

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 20, 2015

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, CROSTHWAITE,
FORTIER, MOORE, AND PERKINS.**

CITY COUNCIL ABSENT: PHILLIPS

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE,
TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD
TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER
COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH,
DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.**

Call to Order.

Chairman Crosthwaite called the regular meeting of the Ellsworth City Council to order at 7:00 p.m.

Pledge of Allegiance.

All stood for the pledge of allegiance.

Rules of Order.

The meeting was conducted under Robert’s Rules of Order and other rules adopted at the November 10, 2014 Annual Organizational Meeting of the Ellsworth City Council. After being recognized by the Chairman, a person may speak not more than three (3) minutes on any one item on the agenda. In addition, the person may speak not more than two (2) minutes in rebuttal.

Adoption of the Ellsworth City Council minutes from the following meetings:

February 27, 2015 Special Meeting.

March 13, 2015 Special Meeting.

March 16, 2015 Regular Meeting.

April 3, 2015 Special Meeting.

On a motion by Moore, seconded by Fortier, it was unanimously

RESOLVED to approve adoption of the Ellsworth City Council minutes from the following meetings February 27, 2015 Special Meeting, March 13, 2015 Special Meeting, March 16, 2015 Regular Meeting, and April 3, 2015 Special Meeting as presented this evening.

City Manager’s Report.

Interim City Manager David Cole stated the Harbor would be opening on May 15,

Call to Order.

Pledge of Allegiance.

Rules of Order.

**Approved -
Adoption of City
Council minutes
from the following
meetings: 02/27/15
Special Meeting,
03/13/15 Special
Meeting, 03/16/15
Regular Meeting,
04/03/15 Special
Meeting as
presented this
evening.**

**City Manager’s
Report.**

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KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

2015. The construction at the Knowlton Park is underway again. The original plan was to have the construction completed by July 4, 2015; however, due to unforeseen winter conditions the construction will not be completed until August 1, 2015. During the construction period the park will remain open as long as it remains safe to do so. Cole reminded users of the park to stay away from the construction vehicles and areas of the park that are under construction. The City face book page and website will be kept up to date with notices on whether the park is open or closed throughout the construction. There will not be any parking on site while the construction is taking place, parking will be allowed on Third Street, State Street and the Shore Road during this time. Cole stated he is enjoying working in Ellsworth as well as with the City Council and Staff while the search for a new City Manager is taking place.

Committee Reports.

➤ *Harbor Commission.* Councilor Moore stated the Harbor Commission met this month. The Harbor will be opening on May 15, 2015. There are still a few spaces available on the floating docks and the mooring slips. One of the new pilings is experiencing a small problem with leaning to one side. Solutions are being considered to address this issue. There is currently money available in the Reserve Account for making improvements to the green space adjacent to the Harbor Park where the former Wastewater Treatment Plant was located. The remaining monies will be used for making improvements to the left side of the existing parking lot (next to the health care building) at the Harbor. The goal is to eventually significantly increase the number of available parking spaces. The Commission is still working on adding a kayak rack to the back side of the Harbormaster's Office Building. A portion of the funds needed for this project have already been donated; the Commission is waiting for a few more donations to complete this project.

➤ *Ellsworth Public Library Collection Development Policy Special Collections Committee.* Councilor Blanchette stated this is a Committee that meets on Saturday morning with the purpose of handling the collections the Library has such as the Alvin S. Whitmore Collection for Genealogy and the Maine Records Collection. Decisions are made by this Committee on how the Collections will be stored, where they will be kept, how they will be cataloged, how it will be made available to the Public and whether it will be in digital form or in the original form.

Committee Reports.

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Some of these decisions will depend on the rarity of the piece. No final decisions were made. Decisions will also need to be made in regards to humidity controls and how to increase current available space through digitalizing the records.

➤ *Recreation Commission.* Councilor Fortier stated the Commission met at the first of the month. They reviewed the proposed budget for Fiscal Year 2016 and are ready to present the budget to the City Council when the time arrives. Spring projects were discussed. A work session is being planned for the Demeyer Complex, the exact date has not been determined yet. Members will receive an email when the time and date are finalized. The basketball courts have been opened on Forrest Avenue, the sound curtains have been installed, portable restrooms have been scheduled for arrival and the trash containers will be on site shortly. The State Little League Tournaments will be held in Ellsworth this season, which will require a little extra preparation on D1 and D2 at the Demeyer Complex.

➤ *Ellsworth School Department New Visioning Committee.* Councilor Perkins explained this Committee is in the process of putting together a new Mission and Vision Statement for the future. The last few meetings have included putting together stake holder groups and developing a plan for how the Committee would like to reach out to the different stake holders. There are a lot of interesting ideas on how they envision the Schools looking in the future. Perkins wanted the public to be aware of this project because they may be asked for their input on the future vision and mission for the Schools, and if they are not directly asked, however have ideas please reach out to this Committee.

➤ *League of Towns.* Councilor Fortier announced next Thursday evening on April 30, 2015 at 6:30 PM in the Auditorium the League of Towns have invited Senator Langley and the three Representatives from the Communities that make up the League of Towns to a sit down meeting. They will discuss issues that are important to the different municipalities before they go into their final months of voting in Augusta. This was a project that former Ellsworth City Manager Michelle Beal was interested in doing. The goal is to hold this type of meeting again next year closer to January when the representatives have a little more time in their schedules. This type of discussion has been very successful in other parts of Maine according to the municipal leaders involved. This is a public meeting,

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with the possibility of having a quorum of City Councilors present as well as for any of the towns that are part of the League of Towns; however, no formal municipal business will be acted upon. The public is welcome to attend; however, may not be allowed to take part in the discussions because it is part of the regular League of Towns meeting.

➤ *Fireworks Ordinance Committee (In-house Committee).* Councilor Beathem stated the in-house staff members have met three times over the past few months to discuss the Fireworks Ordinance. After those meetings, it has been determined there is no fair and equitable way to make changes to the current Ordinance. This decision is based on not having a good handle on what all the problems are. The recommendation is to keep the existing Ordinance in place for one year and then review it again at that time. Beathem stated the report could come to the Council formally, if that were the desire of the Council. The consensus of the Council appeared to accept this report as adequate with no further action required at this time.

Citizens' Comments.

There were no citizens' comments this month.

Presentation of Awards.

Larry Gardner for 15 years of service with the Assessing Department.

Larry Gardner was present to accept his service award from Chairman Crosthwaite on behalf of the Ellsworth citizens.

Amanda Tupper for 5 years of service with the City of Ellsworth.

Amanda Tupper was present to accept her service award from Chairman Crosthwaite on behalf of the Ellsworth citizens.

Penny Weinstein for 5 years of service with the City Manager's Department.

Penny Weinstein was present to accept her service award from Chairman

Citizens' Comments.

Presentation of Awards.

L. Gardner – 15 years, Assessing Department.

A. Tupper – 5 years, with the City of Ellsworth.

P. Weinstein – 5 yrs,

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Crosthwaite on behalf of the Ellsworth citizens.

Manager's Dept.

Presentation of a Letter of Commendation by Police Chief Coleman.

**Shawn Willey -
Received a Letter of
Commendation.**

Police Chief Christopher Coleman presented a Letter of Commendation to Sergeant Shawn Willey for providing life saving medical intervention and playing an important role in saving a life during a 9-1-1 incident at a residence on State Street. Sergeant Moshier, Officer Gillway, and Officer Wilmot also responded to the incident and were commended for doing an outstanding job since it was a complicated matter. Willey received the letter of Commendation for displaying the core value of community service and professionalism.

Chairman Crosthwaite presented Sergeant Shawn Willey with a certificate in recognition of his quick actions and exemplary dedication to his profession. Crosthwaite thanked Willey and the other Officers that responded to the incident.

Presentation of a Certificate of Appreciation to Jennifer Alexander by the Recreation Commission.

**J. Alexander –
Certificate of
appreciation,
Recreation
Commission.**

Jennifer Alexander was not present to accept her Certificate of Appreciation from Chairman Crosthwaite on behalf of the Ellsworth citizens and the Recreation Commission. The Recreation Commission will ensure the certificate is received by Jennifer Alexander.

UNFINISHED BUSINESS

Unfinished Business.

There were no items under Unfinished Business this month.

CONSENT AGENDA

Consent Agenda.

CONSENT AGENDA: All items with an asterisk () are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.*

**Approved - Consent
agenda as presented
this evening.**

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*Council Order #041500, Request of the City Clerk for appointment of Wardens and Ward Clerks for the four voting districts within the City of Ellsworth for the June 9, 2015 City of Ellsworth School Budget Validation Referendum Election. **

See attachment #1 for a complete list of the Wardens and Ward Clerks for the City of Ellsworth for the June 9, 2015 City of Ellsworth School Budget Validation Referendum Election.

*Council Order #041501, Request of the City Clerk for approval on setting the polling places opening time as 8 AM for the June 9, 2015 City of Ellsworth for the June 9, 2015 City of Ellsworth School Budget Validation Referendum Election. **

*Council Order #041502, Appointment of James Barkhouse as an alternate Planning Board member with a term to expire on 6/30/2015.**

*Council Order #041503, Request of the Tax Collector to accept payments on tax acquired timeshare units per the attached spreadsheet and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds.**

See attachment #2 for a complete list of timeshare units to be released through quit-claim deeds.

*Council Order #041504, Request of the Recreation Commission to accept a resignation letter from Jennifer Alexander with a term to expire on June 30, 2015.**

On a motion by Fortier, seconded by Beatham, it was unanimously

RESOLVED to approve the consent agenda as presented this evening.

NEW BUSINESS

Public hearing and action on the issuance of Business License (s):

Chummies LLC d/b/a Chummies 59 Franklin Street Unit 2B for renewal of a City Class B License (Amusement, Liquor, and Victualer) and renewal of a State Class A Lounge (Class X) Malt, Spirituous, and Vinous Liquor License.

**CO #041500 -
Appointment of
Wardens and Ward
Clerks on June 9,
2015.**

**CO #041501– Polls to
open at 8 AM on
June 9, 2015.**

**CO #041502– J.
Barkhouse, PB
alternate exp 6/30/15.
CO#041503 – Accept
payment, quit-claim
timeshare units.**

**CO #041504 – accept
resignation letter
from J. Alexander
exp 6/30/15.**

New Business.

**Approved -
Chummies LLC
d/b/a Chummies 59**

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The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Blanchette, seconded by Fortier, it was unanimously

RESOLVED to approve the request of Chummies LLC d/b/a Chummies 59 Franklin Street Unit 2B for renewal of a City Class B License (Amusement, Liquor, and Victualer) and renewal of a State Class A Lounge (Class X) Malt, Spirituous, and Vinous Liquor License.

Charles B. & Ariela L. Zucker d/b/a Twilite Motel, 147 Bucksport Road, for renewal of a City Lodging License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Moore, seconded by Beathem, it was unanimously

RESOLVED to approve the request of Charles B. & Ariela L. Zucker d/b/a Twilite Motel, 147 Bucksport Road, for renewal of a City Lodging License.

Ellsworth Moose Lodge #2698, 47 Foster Street, for renewal of a City Class B License (Amusement/pool tables, Liquor, and Victualer) and reclassification of the

Franklin Street Unit 2B for renewal of a City Class B License (Amusement, Liquor, and Victualer) and renewal of a State Class A Lounge (Class X) Malt, Spirituous, and Vinous Liquor License.

Approved - Charles B. & Ariela L. Zucker d/b/a Twilite Motel, 147 Bucksport Road, for renewal of a City Lodging License.

Approved - Ellsworth Moose

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*existing State Class A Lounge (Class X) to a Club (Class V) Malt, Spirituous and
Vinous Liquor License.*

The staff reports the premises are in compliance with required codes and
ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Beathem, it was unanimously

**RESOLVED to approve the request of Ellsworth Moose Lodge #2698, 47 Foster
Street, for renewal of a City Class B License (Amusement/pool tables, Liquor,
and Victualer) and reclassification of the existing State Class A Lounge (Class
X) to a Club (Class V) Malt, Spirituous and Vinous Liquor License.**

*Asset Management Inc. d/b/a Riverside Café, 151 Main Street, for an upgrade from
a City Victualer's License to a new City Class B License (Victualer, Liquor, and
Amusement) and a new State Restaurant (Class I, II, III, IV) Malt, Spirituous, and
Vinous Liquor License.*

The staff reports the premises are in compliance with required codes and
ordinances necessary to issue the requested licenses.

Robert Hamilton was present, as it was required by the Licensing Ordinance in
regards to new business licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

**Lodge #2698, 47
Foster Street, for
renewal of a City
Class B License
(Amusement/pool
tables, Liquor, and
Victualer) and
reclassification of the
existing State Class A
Lounge (Class X) to a
Club (Class V) Malt,
Spirituous and
Vinous Liquor
License.**

**Approved - Asset
Management Inc.
d/b/a Riverside Café,
151 Main Street, for
an upgrade from a
City Victualer's
License to a new
City Class B License
(Victualer, Liquor,
and Amusement)
and a new State
Restaurant (Class I,
II, III, IV) Malt,
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On a motion by Blanchette, seconded by Moore, it was unanimously

RESOLVED to approve the request of Asset Management Inc. d/b/a Riverside Café, 151 Main Street, for an upgrade from a City Victualer's License to a new City Class B License (Victualer, Liquor, and Amusement) and a new State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.

B&B Burgers Inc. d/b/a Fuddruckers, 367 State Street Suite A, for a new City Class C License (Victualer and Liquor) and a new State Restaurant (Class III, IV) Malt and Vinous Liquor License.

The staff reports the premises are not in compliance with required codes and ordinances necessary to issue the requested licenses. Mike Hangge, Fire Department Inspector explained at this time the Fire Department has not signed off on the license based on the fact that all the equipment is not in place yet. Some of the fire safety devices have not been installed yet including the exhaust hood which is expected to be put in by the end of the week. The establishment does not meet the 101 Life Safety Code or the Fire Prevention Ordinance requirements at this time. Chairman Crosthwaite stated the intention is to hold the public hearing and the Council can issue the license; however, the Fire Department will not sign the license until the Certificate of Occupancy has been issued. Hangge stated the Fire Department can sign off on the business license once those devices are installed, prior to issuing an occupancy permit.

Brad Holmes was present, as it was required by the Licensing Ordinance in regards to new business licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Moore, it was

RESOLVED to approve the application of B&B Burgers Inc. d/b/a

Approved - B&B Burgers Inc. d/b/a Fuddruckers, 367 State Street Suite A, for a new City Class C License (Victualer and Liquor) and a new State Restaurant (Class III, IV) Malt and Vinous Liquor License as presented.

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Fuddruckers, 367 State Street Suite A, for a new City Class C License (Victualer and Liquor) and a new State Restaurant (Class III, IV) Malt and Vinous Liquor License as presented.

Before a final vote was taken on the above motion, Councilor Fortier explained his motion will allow the staff to sign the application once it meets the requirements without holding up the applicant for another meeting. This allows the applicant to get the license to Augusta for processing. Fortier believes the inspection staff can take care of the requirements. Councilor Beathem agreed with Fortier except he would like to see it stipulated in the motion that the approval hinges on the signing off by all Departments of the City. Beathem stated if it is passed tonight without their signatures, the Council has stilled passed the license. Fortier stated in the past the Council has been advised by legal council that a license cannot be passed with conditions, the City Council has to pass it, but the applicant will not get a signed application to take to the State until the applicant meets all the requirements. Fortier stated that is why he verbalized the motion the way he did. Fortier stated the Council has done this in the past.

A final vote was taken with 5 members (Blanchette, Crosthwaite, Fortier, Moore and Perkins) voting in favor of the above motion and 1 member voting in opposition (Beathem).

The Eagles Lodge Inc. 278 High Street for renewal of a City Lodging License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier seconded by Blanchette, it was unanimously

RESOLVED to approve the request of The Eagles Lodge Inc. 278 High Street

Approved - The Eagles Lodge Inc. 278 High Street for renewal of a City Lodging License.

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for renewal of a City Lodging License.

Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Moore, seconded by Blanchette, it was unanimously

RESOLVED to approve the request of Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.

Ellsworth No. 1, LLC, d/b/a Hampton Inn – Ellsworth, 6 Downeast Highway, for renewal of a City Lodging License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Blanchette, seconded by Fortier, it was unanimously

Approved - Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.

Approved - Ellsworth No. 1, LLC, d/b/a Hampton Inn – Ellsworth, 6 Downeast Highway, for renewal of a City Lodging License.

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RESOLVED to approve the request of Ellsworth No. 1, LLC, d/b/a Hampton Inn – Ellsworth, 6 Downeast Highway, for renewal of a City Lodging License.

Ellsworth RI, LLC, d/b/a Ellsworth Ramada, 215 High Street, for renewal of a City Lodging License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve the request of Ellsworth RI, LLC, d/b/a Ellsworth Ramada, 215 High Street, for renewal of a City Lodging License.

Council Order #041505, Request of the Public Works Director to extend the contract for certain road striping services to Jordan’s Striping.

Larry Wilson, Public Works Director stated Jordan’s Striping provided a contract for the road striping at the same unit prices as the last two years. Wilson did not formally go out to bid as Jordan’s stated they would extend the contract for the same scope of work as well as at the same unit prices. See attachment #3 for the 2015 Pavement Marking Proposal as submitted by Jordan’s Striping. Wilson is recommending extending the contract with Jordan’s Striping at an estimated cost of \$21,656.96; the scope of work includes the arrows and crosswalks, and not the line striping within the Urban Compact Area. There was a short discussion on the various areas that will require striping. Each year areas are added on and removed; however, the end result normally remains fairly close to the same amount of paint being used. Councilor Fortier had a concern with the Myrick Street, Route 1 intersection where there are two lanes going outbound, last year one of the significant lines were missing and it was recommended that line be painted back

Approved - Ellsworth RI, LLC, d/b/a Ellsworth Ramada, 215 High Street, for renewal of a City Lodging License.

Approved - Council Order #041505, Request of the Public Works Director to extend the agreement for arrows, lane designations, stop bars and cross walk striping to Jordan Striping at the unit prices per the attached proposal (attachment #3).

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 20, 2015

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, CROSTHWAITE, FORTIER, MOORE, AND PERKINS.

CITY COUNCIL ABSENT: PHILLIPS

KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

on. Wilson will inspect that area for completeness this year.

On a motion by Beathem, seconded by Fortier, it was unanimously

RESOLVED to approve Council Order #041505, Request of the Public Works Director to extend the agreement for arrows, lane designations, stop bars and cross walk striping to Jordan Striping at the unit prices per the attached proposal (attachment #3).

Council Order #041506, Request of the Public Works Director to extend the contract for center and sideline striping to Lucas Striping, LLC.

Larry Wilson, Public Works Director stated Lucas Striping LLC submitted a proposal for the same unit prices that he offered last year. The only change that may be necessary is to the line distance, the actual cost per unit will remain the same as last year. See attachment #4 for the 2015 Center and Side Line Striping Proposal from Lucas Striping LLC. Wilson is requesting to extend the contact with Lucas Striping, the company that has completed the striping for the previous two years.

On a motion by Fortier, seconded by Blanchette, it was

RESOLVED to approve Council Order #041506, Request of the Public Works Director to extend the agreement for center line and side line striping to Lucas Striping, LLC at the unit prices per the attached proposal (attachment #4).

Before a final vote was taken Councilor Beathem inquired if Lucas Striping would be available to come back in the Fall to touch up some lines, particularly new construction areas. Wilson stated it would be possible; however, it may be at a higher price since they will be traveling up from southern Maine for a small project. Wilson suggested a local company may be more cost efficient for that size job. Councilor Moore inquired if Lucas Striping places reflective beads in the paint still, Wilson stated they do not. The paint is not reflective; beads are normally placed on the wet paint to make the arrows, crossbars and crosswalks light up.

Approved - Council Order #041506, Request of the Public Works Director to extend the agreement for center line and side line striping to Lucas Striping, LLC at the unit prices per the attached proposal (attachment #4).

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 20, 2015

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, CROSTHWAITE, FORTIER, MOORE, AND PERKINS.

CITY COUNCIL ABSENT: PHILLIPS

KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLLENBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

A final vote was taken on the above motion with all members voting unanimously in favor.

Council Order #041507, Request of the Finance Director for transfer of the Defendants in Rem (criminal forfeiture Doc. No. CR-13-207) to the City of Ellsworth and to allow the Finance Director to deposit these monies into the Police Forfeiture Reserve Account upon receipt of the funds.

Tammy Mote, Finance Director explained the Police Department recently had a drug case at the Hampton Inn that resulted in the arrest and conviction of a man who had cash in his possession when the apprehension took place. This money was turned over to the court system as part of the case. The Assistant Attorney General prosecuting the case has proposed that Ellsworth would receive \$13,774 from the forfeiture. State law requires that before any forfeitable item can be transferred to the municipality, the legislative body must publicly vote to accept the items. See attachment #5 for the letter of award from the Office of the Attorney General and the Court Order from the Court awarding the Defendant In Rem #1 and #2. This council order allows the Finance Director to deposit the monies into the Police Forfeiture Reserve Account once those funds are received.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve Council Order #041507, Request of the Finance Director for transfer of the Defendants in Rem (criminal forfeiture Doc. No. CR-13-207) in the case of State of Maine vs. Jesse Evan Sawyer pursuant to 15 M.R.S.A Section 5822 (4)(A) and Section 5824 (3) to the City of Ellsworth, and to allow the Finance Director to deposit these monies into the Police Forfeiture Reserve Account upon receipt of the funds.

Council Order #041508, Request of the Finance Director for transfer of the Defendants in Rem (criminal forfeiture Doc. No. CR-13-044) to the City of Ellsworth and to allow the Finance Director to deposit these monies into the Police Forfeiture Reserve Account upon receipt of the funds.

Tammy Mote, Finance Director explained the Police Department had another case that involved the trafficking of drugs. This case resulted in the arrest and

Approved - Council Order #041507, Request of the Finance Director for transfer of the Defendants in Rem (criminal forfeiture Doc. No. CR-13-207) in the case of State of Maine vs. Jesse Evan Sawyer pursuant to 15 M.R.S.A Section 5822 (4)(A) and Section 5824 (3) to the City of Ellsworth, and to allow the Finance Director to deposit these monies into the Police Forfeiture Reserve Account upon receipt of the funds.

Approved - Council Order #041508, Request of the Finance Director for transfer of the Defendants in Rem (criminal forfeiture

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KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

conviction of a man who had cash and a 2007 Cadillac in his possession when the apprehension took place. The Assistant Attorney General prosecuting the case has proposed the City of Ellsworth receive the 2007 Cadillac and the MDEA receive the money involved in the forfeiture. State law requires that before any forfeitable item can be transferred to the municipality, the legislative body must publicly vote to accept the items. See attachment #6 for the letter of award from the Office of the Attorney General and the Court Order from the Court awarding the Defendant In Rem #2. Chief Coleman has expressed his interest to use this vehicle as a trade in on a new cruiser acquisition in the 2016 budget year.

Doc. No. CR-13-044) in the case of State of Maine vs. Mark Briggs pursuant to 15 M.R.S.A Section 5822 (4)(A) and Section 5824 (3) to the City of Ellsworth.

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #041508, Request of the Finance Director for transfer of the Defendants in Rem (criminal forfeiture Doc. No. CR-13-044) in the case of State of Maine vs. Mark Briggs pursuant to 15 M.R.S.A Section 5822 (4)(A) and Section 5824 (3) to the City of Ellsworth.

Council Order #041509, Request of the Tax Collector to award bids for tax-acquired property.

Approved - Council Order #041509, Request of the Tax Collector to accept the bids from the highest bidders as indicated on attachment #7 and to release said properties through quit-claim deeds.

Amanda Tupper, Tax Collector stated on March 25, 2015 bids were opened for the sale of 91 timeshare units, all of which were acquired for non-payment of real estate taxes. Six bids were received. See attachment #7 for a complete copy of the bids received on the timeshare units that were acquired for non-payment of real estate taxes. All of the bids received met the requirements. Two bids were received on the same timeshare unit; Tupper is recommending the highest bidder be awarded that unit. Tupper is recommending the bids be accepted and the quit-claim deeds be issued on the units. Councilor Fortier inquired if Ms. Crowley wanted both units she bid on; Tupper stated Crowley did not want both units. She will be taking unit 30-E; the other unit will be added to the list of units to be sold through public sale later on the agenda. Tupper did not check to see if Mr. Pelletier wanted to purchase both units he bid on. Chairman Crosthwaite stated he has discussed with Tupper the need for exploring avenues to address this situation during the next fiscal year. The number of units that are involved in the foreclosure process is becoming excessive. Fortier agreed that different options need to be investigated. Interim City Manager David Cole felt the secondary

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CITY COUNCIL ABSENT: PHILLIPS

KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

market for timeshare units is fairly strong.

On a motion by Moore, seconded by Fortier, it was unanimously

RESOLVED to approve Council Order #041509, Request of the Tax Collector to accept the bids from the highest bidders as indicated on attachment #7 and to release said properties through quit-claim deeds.

Council Order #041510, Request of the Tax Collector to offer for sale by public sale timeshare units located at Acadia Village Resort, acquired by non-payment of real estate taxes. (Complete list available at the City Clerk's Department)

Amanda Tupper, Tax Collector stated taking into consideration the six units that were bid on, there will be 85 units left to sell through public sale. See attachment #8 for a complete list of tax acquired properties that did not sell through the sealed bid process. Once Nina Crowley rejects the bid on the second unit she bid on, Tupper will add that unit back on to this list of units to be sold through the public sale process. Tupper is requesting authorization to sell the remaining timeshare units for a fixed price on a first come first serve basis. The proposed pricing included on attachment #8 includes all taxes, interest, and lien costs due, recording and transfer fees, advertising costs, and additional revenue for the City. An additional \$100 has been added to each unit to help with administrative costs.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve Council Order #041510, Request of the Tax Collector to offer for sale by public sale all timeshare units, per attachment #8.

Council Order #041511, Request of the Finance Director to expend an amount not to exceed \$5,000 for the construction of the Police Department Interview Room, to be funded from the Police Equipment Replacement Capital Improvement Account.

Tammy Mote, Finance Director explained during the Fiscal Year 2015 budget the City Council had appropriated \$11,000 for the purchase of tasers and a cruiser computer. The cruiser has already been purchased, however a computer for that cruiser is still needed. After discussing this potential need with the Technology

Approved - Council Order #041510, Request of the Tax Collector to offer for sale by public sale all timeshare units, per attachment #8.

Approved - Council Order #041511, Request of the Finance Director to expend an amount not to exceed \$5,000 on the construction of the Police

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KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

Coordinator it was determined that a computer would not need to be purchased this year. Currently, the Police Equipment Replacement Capital Improvement account has a remaining balance of \$5,014. Chief Coleman has expressed his interest in using \$5,000 of the remaining balance to construct an interview room. See attachment #9 for the complete proposal including a diagram for the new Police Department Interview Room. The City Manager has the authority to approve projects and purchases under \$10,000 per the City's Procurement Policy. However, because the funds that were originally allocated for the purchase of a computer, City Council approval is required to "reallocate" the monies for a different purpose.

Chief Coleman gave a brief explanation of why the interview room is necessary and how this extra room would help with investigations. This private room would be used to interview witnesses, victims, and suspects. The dimensions of the room would be 8x10 and sound proof. Grant funding is available for the purchase of video and audio equipment and existing furniture would be used. The existing lobby would be divided into a small area for the public to approach the dispatch window; the remaining space would be divided into an interview room and a small storage closet. The cost is not expected to be more than \$5,000. The Fire Department has evaluated the plan and with the correct accommodations it will meet the fire protection requirements. Councilor Fortier asked Coleman to explain the importance of having an interview room at the proposed location within the building. Councilor Moore inquired about sound proofing the room. Coleman explained the quote includes a special type of insulation in the walls to aid in sound proofing as well as the existing door to the Police Department will be relocated to the entrance of the new interview room. Councilor Blanchette inquired if there would still be room for people to sit in the dispatch lobby. Coleman believes there will be room for one chair next to the new wall. The vision is to keep the chairs in the hallway of City Hall right outside the dispatch area. Residents will be allowed to wait in the interview room for an officer, when it is not in use.

On a motion by Blanchette, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #041511, Request of the Finance Director to expend an amount not to exceed \$5,000 on the construction of the Police Department Interview Room. Amount to be funded from the Police

**Department
Interview Room.
Amount to be funded
from the Police
Equipment
Replacement Capital
Improvement
Account.**

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

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CITY COUNCIL ABSENT: PHILLIPS

KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE, TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLNBACH, DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.

Equipment Replacement Capital Improvement Account.

Council Order #041512, Request of the Finance Director to withdraw \$2,500 from the Federally Forfeited Property Reserve Account for a match to the Bureau of Highway Safety Equipment Grant to purchase two radars and one cruiser camera.

Tammy Mote, Finance Director stated the Police Department has been awarded a \$10,000 grant from the Bureau of Highway Safety Equipment for the purchase of a cruiser video camera system and two radar units. The Police Department would like to use the 25% match from the Federally Forfeited Property Reserve Account. Currently this account has a balance of \$4,086, not including the addition of \$13,774 of Defendants in Rem approved this evening. See attachment #10 for the complete description of items being purchased, contractor information and products price schedule. Councilor Fortier stated technically this would be a \$7,500 grant. Councilor Perkins inquired about body cameras for the officers. Chief Coleman spoke on the difference between body cameras and cruiser cameras and the pros and cons for each. All the cruisers in the fleet are required to have cameras and they are activated with the use of the blue lights. Mote added that the Bureau of Highway Safety anticipates that this program will be an annual grant and will require a match each year. Coleman has added the 25% match to the Police Department's FY 2016 budget request for next year's equipment purchases. Perkins inquired if all the current cruisers have cameras. Coleman stated all the cruisers do have cameras; however, four of the cruisers have the old style cameras. This purchase would help upgrade the cameras. Coleman explained how the grant was designed this year compared to the way the grant has worked in the past.

On a motion by Blanchette, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #041512, Request of the Finance Director to withdraw \$2,500 from the Federally Forfeited Property Reserve Account for a match to the Bureau of Highway Safety Equipment Grant to purchase two radars and one cruiser camera.

Council Order #041513, Request to accept a proposal from Starboard Leadership Consulting Group, LLC for the Facilitation Services and Development of Visioning/Goal Settings project.

Approved - Council Order #041512, Request of the Finance Director to withdraw \$2,500 from the Federally Forfeited Property Reserve Account for a match to the Bureau of Highway Safety Equipment Grant to purchase two radars and one cruiser camera.

Approved - Council Order #041513, to accept the RFP from

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 20, 2015

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, CROSTHWAITE,
FORTIER, MOORE, AND PERKINS.**

CITY COUNCIL ABSENT: PHILLIPS

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE,
TAMMY MOTE, LARRY GARDNER, MICHAEL HANGGE, RICHARD
TUPPER, PENNY WEINSTEIN, LARRY WILSON, CHRISTOPHER
COLEMAN, HAROLD PAGE, GLENN MOSHIER, FRED EHRLLENBACH,
DOTTY SMALL, GIL JAMESON, SHAWN WILLEY, AND AMANDA TUPPER.**

Chairman Crosthwaite explained this has been discussed at the Finance Committee level. Councilors have a copy of the proposals and the scoring sheets. The top scorer was Starboard Leadership Consulting LLC. See attachment #11 for the Request for Proposals Facilitation Services and Development of Visioning/Goal Setting, scoring sheet for proposals, and the proposal from Starboard Leadership Consulting LLC. Starboard Leadership Consulting is ready to start this project as soon as the proposal is formally approved.

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #041513, to accept the RFP from Starboard Leadership Consulting LLC to be the facilitators of the Visioning/Goal Settings project for an amount not to exceed \$21,500, see attachment #11. This project will be funded from Fund Balance.

Adjournment.

On a motion by Fortier, seconded by Blanchette, it was unanimously

RESOLVED to approve adjournment at 8:11 PM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

**Starboard
Leadership
Consulting LLC to
be the facilitators of
the Visioning/Goal
Settings project for
an amount not to
exceed \$21,500, see
attachment #11. This
project will be
funded from Fund
Balance.**

**Approved -
Adjournment at 8:11
PM.**