

Board of Aldermen Minutes
City of Rutland
Monday, November 4, 2024

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

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 asked if there were any additions, deletions or other modifications to the agenda. President Talbott added an executive session and noted that all executive sessions would be moved to the end of the agenda. There were no deletions or other modifications to the agenda.

AMENDMENT AND APPROVAL OF MINUTES OF PREVIOUS MEETING(S) (October 21, 2024)

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

PUBLIC COMMENT

There was no Public Comment.

COMMUNICATIONS FROM THE MAYOR

Mayor Doenges presented for the Board's consideration the appointment of Ed Bove for the Planning and Zoning Administrator. A motion was made and seconded (Tadio, McClure) to table the appointment until the next Board of Aldermen meeting on November 18, 2024. Motion passed.

Mayor Doenges sent the draft budget to the Board on the 1st with a brief executive summary.

Mayor Doenges received an invitation from the Governor to be on the State Workforce Investment Board.

CONSIDERATION OF SPECIAL EVENT PERMIT REQUESTS

There were no Special Event Permit Requests.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Fire Chief Lovett: Chittenden Reservoir Emergency Plan, November 12th at 8:30 AM

In the absence of Fire Chief Lovett, President Talbott notified the Board and public about the Chittenden Reservoir Emergency Plan testing scheduled for November 12th at 8:30 AM. Blowing of the Fire Whistle at the Fire Department will also occur at this time as part of the testing.

Assistant Zoning Administrator Alexnder: Amendment to the Development Plan Relating to 115 South Street

Assistant Zoning Administrator Alexnder introduced the request to amend the Development Plan relating to 114 South Street, a previously City-owned Property. The buyer, Boniface Kadima-Maz, has advised that the previously existing building which was intended to be rehabilitated was deemed unsavable. The structure was demolished with the intention to build a new single-family dwelling in its place. The original Development Plan dated October 7, 2018, had an anticipated timeline of 36-months, however with the unforeseen condition of the structure, the Buyer is requesting an extension to September 2025 in order to construct the new single-family dwelling.

A motion was made and seconded (Davis, McClure) to suspend the rules. Motion passed. A motion was made and seconded (Davis, Tadio) to approve the amended Development Plan for 114 South Street as presented. Motion passed.

Assistant Engineer Gillen: Request to Authorize the Sewer overflow & Stormwater Grant

Assistant Engineer Gillen introduced the request. Rutland City was awarded a Sewer Overflow and Stormwater Grant to support combined sewer overflow (CSO) abatement projects. This grant will reimburse expenses paid towards the planning, design, and construction of CSO projects. The city will be designing and/or constructing at least two projects listed in the CSO Long Term Control Plan; the CSO Check Valves Project and the Connor Park CSO Storage Facility.

A motion was made and seconded (Tadio, McClure) to suspend the rules. Motion passed. A motion was made and seconded (Tadio, Davis) to authorize the Mayor to sign the Vermont Department of Environmental Conservation's Sewer Overflow and Stormwater Grant (OSG) Agreement, pending the City Attorney's review and approval of the final draft. Motion passed.

Treasurer Markowski: Treasurer's Report for the City and RRA, period ending September 30, 2024, for review and request to Finance Committee

Treasurer Markowski provided a summary of September 30, 2024, financials.

Attorney LaChance: Board of Cannabis Control

Attorney LaChance noted that the memo in the packet was from the September 16, 2024, Board of Aldermen meeting when the Board had questions about the Local Cannabis Control Board. One option in the memo was to dissolve the Local Control Board because its existence causes additional paperwork for the City and decreases efficiency with little to no additional benefits. It was decided to bring the discussion to committee level first.

A motion was made and seconded (McClure, Davis) to refer the discussion of dissolving the Local Board of Cannabis Control to the General Committee. Motion passed.

REPORTS OF STANDING COMMITTEES

Aldерwoman Tadio: Community & Economic Development Meeting from October 21, 2024

Aldерwoman Tadio read the committee report from the Community & Economic Development meeting on October 21, 2024. Barbara Spaulding, RRA presented changes made to the Business Incentive Assistance Program (BIAP) policy including the addition of an Emergency Assistance Provision (EAP). EAP permits eligible businesses to apply for emergency assistance due to a Federally Declared Disaster and/or State of Emergency declared by the Mayor that is not covered by other programs created because of the disaster. President Talbott asked why relocation assistance provided to businesses as part of BIAP loans had been removed from the BIAP policy. The committee agreed that it was a reasonable part of a business's expenses and felt that it should be added back into the policy.

A motion was made and seconded (Tadio, Davis) to approve the amendments to the BIAP policy including the addition of an Emergency Assistance Provision, and with the reinclusion of any references to relocation assistance. Motion passed.

Presented next were the RRA's recommendations on Paige Carrara's BIAP loan. In 2020, Ms. Carrara was awarded a \$10,000 forgivable BIAP loan for expanding her business Blush Salon by moving it from 60 Center Street to 15 Center Street. 15 Center Street is still not open, which was a condition of the loan. RRA recommended request for repayment.

A motion was made and seconded (Tadio, Davis) to deny the application for loan forgiveness and recommended repayment of the \$10,000 BIAP loan. There was discussion among the Board members. President Talbott asked Ms. Carrara if she would like to address the Board. Ms. Carrara read a statement that when she was awarded the grant, soon after COVID hit, she had to use the \$10,000 loan to keep her salon on 60 Center Street compliant with

COVID safety measures. She was able to keep the business open but when she began renovations to 15 Center Street it became clear it would need far more work. She has a tenant who wants to open a business at the 15 Center Street location and is asking for the Board of Aldermen to forgive her loan even though the conditions were not fully met.

It was suggested to move the issue back to the RRA Board so Ms. Carrara can meet and talk about the renovations that are taking place with her new tenant. Alderwoman Tadio withdrew her motion, and the seconder agreed.

Alderman Gillam called a point of order. A motion was made and seconded (Davis, Barbagallo) to refer the issue to the RRA Board for further discussion and consideration of forgiveness of the BIAP loan. Motion passed.

Alderman Whitcomb: Finance Committee Meeting from October 29, 2024

Alderman Whitcomb read the Finance Committee report from October 29, 2024. The committee first discussed the contribution amount to the pension fund from the local option tax. A motion was made and seconded (Whitcomb, Davis) to raise the total contribution amount from the local option tax to the pension fund to \$500,000 annually / \$125,000 quarterly. Motion passed.

The next discussion was the Giorgetti Chiller Replacement Financing. After discussion it was determined that no specific action will be taken at this time, but consensus reflected that the option of adding the replacement to the scope of work for the larger Johnson Control's project is possible. An Environmental Sustainability meeting is scheduled for Thursday, November 7th to discuss the addition of the Giorgetti Chiller project to the larger Johnson Controls lead project.

The committee then discussed the financing options for the base project, which totals approximately \$4.9M. A motion was made and seconded (Whitcomb, Tadio) to accept the financing option presented by TD Bank. Motion passed.

Alderman Gillam: Public Works Committee Meeting from October 30, 2024

Alderman Gillam read the Public Works Committee report from October 30, 2024. The first discussion was about Water Disinfection By Product (DBP) issues. Informational meetings are planned for November 13th at 6PM and November 20th at 7PM, both at the Rutland Recreation Community Center. Three options will be presented at the meetings and the issue remains in committee for additional review and study financing options with the City Treasurer and the input from the public.

Next the committee was updated by the DPW Commissioner and Assistant Engineer Gillen on what is needed to achieve in the Municipal Water Study. There are six possible issues to be addressed in the Municipal Water Study. No action was taken by the committee and the issue remains in committee.

DPW Commissioner gave an update to the committee on the joint graffiti task group, which consists of Department of Recreation, DPW, Fire, Police, and community volunteers. The group has achieved clean-up goals showing great improvement in the city and has a good process in place.

REPORTS OF SELECT COMMITTEES

There were no Reports of Select Committees.

REPORTS OF REPRESENTATIVES

There were no Reports of Representatives.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

There were no Petitions, Letters, Miscellaneous Communication.

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 asked Attorney LaChance to read the motions for executive session. A motion to find that premature general public knowledge regarding pending litigation, to which the City is a party, would clearly place the City at a substantial disadvantage because the discussion will divulge the City's strategy in such pending litigation and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. So moved by Alderwoman Davis and seconded by Alderwoman Savage. Motion passed. A motion to enter into executive session with the inclusion of the Mayor, City Clerk, Treasurer and City Attorney to discuss the matter of security under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). So moved by Alderwoman Savage and seconded by Alderwoman Davis. Motion passed.

At 8:04 PM the Board went into executive session.

At 8:12 PM a motion was made and seconded (Heck, Davis) to come out of executive session. Motion passed.

President Talbott asked Attorney LaChance to read the motions for the next executive session. Motion to find that premature general public knowledge regarding the negotiation of a labor relations agreement would clearly place the City at a substantial disadvantage because the discussion will divulge the Board's position on the agreement provisions to be negotiated. So moved by Alderwoman Savage and seconded by Alderman Heck. Motion passed. Motion to enter into executive session with the inclusion of the Mayor, Treasurer, City Attorney, and City Clerk to discuss the labor relations agreement as allowed under Title 1, Section 313(a)(1)(B). Motion passed.

At 8:14 PM the Board went into executive session.

At 8:21 PM a motion was made and seconded (Davis, McClure) to come out of executive session. Motion passed.

President Talbott asked Attorney LaChance to read the motions for the last executive session. Motion to find that premature general public knowledge regarding the discipline or dismissal of a public officer or employee could place the City, the Department or an employee of the department at risk. So moved by Alderman McCann and seconded by Alderwoman McClure. Motion passed. Motion to enter into executive session, with the inclusion of the Mayor, City Clerk, City Attorney, and Police Chief to discuss the discipline or dismissal of a public officer or employee as allowed under Title 1 VSA Section 313(a)(4). So moved by Alderman McCann and seconded by Alderman Barbagallo. Motion passed.

At 8:22 PM the Board went into executive session.

At 8:39 PM a motion was made and seconded (Davis, Heck) to come out of executive session. Motion passed.

At 8:40 PM a motion was made and seconded (Davis, McClure) to adjourn. Motion passed.

Respectively submitted by,

Tracy L. Kapusta
City Clerk