

Board of Aldermen Minutes
City of Rutland
Monday, July 01, 2024

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

7:00 PM BOARD OF ALDERMEN MEETING

President Talbott called the meeting to order at 7:00 PM and started with the Pledge of Allegiance.

ADDITIONS, DELETIONS OR OTHER MODIFICATIONS TO THE AGENDA

President Talbott made a motion to move the executive session to the end of the agenda to discuss a matter of security and to remove an executive session related to Employee Evaluation. So moved by Alderwoman Davis and seconded by Alderman Barbagallo. **Motion passed.**

AMENDMENT AND APPROVAL OF MINUTES OF PREVIOUS MEETING(S) (June 17, 2024)

A motion was made and seconded (Davis, McClure) approving the minutes from the previous meeting. President Talbott asked if there were any changes or corrections, there were none. **Motion passed.**

PUBLIC COMMENT

Treasurer Markowski gave information from the State of Vermont for FY25 Education Rates which were posted today. The Homestead rate is 1.6745 (up from 1.5758) and the Non-Homestead rate is 1.8571 (up from 1.6781). This is for information only.

FY	Homestead Rate	tax \$150,000 assessment	Amount Change	% change
2020	1.4577	2,186.55		
2021	1.5147	2,272.05	85.50	3.91%
2022	1.6402	2,460.30	188.25	8.29%
2023	1.5694	2,354.10	(106.20)	-4.32%
2024	1.5758	2,363.70	9.60	0.41%
2025	1.6745	2,511.75	148.05	6.26%

FY	Non-Homestead Rate	tax \$150,000 assessment	Amount Change	% change
2020	1.6033	2,404.95		
2021	1.6978	2,546.70	141.75	5.89%
2022	1.7261	2,589.15	42.45	1.67%
2023	1.6537	2,480.55	(108.60)	-4.19%
2024	1.6781	2,517.15	36.60	1.48%
2025	1.8571	2,785.65	268.50	10.67%

COMMUNICATIONS FROM THE MAYOR

Mayor Doenges updated the Board on a variety of topics. 1) What we have done for the past week or two; 2) What we are actively doing; and 3) What we are going to do next.

- Attended the Legislative breakfast with the Governor that was put on my CEDRR. After that a site visit to the new “Berwick” hotel location.
- Property owners for the new “Berwick” hotel would like to meet with the Aldermen in small groups, as to not create a quorum, to discuss the hotel.
- The event to be held at the Fairgrounds the week of July 18th for a motorcycle group will be properly prepared for by the City to help deal with the influx of visitors.
- For transitional housing, House Bill 883 set aside \$10M to work on housing solutions that are outside of using the hotels. Housing Trust and Community Care Network are looking for grant funding to provide something a little different in Rutland, transitional housing that has a more long-term solution and has wrap around services built in.
- DPW contract negotiations are going well. The Police Union has completed the switch to a new union and those negotiations should begin soon.
 - Alderman Heck asked about the RFP that went out for a consultant to help with negotiations. Mayor Doenges explained that the cost came in higher than expected and he chose not to hire the consultant. Mayor Doenges said that doesn’t mean that a consultant may not be used for Police negotiations. Alderwoman Davis asked if former City Attorney Matt Bloomer was being consulted. Attorney LaChance stated that she is still in contact with Attorney Bloomer and that the City also has a contract with his firm.
- Rutland Police Department held their annual awards ceremony, it was a very nice ceremony, and it went very well.
- For the past 30 years fireworks in Rutland City have been funded by private donors. The Chamber of Commerce used to pay for the fireworks and most recently Vermont State Fair and the Paramount paid for the fireworks. The cost has more than doubled and private donors no longer can afford the expense.
 - A motion was made and seconded (Davis, McClure) to refer the discussion of potential Fourth of July fireworks to the Recreation Committee. **Motion passed.**
- There are two different contracts that are coming up for renewal, and for both contracts the City wants to change vendors for a variety of reasons. The first is with Tech Group for IT services and the Mayor would like to refer the RFP to the General Committee.
 - A motion was made and seconded (Davis, Adams) to refer the RFP for IT services to the General Committee. **Motion passed.**
- The second contract is for website maintenance and management and the Mayor would like to refer the RFP for a new vendor to the General Committee.
 - A motion was made and seconded (McClure, Davis) to refer the RFP Website maintenance and management to the General Committee. **Motion passed.**

CONSIDERTAION OF SPECIAL EVENT PERMIT REQUESTS

Special Event Permit Request: American Foundation for Suicide Prevention – Rutland Area Out of the Darkness Walk, Saturday September 7, 2024, from 8:00AM to 12:00PM

A motion was made and seconded (Gillam, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Gillam, Adams) to approve the Special Event Permit for the American Foundation for Suicide Prevention, Rutland Area Out of the Darkness walk for Saturday, September 7, 2024, from 8:00AM to 12:00PM. **Motion passed.**

Special Event Permit Request: Downtown Rutland Partnership – Friday Night Live to be held on July 26, August 16, and September 6, 2024, from 5:00PM to 10:00PM

A motion was made and seconded (McClure, Davis) to suspend the rules. **Motion passed.** A motion was made and seconded (McClure, Davis) to approve the Special Event Permit for Downtown Rutland Partnership, Friday Night Live to be held on July 26, August 16, and September 6, 2024, from 5:00PM to 10:00PM. **Motion passed.**

Special Event Permit Request: Chaffee Art Center – Art in the Park to be held on August 10-11 and October 12-13, 2024, from 10:00AM to 5:00PM

A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to approve the Special Event Permit for the Chaffee Art Center, Art in the Park to be held on August 10-11 and October 12-13, 2024, from 10:00AM to 5:00PM. **Motion passed.**

Alderman Barbagallo questioned parking, traffic, and street access if the Art in the Park for October 12-13 is held at Main Street Park locations 2-4. Locations 2-4 are the parks south of Main Street Park that has the gazebo. A motion was made and seconded (Barbagallo, Davis) to refer the discussion on Art in the Park for October 12-13 to the Recreation Committee. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Barbara Spaulding, RRA: Business Incentive Assistance Program application – Wellness Cafe’

Barbara Spaulding, RRA presented an application for a Business Incentive Assistance Program (BIAP) Loan for Wellness Cafe’. The applicant is Jeff Saunders. The request is for a \$5,000 BIAP Grant and referral to Heritage Family Credit Union (HFCU) for a secured loan. The application meets the criteria through \$25,000 of personal financial investment.

A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Tadio) to approve the \$5,000 BIAP Loan and referral to HFCU for a secured loan to Wellness Cafe’. **Motion passed.**

Barbara Spaulding, RRA: Business Incentive Assistance Program application – Pure Restorative Wellness Aesthetics, LLC

Barbara Spaulding, RRA presented an application for a BIAP Loan for Pure Restorative Wellness Aesthetics, LLC. The applicant is Kathleen Saunders. The request is for a \$5,000 BIAP Grant and referral to HFCU for a secured loan. The applicant meets the criteria through \$25,000 of personal financial investment.

A motion was made and seconded (Whitcomb, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Whitcomb, Davis) to approve the \$5,000 BIAP Loan and referral to HFCU for a secured loan to Pure Restorative Wellness Aesthetics, LLC. **Motion passed.**

Ed Bove, RRA: Municipal Impacts from H.687

Ed Bove, RRA spoke about House Bill 687 which became law on June 13th. The bill will impact development in the City, specifically housing, through tax exemptions and ACT 250 permitting relief. House Bill 687 will provide three (3) year state education and municipal tax exemptions for housing development in designated areas until 2028. The City of Rutland would have to opt-in to allow municipal tax exemptions. The state education tax exemptions are automatic for housing development beginning immediately. RRA staff requests this topic be referred to the Community and Economic Development Committee for discussion.

A motion was made and seconded (Davis, Adams) to refer the discussion of House Bill 687 to the Community and Economic Development Committee. **Motion passed.**

Attorney LaChance: Refer discussion on R.O.R. § 19-3660 – Marijuana Dispensaries to the Charter and Ordinance Committee

Attorney LaChance and Administrator Strniste came across the ordinance on Marijuana Dispensaries that is no longer a valid ordinance. Back in 2012 this ordinance was enacted but is no longer valid as Marijuana Dispensaries are now legal in Vermont.

Alderwoman Davis called a Point of Order, if a majority of the Board votes to rescind the ordinance then it doesn't have to go to committee. Attorney LaChance stated it must be a unanimous vote of the Board. A motion was made and seconded (Adams, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Adams) to repeal R.O.R. § 19-3660 Marijuana Dispensaries as written. **Motion passed.**

Treasurer Markowski: Review of fund balances in the General Fund and request for approval of changes in fund balance assignments

Treasurer Markowski began with several items involving fund balance for the Board's consideration and approval.

1. Last year the Board approved the assignment of \$497,733.62 to offset the FY24 tax rate and provide taxpayer relief. The impact of the PY assignment is significant. Please consider this request to remove the assignment of \$497,733.62 Previous Year (PY) funds held for taxpayer relief. This will increase the balance that may be available for taxpayer relief.

A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, McCann) to remove the assignment of \$497,733.62 PY funds to be available for taxpayer relief. **Motion passed.**

2. Last year the Board approved the assignment of \$460,000 to fund new unbudgeted positions in FY24. As of June 30, 2024, the estimated cost of the three positions was \$250,000. Please consider this request to remove the assignment of \$460,000 that was held for unbudgeted positions in FY24. This will increase the balance that may be available for taxpayer relief.

A motion was made and seconded (Davis, Adams) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to remove the assignment of \$460,000 that was held for unbudgeted positions in FY24 to be available for taxpayer relief. **Motion passed.**

3. The DPW Traffic and Streets Lights Division has an unspent balance of \$111,955.97 for pavement markings. Due to scheduling issues, the vendor was not able to complete the work in FY24. This requires a 30-day extension of the contract. Please consider this request to assign funds of \$111,955.97 to complete the pavement markings projects that were included in the FY24 budget.

A motion was made and seconded (Adams, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Adams, McClure) to assign funds of \$111,955.97 to FY25 to complete pavement markings projects that were included in the FY24 budget. **Motion passed.**

4. The Fire Department budgeted for the replacement of two entry doors at the fire station. The doors are on order and the project was to be completed in FY24. Please consider this request to assign funds of \$16,000 to complete the project to replace the doors at the fire station. This will reduce the balance that may be available for taxpayer relief.

A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Heck) to assign funds of \$16,000 to complete the project to replace the doors at the fire station. **Motion passed.**

5. Annually the Board considers the transfer of the balance unspent in the DPW bridge repairs expense line. This has provided funding for the Bridge Capital fund. Please consider this request to assign \$60,000 of unspent balance in the bridge repair line and transfer the funds to the Bridge Capital fund. This will reduce the balance that may be available for taxpayer relief.

A motion was made and seconded (McCann, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (McCann, Gillam) to assign \$60,000 of unspent balance in the bridge repair line and transfer the funds to the Bridge Capital Fund. **Motion passed.**

6. The Board has approved the annual funding for the BIAP fund (Business Incentive Assistance Program). The source of funds is equal to 50% of the revenue generated from solar leases and solar tax revenue. Please consider this request to assign \$85,000 of the fund balance to transfer to the BIAP fund. This will reduce the balance that may be available for taxpayer relief.

A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to assign \$85,000 of the fund balance to transfer to the Business Incentive Assistance Program fund. **Motion passed.**

7. The BOA created the water damage fund in FY23, and the balance was carried forward to FY24. The formation of this fund included a provision for the BOA to decide whether to continue to hold the funds. The original funding was \$25,000 of unassigned fund balance and the current balance is \$10,226. Please consider the request to either continue to hold the funds for water damage claims or to release the fund balance assignment for the water damage fund. This will increase the balance that may be available for taxpayer relief.

A motion was made and seconded (Davis, Adams) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Adams) to continue to hold the funds of \$10,226 for water damage claims. Alderwoman Davis explained that this fund is used for if the City causes the issue or problem while working. The fund is to reimburse the property owner for work that needs to be done to correct the problem. If it's an oops on the City's part. **Motion passed.**

REPORTS OF STANDING COMMITTEES

There were no Reports of Standing Committees.

REPORTS OF SELECT COMMITTEES

There were no Reports of Select Committees.

REPORTS OF REPRESENTATIVES

There were no Reports of Representatives.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Administrator Strniste: Notice of Public Hearing – Maruti Hospitality, LLC

Administrator Strniste received notice of a public hearing from the Town of Mendon. The public hearing is scheduled for Monday, July 8, 2024, at 6:30PM at the Mendon Town Office. An application was submitted by Anil Sachdev for site plan approval of a hotel (old Econo Lodge) property located at 4293 U.S. Route 4 in Mendon VT. The subject property is owned by Maruti Hospitality, LLC.

Alderman Gillam asked about the Alpine Pipeline and their existing allocation. Administrator Strniste stated that they will be reconnecting and will need a water allocation permit. Alderman Heck asked about the abutting lands which are the City's water shed, he has concerns about run off of filtrations and chemicals getting into the water shed.

A motion was made and seconded (McCann, McClure) to suspend the rules. **Motion passed.** A motion was made and seconded (Whitcomb, Gillam) to designate Administrator Strniste as the City representative at the public hearing. **Motion passed.**

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

There was no Unfinished Business.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS. ALL QUESTIONS ON PRIORITY WILL BE DECIDED WITHOUT DEBATE

President Talbott made the Board aware that there have been changes to open meeting law requirements. All meetings, including committee meetings need to be recorded and copies made available to the public for thirty (30) days. People may now request remote access to meetings for both members of the public and members of the Board. It must be done in writing and two (2) business days prior to the meeting, and we are required to provide it. President Talbott is looking for a referral to committee to establish guidelines, procedures, and participation. A motion was made and seconded (Davis, Gillam) to refer the discussion to the General Committee. **Motion passed.**

President Talbott plans to warn July 17th at 5:30PM for setting the tax rate.

President Talbott asked Attorney LaChance to read the motions for executive session. A motion to find that premature general public knowledge regarding security measures would place the City at a substantial disadvantage because the discussion would divulge the City's strategy in implementing security measures, knowledge of which could jeopardize public safety. So moved by Alderwoman Davis and seconded by Alderwoman McClure. **Motion passed.** A motion to enter into executive session with the inclusion of the Mayor, City Clerk, Treasurer, Administrator Strniste, Chief of Police and City Attorney to discuss the matter of security under 1 V.S.A. Section 313(a)(10). So moved by Alderwoman Davis and seconded by Alderman Barbagallo. **Motion passed.**

At 8:24 PM the Board went into executive session.

At 9:05 PM a motion was made and seconded (Davis, Heck) to come out of executive session. **Motion passed.**

A motion was made and seconded (Davis, Gillam) to refer to Charter and Ordinance Committee the discussion of policies and procedures for water shutoffs. **Motion passed.** Alderman Heck voted no.

At 9:09 PM a motion was made and seconded (Adams, Davis) to adjourn. **Motion passed.**

Respectively submitted by,
Tracy L. Kapusta
City Clerk