman Heck voted "no".

REPORTS OF STANDING COMMITTEES

Alderman McCann: Charter & Ordinance Committee Report, April 25, 2024

Alderman McCann read the committee report from the Charter & Ordinance Committee meeting on April 25, 2024. The purpose of the meeting was to discuss all referrals that are currently active in committee and determine their relative priority for subsequent meetings. Several items are closely related and are likely to be addressed concurrently.

A motion was made to refer consideration of the need for a physical for hired drivers to the Licensing Board. So moved by Alderman McCann and seconded by Alderwoman McClure. **Motion passed.**

It was noted that the vacant commercial buildings referral item was set to potentially expire as of May 2, 2024, and that re-referral may be needed to ensure that it remains in committee. A motion was made and seconded (McCann, Gillam) to refer vacant commercial buildings back to the Charter & Ordinance Committee. **Motion passed.**

Alderwoman Davis: Community & Economic Development Report, April 30, 2024

Alderwoman Davis read the committee report from the Community & Economic Development Committee meeting on April 30, 2024. The purpose of the meeting was to get an update on the Chamber and Economic Development of the Rutland Region (CEDRR). This meeting took place at the HUB and Lyle Jepson from CEDRR gave the committee a tour of the HUB and discussed the businesses that occupy the site and proposed businesses that will be located there. CEDRR works with tech and non tech businesses to either start up or expand. There are revolving loan funds, small business assistance, energy saving opportunities, and marketing events available. This report was for informational purposes only.

Alderman Heck asked to circle back to Alderman McCann's report and expressed concerns about how long items are in committee. A motion was made and seconded (McCann, Savage) to refer to the Committee of the Whole re-examining the amount of time an item is allowed to sit in committee before it expires. **Motion passed.**

Alderman Whitcomb: Finance Committee Report, May 2, 2024

Alderman Whitcomb read the committee report from the Finance Committee meeting on May 2, 2024. Treasurer Markowski presented and discussed the proposed Rutland City Purchasing Policy. The Purchasing Policy does not require a Charter change but provides a procedure to follow. The section of the proposed policy under the code of conduct cites conflict of interest disclosures. The committee decided that the language outlined is appropriate and the committee agreed it is imperative that any member of the Board disclose any potential conflict for broader awareness.

A motion was made to adopt the City of Rutland, Vermont Purchasing Policy as presented. So moved by Alderman Whitcomb and seconded by Alderwoman McClure. **Motion passed.**

Next Treasurer Markowski presented the City of Rutland Grant Management Policy and Internal Procedures.

A motion was made to adopt the City of Rutland Grant Management Policy and Internal Procedures. So moved by Alderman Whitcomb and seconded by Alderwoman McClure. **Motion passed.**

Lastly Treasurer Markowski presented the City of Rutland Accounting, Auditing, and Financial Reporting Policy.

A motion was made to re-adopt the City of Rutland Accounting, Auditing, and Financial Reporting document with the noted change of Alderman to Aldermen and to implement a mandatory review of the Accounting, Auditing, and Financial Reporting document every two years. So moved by Alderman Whitcomb and seconded by Alderwoman Davis. **Motion passed.**

REPORTS OF REPRESENTATIVES

There were no Reports of Representatives.

REPORTS OF SELECT COMMITTEES

There were no Reports of Select Committees.

BOARD OF CONTROL COMMISSIONERS

There were no items for the Board of Control Commissioners.

BOARD OF CANNABIS COMMISSIONERS

There were no items for the Board of Cannabis Commissioners.

UNFINISHED BUSINESS

Mayor Doenges made a clarification about a question when talking about the municipal planning grant and the Capital Improvement Program. The question was if this is 100% covered by the grant. Mayor Doenges answered “yes” but there is an in-kind 10% match. If for some reason there wasn’t money it would come from the Planning Commission line item.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderswoman Davis stated that Attorney LaChance sent a confidential memo on May 1st regarding local control relating to cannabis cultivation. The issue of home occupation is in Charter and Ordinance already. Alderswoman Davis is looking for guidance if the memo should be sent to support the discussion of home occupation to Charter and Ordinance. Attorney LaChance will forward that section of the memo about home occupations to the committee.

Alderswoman McClure and Alderman Gillam thanked all those that came out for Green Up Day.

Alderman Heck wants to make sure that procedures for ordinance updates or repeals were followed for the November 16, 2020, Zoning By-Law update as presented by Tara Kelly the Zoning Administrator at that time. Alderswoman Davis made a motion to refer to the City Attorney the issue of procedures for ordinance updates and repeals were followed for the November 16, 2020, Zoning By-Law update. Seconded by Alderman Heck. **Motion passed.** Alderswoman Tadio voted “no”.

Alderman Gillam made a referral about graffiti to the Public Works Committee. Seconded by Alderswoman Davis. **Motion passed.**

Alderswoman McClure made a referral to the Recreation Committee about waste receptacles on recreation paths. Seconded by Alderman McCann. **Motion passed.**

Motion was made and second (Davis, Heck) to adjourn at 9:18 PM. **Motion passed.**

Respectively submitted by,

Tracy L. Kapusta
City Clerk