

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: OCTOBER 17, 2016

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHAM, BLANCHETTE, CROSTHWAITE,
FORTIER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT: ONE VACANT SEAT

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
DWIGHT TILTON, MICHAEL HANGGE, MICHELE GAGNON, JEN
MADORE, PETE BICKMORE, GIL JAMISON, SHAWN MERCHANT, AND
TERI DANE.**

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 9, 2015 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 minutes from the following meeting (s) of the Ellsworth City Council:

- 09/02/2016 Special Meeting.
- 09/19/2016 Regular Monthly Meeting.
- 09/30/2016 Special Meeting.

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

RESOLVED to approve the adoption of minutes from the 09/02/2016 Special Council Meeting, 09/19/2016 Regular Council Meeting, and 09/30/2016 Special Council Meeting.

City Manager's Report.

David Cole, City Manager reminded the public that tomorrow between 8 AM and 4 PM a contractor will be installing and updating the traffic controller at the Water Street and Main Street intersection. The modifications will allow for more flexibility when setting preferences. The new traffic camera is also being installed

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of minutes from the 09/02/2016 Special Council Meeting, 09/19/2016 Regular Council Meeting, and 09/30/2016 Special Council Meeting.

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which will replace the traffic loops that were removed during the mill and fill project MaineDOT just completed. Councilor Fortier and Cole agreed this was a great project and Lane Construction handled the project very well. The new camera system will help manage the light as well as provide data on traffic flows and counts for future traffic management. Cole also announced the new website is now available and functional. Email notifications are now available to those signing up to receive them on topics of interest such as City Council meetings and agendas, Planning Board meetings and agendas as well as general email alerts on emergency announcements. Cole reminded the public that absentee voting is underway now through November 3, 2016. On Thursday, November 3, 2016 the Registrar of Voters will be open from 5 PM to 7 PM to handle voter registration additions and corrections as well as to offer absentee voting. Cole reminded the residents of Ward Two that the polling location has been moved from 4 Old Mill Road (Your Place Community Center) to 283 State Street (Community of Christ Church). Coordination between MaineDOT, Jordan's Construction and the City of Ellsworth is being made to allow easy access to the Community of Christ Church on Election Day. Fortier asked Cole to investigate whether email addresses from the public signing up to receive email notifications from the website will be protected during freedom of access requests.

Committee Reports.

➤ *Recreation Commission:* Councilor Blanchette reported the Commission met last week. The Winter Carnival plans were briefly discussed; a date will be set for the event next month. A new chairman will be elected next month. A new member will be named this evening to the Commission. The Demeyer Fields and basketball courts are in the process of being closed for the season.

➤ *Harbor Commission:* Councilor Moore reported the Commission met. The Harbor Park closed for the season on October 15, the winter maintenance will be performed during the next few days. It was a great season, especially as the new slips and docks were financially successful. There was a short discussion on the replacement of the gas tanks; it appears this project is still moving forward. Moore noted Harbormaster Adam Wilson did a good job coordinating with the Ellsworth Garden Club on designing and constructing a garden. Wilson also worked on creating a lawn behind the Union River Center for Innovation building. David Cole, City Manager noted he greeted the Ellsworth Garden Club during their

Committee Reports.

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meeting to thank them on behalf of the Council for their efforts at the Harbor and Blue Star Memorial, as well as other projects throughout the City.

Citizens' Comments.

There were no citizens' comments this month.

Presentation of Awards.

Peter Austin, for 30 years of service with the Water Department.

Peter Austin was absent from the meeting. The award will be given to his supervisor for presentation at a later date.

Presentation of Commendations for providing life saving measures.

Harold "Pete" Bickmore honored Sargent Shawn Willey and Officer Shawn Merchant with letters of Commendation for their willingness to administer Naloxone along with extending life saving measures to a resident of Ellsworth until emergency personnel arrived on the scene.

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

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.*

*Council Order #101600, Request of the Deputy Treasurer/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. **

Citizens' Comments.

Presentation of Awards.

Peter Austin – 30 years Water Dept.

Shawn Willey and Shawn Merchant for life saving measures.

Unfinished Business.

Consent Agenda.

Approved - Consent agenda as presented this evening.

Approved – CO #101600, quit-claim deed timeshare units.

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See attachment 1 for a complete list of timeshare units sold during the previous month.

Council Order #101601, Request of the Recreation Commission to appoint Amy Phillips as a member to the Recreation Commission term to expire June 30, 2018.
*

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

RESOLVED to approve the consent agenda as presented this evening.

Five members voted to approve (Beathem, Blanchette, Crosthwaite, Fortier, and Moore). One member abstained from the vote (Phillips).

NEW BUSINESS

Public hearing and action on the application (s) for the following license (s):

Louise Joy and Tommy Joy d/b/a Edward Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile Graveyard Permit.

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 Phillips, seconded by Blanchette, it was unanimously

RESOLVED to approve the request of Louise Joy and Tommy Joy d/b/a Edward Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile Graveyard Permit.

Approved – CO #101601, Amy Phillips to Recreation term to expire 6/30/2018.

New Business.

Approved - Louise Joy and Tommy Joy d/b/a Edward Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile Graveyard Permit.

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*James B. Card II d/b/a Jimbo's Junkin, 62 Kylies Way, for renewal of a City
Junkyard/Automobile Graveyard Permit.*

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 Moore, it was unanimously

**RESOLVED to approve the request of James B. Card II d/b/a Jimbo's Junkin,
62 Kylies Way, for renewal of a City Junkyard/Automobile Graveyard Permit.**

*Public hearing and action on a proposed amendment to the City of Ellsworth
Official Land Use Map. The proposal is to consider the rezoning of land from the
Urban Zoning District to the Business Park Zoning District for the purpose of
developing a Commercial Composting facility. The rezoning includes 2-acres of
Tax Map/Lot: 50/75, accessed off the Industrial Road, and approximately 8.1-
acres of Tax Map/Lot: 59/14-1-2, off the Mariaville Road (Route 180), as shown
on the map (available in the City Clerk's Department).*

Michele Gagnon, City Planner explained the land shown in green on the map in attachment #2 is currently located within the Business Park. In the upper-hand corner of attachment #2 shows the location of the City's Transfer Station. A demo debris business is located behind the Transfer Station. Tonight the request deals with the land displayed in pink on attachment #2, which abuts the demo debris business and is presently located within the Urban Zone. Tonight consideration will be given on whether to rezone this parcel from the Urban Zone to the Business Park Zone. This would stretch the Business Park Zone to include more land than it currently does. The land that surrounds the area to be rezoned is vacant land and therefore does not contain any businesses which would be impacted by this change. Gagnon explained what types of uses fit in a Business Park Zone. In the future there may be a business located in this zone that will handle commercial

**Approved - James B.
Card II d/b/a
Jimbo's Junkin, 62
Kylies Way, for
renewal of a City
Junkyard/
Automobile
Graveyard Permit.**

**Approved -
Amendment to the
City of Ellsworth
Official Land Use
Map to rezone 2-
acres of Tax Map 50
Lot 75 and
approximately 8.1
acres of Tax Map 59
Lot 14-1-2, as
depicted in magenta
pink on the map
(attachment #2).**

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composting. When that business is ready they will be heard by the Planning Board prior to constructing this facility. Gagnon is only asking for consideration on adding land to the Business Park Zone tonight.

Public hearing opened.

There were no comments.

Public hearing closed.

Chairman Crosthwaite stated it was his understanding that the Planning Board has already heard this request and sends this proposal to the Council with a unanimous approval. Gagnon confirmed that was correct, the minutes reflecting a positive vote were missing from attachment #2.

On a motion by Phillips, seconded by Beathem, it was

RESOLVED to approve the amendment to the City of Ellsworth Official Land Use Map to rezone 2-acres of Tax Map 50 Lot 75 and approximately 8.1 acres of Tax Map 59 Lot 14-1-2, as depicted in magenta pink on the map (attachment #2).

Before a vote was taken on the above motion, Councilor Fortier expressed his excitement with a business pursuing a project of this type. This is one part of the solid waste hierarchy that the City has not had available to them at a cost they could afford. The proposed operation was discussed briefly. Councilor Beathem confirmed the need for this type of business and explained how this will be very helpful to local businesses.

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

Public hearing and action on Council Order #101602: Order authorizing the issuance of up to \$84,000 of the City's General Obligation Bonds to finance the acquisition and equipping of two police vehicles.

Tammy Mote, Finance Director/Deputy City Manager stated in August the City Council authorized the purchase of four cruisers and associated equipment.

Approved - Council Order #101602: Order authorizing the issuance of up to \$84,000 of the City's General Obligation

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Attachment #3 is the formal authorization for the issuance of up to \$84,000 of the City's General Obligation Bonds to finance the acquisition and equipping of two police vehicles. The bank note with the First National Bank at a rate of 1.63% for three years of borrowing is part of the request this evening. Attachment #3 details the terms of the borrowing. Councilor Fortier noted this is the first time the City has borrowed money to finance the purchase of police cruisers. The reason this is necessary is the Council budgeted to purchase only two cruisers this fiscal year; however, as Police Chief Bickmore was reviewing the condition of the current fleet of cruisers he noted many of the current vehicles have high mileage and are incurring high maintenance expenses, resulting in the need to purchase four new cruisers. Normally, the replacement of cruisers is financed through the budget process. All associated fees will be included in this item except for the replacement of the cruiser computers which will be addressed within the next agenda item. David Cole, City Manager noted the minimal interest on this borrowing will be far less expensive than the maintenance expenses that would be incurred on these vehicles over the course of the loan.

Public hearing opened.

There were no comments.

Public hearing closed.

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

RESOLVED to approve Council Order #101602: Order authorizing the issuance of up to \$84,000 of the City's General Obligation Bonds to finance the purchase of new cruisers and associated equipment, and also authorize Council Order #101602 per the attached written order (attachment #3).

Council Order #101603, Request of the Police Chief to accept a grant award in the amount of \$125,000 from the Community Oriented Policing Services (COPS) grant program.

Harold "Pete" Bickford, Police Chief explained in June 2016 his department applied for a Cops Grant from the Department of Justice in the amount of \$125,000. This grant would be used to fund a school resource officer specifically.

Bonds to finance the purchase of new cruisers and associated equipment, and also authorize Council Order #101602 per the attached written order (attachment #3).

Approved - Council Order #101603, Request of the Police Chief to accept a grant award in the amount of \$125,000 from the Community

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The three year grant was awarded a week and half ago in the amount of \$125,000; there is a required commitment by the City of approximately \$108,000. The goal of a resource officer is to establish relations within the schools and the student body. Dan Higgins, Superintendent was not present this evening; however, he is very supportive of this project. Bickmore will collaborate with Higgins to create the job description for the resource officer. See attachment #4 for the complete request and Cops Hiring Program Award letter. Councilor Moore shared his experience of having a resource officer available at the schools while he was teaching as well as his other reasons for supporting this request. Councilor Fortier inquired when Bickmore envisioned this project beginning. Bickmore explained further discussions were necessary with the City Manager and Finance Director as well as a review of the grant rules before a decision could be made on a start date. It is possible that this position may be in the schools as early as the beginning of the year. Discussions will need to be held on hiring additional officers so that an officer within the department can be promoted to this position. Ellsworth was only one of four awarded this grant within the State of Maine. Bickmore thanked those involved with helping him write the grant.

Oriented Policing Services (COPS) grant award.

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

RESOLVED to approve Council Order #101603, Request of the Police Chief to accept a grant award in the amount of \$125,000 from the Community Oriented Policing Services (COPS) grant award.

Council Order #101604, Request of the Finance Director to transfer funds from the Exacom Recorder Capital Improvement line item to the Computer Replacement Capital Improvement line item.

Approved - Council Order #101604, Request of the Finance Director to transfer funds from the Exacom Recorder Capital Improvement line item to the Computer Replacement Capital Improvement line item.

Tammy Mote, Finance Director explained Jason Ingalls, IT Systems Administrator, has requested to transfer funds from the Exacom Recorder Capital Improvement line item, (which has remained at a balance of \$11,500 since FY 2014) to the Computer Replacement Capital Improvement line item. This transfer will allow the IT Department to purchase additional computers and associated equipment for the two new police cruisers. The Exacom Recorder Capital Improvement line item is no longer necessary because the City purchased a new recorder from Exacom Recorder last year through a five year, no interest rent to own payment plan as part of the budget process.

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

RESOLVED to approve Council Order #101604, Request of the Finance Director to transfer funds from the Exacom Recorder Capital Improvement line item to the Computer Replacement Capital Improvement line item.

Council Order #101605, Request of the City Manager to approve a proposal to restructure positions within the Police Department.

David Cole, City Manager explained after discussions with Tammy Mote, Finance Director and Pete Bickmore, Police Chief they have developed a proposal for restructuring some positions within the Police Department. See attachment #5 for the complete request and proposed Captain Position Job Description. The City has grown to the point a Captain position is necessary. This position would clearly be second in command. Within the FY 2016 budget a second Detective position had been approved. Through discussions it was discovered having a Captain would provide more benefits to the department than having a second Detective position. At this time they are recommending eliminating the second Detective position and creating a new Captain position. Bickmore explained the need to create this new position within the Department as well as the need to restructure at this time. This will be the first time Ellsworth has ever promoted an officer to the Captain rank. The Captain will be second in command after the Chief and will oversee the entire Department with emphasis on the patrol operations and administrative matters. Councilor Fortier inquired if a tree of responsibilities (chain of command) has been created yet within the Department. Bickmore explained the steps that have been taken in regards to creating a chain of command within the Department.

On a motion by Phillips, seconded by Beatham, it was

RESOLVED to approve Council Order #101605, Request of the City Manager and Chief of Police to create a new Captain Position in the Police Department.

Before a vote was taken Councilor Moore inquired when Bickmore felt he would be appointing a Captain. Bickmore will work with Cole and Mote on a plan tomorrow based on timelines for posting the position internally with the hope of promoting from within first.

Approved - Council Order #101605, Request of the City Manager and Chief of Police's request to create a new Captain's Position in the Police Department.

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TERI DANE.**

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

Adjournment.

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

RESOLVED to approve adjournment at 7:36 PM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

**Approved -
Adjournment at 7:36
PM.**