

Minutes from the 12/19/2024 Rutland City Charter and Ordinance Committee Meeting

Committee Members in Attendance:

☐ Board Member
Barbagallo

☐ Board Member McCann

☐ Board Member Tadio

☐ Board Member Savage

☐ Board President Talbott

☐ Board Member Gillam

Others in Attendance: Board Members McClure and Whitcomb (virtual), City Attorney Lachance (virtual), Parks Director Dahlin, Legal Extern Alvarez Rios, and Stephen Box.

The meeting was called to order at 5:30 p.m.

The purpose of the meeting was to discuss competitive bid trigger amounts and the maximum penalty for violations of ordinances defined the City Charter as well as the development of a short-term rental registration ordinance.

Competitive Bid Trigger Amounts:

Competitive bid trigger amounts are defined in § 9-17.3 – Requisitions, which currently requires that any purchase over \$3,000 “shall be awarded upon bids.” The mayor noted this is unrealistically restrictive given the rising costs of basic services and requested that the Board consider raising the trigger amount. During the meeting, Parks Director Dahlin shared that the \$3,000 threshold posed administrative challenges for the Recreation Department, particularly in purchasing materials and supplies.

Attorney Lachance and a memo from Mayor Doenges proposed solutions to address this issue. Options included either setting a higher limit in the charter or referencing a limit in the City’s purchasing policy, allowing greater flexibility for future adjustments. Mayor Doenges also suggested retaining a secondary, lower limit requiring Board of Finance review. The group discussed the merits and logistics of these approaches.

Board Member Tadio made a motion to amend § 9-17.3, pending attorney review, to remove reference to a specific dollar limit and, instead, identify that the bid trigger dollar amount would be identified in the City’s purchasing policy. It was noted that attorney review for this and related motions would include coordination with the City Treasurer. The motion passed 5-0.

Board Member Tadio made a related motion to update the City’s purchasing policy, pending the previously mentioned charter change and attorney review, to require a competitive bid process for purchases in excess of \$10,000. The motion passed 5-0.

Board Member Tadio made an additional related motion to refer to Board of Finance adjusting purchasing policy to include requirement for Board of Finance involvement of anything over \$5,000. The motion passed 5-0.

Maximum Penalty for Violations of Ordinances

§ 9-5.3 – Violation of Ordinances currently states, “The Board of Aldermen may provide penalties for the violation of any ordinance, regulation, or bylaw. In no case shall the penalty exceed imprisonment for one year or a fine of \$500.00, or both, per violation.” Mayor Doenges suggested this maximum fine may no longer reflect the severity of certain violations and asked the Board to consider raising it. Attorney Lachance reviewed state

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statutes and noted that 24 V.S.A. 1974a sets a maximum fine of \$800, which serves as the upper limit for municipal fines for civil ordinance violations, while 24 V.S.A. 1974 aligns with § 9-5.3 on the maximum prison sentence for criminal ordinance violations.

Discussions included how these state statutes are updated and the potential benefits of aligning Rutland City penalties with state maximums.

Board Member Tadio made a motion to amend § 9-5.3, pending attorney review, to remove reference to specific fine or imprisonment maximums and, instead, tier to the associated maximums in 24 V.S.A. 1974 and 1974a. The motion passed 5-0.

Short-Term Rental Registration

City Attorney Lachance and former Planning and Zoning Administrator Strniste, with support from Legal Extern Alvarez Rios and external attorney Matt Bloomer, drafted a Short-Term Rental Ordinance to address identified tracking and management needs in Rutland City. Board Member McCann received an initial draft in June, which underwent further revisions by Lachance, Alvarez Rios, and Bloomer before a more refined version was shared with McCann in late November. In December, this updated draft was distributed to the Charter and Ordinance Committee, the full Board, and several members of the public who had shown particular interest. McCann also launched a survey to gather input on ordinance priorities and shared preliminary results with the same stakeholders.

The committee discussion began with a review of the draft ordinance. Key topics included defining terms like "guest" and "tenant" consistently, clarifying when certificates of occupancy are required, specifying information to be posted within rentals, enforcing parking controls, and coordinating with zoning updates. Board Member McCann invited further feedback from Board members and City staff, covering additional concerns such as ensuring registrants are in good standing with the City, collecting fees and taxes, quarterly reporting requirements, conditions for reinstating revoked registrations, and potential triggers for permanent bans. Stephen Box contributed extensively, offering insights and suggestions from his experience in the short-term rental industry.

After more than 30 minutes of discussion, Board Member McCann noted the time and stated that the issue would remain in committee for further development. Before adjourning, he invited any final pressing concerns. Stephen Box then spent 20 minutes voicing a series of complaints about the process. He criticized the City for insufficient public participation in drafting the ordinance, the use of other communities' ordinances as models, and the perceived demonization of short-term rentals. He argued the process was still too complicated for short-term rental operators and suggested a 30-minute responder training program. Additionally, he objected to the limited time provided for reviewing the draft ordinance and the decision to warn the discussion topic without dedicating extended time for detailed deliberation. Box also proposed explicitly involving industry advocates in drafting the ordinance and incorrectly claimed Board members collaborated on the draft based on comments in the document, which were actually from City staff and external legal advisors. Finally, he requested an ad hoc committee to further develop the ordinance, prompting a discussion about how Board or Committee members might participate without violating open meeting laws.

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Ultimately, while the City Attorney was given a few items that could be addressed right away, there is a lot more discussion on the topic anticipated. No action was taken on the item and it will remain in committee.

The meeting was adjourned at 7:04 p.m.