

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: DECEMBER 18, 2017

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: HUDSON

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MIKE HARRIS, LARRY GARDNER, GLENN MOSHIER, AND KATINA
HOWES.**

Call to Order.

Chairman Blanchette called the regular meeting of the Ellsworth City Council to order at 7:00 PM.

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 13, 2017 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:

November 9, 2017 Special Council Meeting.

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

RESOLVED to approve the adoption of minutes from the November 9, 2017 Special Council Meeting as presented.

A vote was taken on the above motion with 5 members voting in favor (Beatham, Blanchette, Crosthwaite, Hamilton, and Moore) and 1 member abstaining from the vote (Fortier).

November 13, 2017 Organizational Meeting.

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

RESOLVED to approve the adoption of minutes from the November 13, 2017 Organizational Meeting as presented.

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of minutes from the November 9, 2017 Special Council Meeting as presented.

Approved - Adoption of minutes from the November 13, 2017 Organizational Meeting as presented.

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November 20, 2017 Regular Council Meeting.

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

**RESOLVED to approve the adoption of minutes from the November 20, 2017
Regular Council Meeting as presented.**

City Manager's Report.

David Cole, City Manager thanked the Ellsworth Police Department, Fire Department, Dispatchers and Public Works Department for keeping the roads safe and protecting the public so that time could be enjoyed with family and friends during the holiday season. Chairman Blanchette thanked the Police Department for their part in the Saturday wreath laying event particularly the traffic control which allowed the event to be a success.

Committee Reports.

➤ *Harbor Commission:* Councilor Moore stated he attended the Harbor Commission meeting along with Councilor Hamilton. Moore noted the donation jar at the Harbor netted \$882.15 this year. Discussions started on the Fiscal Year 2019 budget. The Commission is also reviewing the Harbor Ordinance as well as any necessary changes. There is a potential need to develop a plan for using the entire river system, extending from the dam to the mouth of the river. For this to happen the Commission needs to define some of the terms; for example, what constitutes the inner and outer harbor. The different boundaries and regulation for each of those definitions were discussed as well. The fuel tank and the plan to bring those into compliance was discussed during the meeting. This concern is close to being resolved. David Cole, City Manager spoke about the Small Harbor Improvement Program (SHIP) and how it will assist in resolving the concerns with the fuel tank at the Harbor. Cole explained the City has applied for funding under this program to finance the upgrades to the fuel system. This will not only replace the inadequate gasoline tanks and distribution system that currently exists but will also add diesel fuel. The Council has previously approved the matching funds for this project. A grant agreement has been received from the MaineDOT; however, was received beyond the agenda deadline for this meeting. Approval for this agreement will be heard at the January Council meeting. In the meantime, permits

**Approved - Adoption
of minutes from the
November 20, 2017
regular Council
Meeting as
presented.**

**City Manager's
Report.**

Committee Reports.

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can be applied for and the design phase can be started. The project will begin in the spring and is planned to be completed before the summer boating season begins. There is currently less than 100 gallons remaining in the existing tank. Moore noted the volunteer efforts that have been donated for beautification at the harbor and improving the usefulness of the harbor. Through the efforts of the Ellsworth Garden Club, Boy Scouts and the Harbormaster there are now beautiful gardens, and the original gazebo has been revitalized along with the creation of a stone walkway. Recently, the Ellsworth Elks built a new gazebo at the Harbor Park.

Recreation Commission: Councilor Fortier noted the Commission met during the previous month. The sound curtains at Court #2 were removed with assistance from the Public Works Department. The ice skating rink has been framed now volunteers are needed to prepare the rink. This will be the focal point for the upcoming Winter Carnival in February. Details on Winter Carnival will be updated on the cable television channel and the news stations as they become available. Letters were mailed out seeking donations for the fireworks. Winter Carnival is scheduled for the weekend of February 10.

Citizens' Comments.

Mary Blackstone a member of the Ellsworth Garden Club and Chair of the Green Plan Steering Committee spoke. The Green Planning process was initiated by the Garden Club last January. There have been a few updates presented to the City Council during the past year relating to the visions that came out of the public forum, held on January 19, 2017. Since that time the mission and visions have been more defined through a plan. The Steering Committee now has 14 members. Blackstone gave an overview of the complete progress report (attachment #1). To date over \$45,000 has been raised to help fund consultants which will provide educational programs and pay Carol Martin the coordinator/facilitator. Blackstone noted her appreciation in regards to the City Council voting to move forward with an organic plan for lawn care within the City of Ellsworth even before the Steering Committee was developed. Mapping and inventorying of all 50 green spaces and public spaces has been completed through the GIS program including photographs. A walkability survey has been completed; Blackstone is hopeful the findings will be presented in February to the City Council. A museum in the streets project is being developed and is moving forward through the Historic Preservation Commission. A grant application was submitted and if awarded will be

Citizens' Comments.

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instrumental in this project. The attached document also lists projects coming up in 2018. Councilor Crosthwaite inquired if the Heart of Ellsworth was part of the plans or involved with the coordination of the projects. Blackstone stated the Heart of Ellsworth has been a strong participant in their Steering Committee and the goal is to have them involved with several of the projects. They also provided a forum for the Green Plan to present concepts to the public. Councilor Fortier directed David Cole, City Manager's attention to March 19, 2018, the date Sophie Janeway from the Natural Resource Council of Maine is scheduled to be in Ellsworth. Fortier was hopeful this might be an opportunity for Cole and Fortier to meet with her to continue discussions on the energy efficient processes being looked at by Ellsworth.

Presentation of Awards.

There were no presentations of awards this month.

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 #121700, Request of the Deputy Treasurer/Tax Collector to accept payments on tax acquired time share 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 sold during the previous month.

Council Order #121701, Request of the City Assessor for abatement of FY 2017 (\$10.61), FY 2016 (\$99.12), and FY 2015 (\$92.12) taxes assessed to Trudy A.

Presentation of Awards.

Unfinished Business.

Consent Agenda.

Approved - Consent agenda as presented this evening.

Approved – CO #121700, payments on tax acquired time share units, issue quit-claim deeds.

Approved – CO #121701, abatement

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*Martin, Munis ID# 355162, in the amount of \$201.85 plus interest and fees. **

See attachment #3 for the complete request for abatement on Munis ID# 355162.

*Council Order #121702, Request of the City Assessor for abatement of FY 2017 (\$403.10) and FY 2016 (\$403.56) taxes assessed to Terrence Pinkham, Munis ID# 5205, in the amount of \$806.66 plus interest and fees. **

See attachment #4 for the complete request for abatement on Munis ID# 5205.

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

RESOLVED to approve the consent agenda as presented this evening.

NEW BUSINESS

Public hearing and action on the following applications for new and/or renewal on the following licenses:

Finelli's of Maine Inc., 12 Downeast Highway, for renewal of a City Class B License (Victualer/Liquor/Arcade) and renewal of a State Restaurant Liquor License (Malt and Vinous).

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 Moore, it was unanimously

RESOLVED to approve the request of Finelli's of Maine Inc., 12 Downeast Highway, for renewal of a City Class B License (Victualer/Liquor/Arcade) and

of FY2017, FY2016, and FY2015 taxes to Trudy A. Martin (\$201.85 plus interest and fees).

Approved – CO #121702, abatement of FY2017 and FY2016 taxes to Terrence Pinkham (\$806.66 plus interest and fees).

New Business.

Approved - Finelli's of Maine Inc., 12 Downeast Highway, for renewal of a City Class B License (Victualer/Liquor/Arcade) and renewal of a State Restaurant Liquor License (Malt and Vinous).

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renewal of a State Restaurant Liquor License (Malt and Vinous).

Ellsworth CI, LLC d/b/a Ellsworth Comfort Inn, 130 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 Moore, seconded by Beathem, it was unanimously

RESOLVED to approve the request of Ellsworth CI, LLC d/b/a Ellsworth Comfort Inn, 130 High Street, for renewal of a City Lodging License.

Public hearing and action on an extension to the Emergency Moratorium Ordinance on Primary Caregiver Operations Outside of the Primary Residence upon the request of the City Planner.

David Cole, City Manager presented this request on behalf of the City Planner. The request is for extending the current Moratorium an additional 180 days. See attachment #5 for the complete request and copy of Emergency Moratorium Ordinance on Primary Caregiver Operations Outside the Primary Residence. The Moratorium was originally passed at the June 2017 Regular Council meeting. This will extend the current Moratorium on primary marijuana caregivers operating outside of their primary residence. This request is part of a State-wide issue, where there are some caregivers within the State appearing to position themselves to take advantage of the commercial opportunities associated with the legalization of marijuana. As this is a State-wide issue, the extension of this Moratorium will provide the City additional time to explore the licensing, land use and regulatory issues associated with the marijuana caregivers moving outside of their primary residence and into other locations including commercial facilities. Some progress has been made; although, at this point it is unclear what will happen with the Maine Recreational Legalization Act. Even though this Moratorium is related to medicinal

**Approved -
Ellsworth CI, LLC
d/b/a Ellsworth
Comfort Inn, 130
High Street, for
renewal of a City
Lodging License.**

**Approved -
Extending the
emergency
moratorium passed
on June 19, 2017,
regarding the
Emergency
Moratorium
Ordinance on
Primary Caregiver
Operations Outside
the Primary
Residence, for an
additional 180 days.**

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marijuana it is tied in with the regulations for recreational marijuana. There are some indications that major rule changes relating to caregivers may be released from the governing body in Augusta. In November, the City held a community conversation on marijuana with some very knowledgeable speakers. This was attended by approximately 50 interested people. Councilor Fortier stated he would support the request half-heartedly. He would have liked to see more progress come out of Augusta so that the City would have had more direction in which to draft language that would fit Ellsworth's needs.

Public hearing opened.

There were no comments.

Public hearing closed.

Councilor Crosthwaite went on record as supporting the moratorium only because he wants to see the topic stalled as long as possible. He was more in favor of a complete ban regarding this topic; however, would vote to support the moratorium this evening.

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

RESOLVED to approve extending the emergency moratorium passed on June 19, 2017, regarding the Emergency Moratorium Ordinance on Primary Caregiver Operations Outside the Primary Residence, for an additional 180 days.

Council Order #121703, Request of the City Manager for consideration on a Resolution of Support for the National Park System.

David Cole, City Manager explained earlier in the fall he was approached by Kathy Summers-Grice, a consultant for Pew Charitable Trusts. Currently, there is a national campaign going on to support the National Park system in addressing the backlog of deferred maintenance within the Park system. The current backlog of work nationwide is estimated to be in excess of \$11 billion. See attachment #6 for a complete copy of the request and proposed Resolution as well as the approved amended version of the Resolution. As Ellsworth benefits from the National Park as well as Bar Harbor, the host community, both municipalities were approached concerning approving a Resolution of Support. The City received the request to

Approved - Council Order #121703, the Resolution of Support for the National Park System as presented with one alteration and that being the last paragraph; that states "Be it Further Resolved that the City of Ellsworth,

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support a Resolution prior to the National Park Service putting forth a proposal to double park entrance fees. The original Resolution of Support was asking the City to encourage Congress to find a sustainable source of funding to address deferred maintenance. The attached Resolution has been crafted similar to the one passed by the Town of Bar Harbor on December 5, 2017. This encourages Congress to find a sustainable source of funding to address the needs and includes reasonable fees; however, does not support the current proposal which according to numerous press accounts could double the entry fees for the Park. This is only a draft Resolution. Stephanie Clement, Conservation Director with Friends of Acadia was present at the meeting to answer any questions. Clement explained the intent of the Resolution this evening and why it made sense for Ellsworth to be included in passing a Resolution of Support. She also spoke on why deferring maintenance yearly has become a problem for Acadia National Park. Clement explained one creative solution for funding the deferred maintenance is currently before Congress. Councilor Fortier noted National Park passes are still half price through December at Acadia National Park. Fortier was not comfortable formally opposing the current fee increase. He is fully supportive of the entire Resolution until the last twelve words. Cole stated the Council could drop that phrase; however, his concern was the Resolution was primarily about finding a reasonable solution and he did not want it overtaken by the proposed doubling of fees. Cole believed the Town of Bar Harbor had also opposed the fee increase. It was more about supporting the Park and finding a solution. Fortier was afraid of sending a negative message; he felt the Resolution was positive up until the last ten words. Councilor Crosthwaite inquired if the Secretary of the Interior had been to Acadia to discuss this Resolution with Park Officials. Clement stated he has not been to Acadia; he was in the State of Maine looking at Katahdin Woods and Waters. This fee hike was in a National level proposal; the local Park Officials were surprised to learn of the proposal. Pew Charitable Trusts has been the primary funder of the campaign overall. Kathy Summers-Grice, the Maine consultant is funded through Pew. Pew has been working through a variety of partners to generate the grass roots support for this effort. Chairman Blanchette inquired in regards to the grand scheme what impact would Ellsworth opposing the fee increase proposal have. Clement explained the public comment period is still open on the fee increase proposal until this Friday; this opposition could be submitted officially to the record as a statement about the fee proposal. The intent with the Restore America's Parks Campaign is primarily to use the resolution passed in Ellsworth and Bar Harbor just to provide support to the Congressional Delegations and their actions in Congress and amongst their colleagues. Blanchette was uncomfortable opposing the fee increase because he

Maine recognizes that entry fees to enter selected National Parks are a significant revenue source and supports reasonable fee increases.” (Period strike the rest of it).

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does not know the budget of Acadia and the Federal Government's contribution to it. This increase might be needed, at this point he does not have any information on this aspect or the necessary numbers to determine if the increase is necessary. Friends of Acadia is concerned the magnitude of the increase is so large compared to the existing fees at the Park. They agree fees should be a part of the solution related to the deferred maintenance backlog; however, they support a broader initiative. Some of the other topics that should be considered were described. There is a need for more funding all around to support the National Parks and this effort is trying to raise awareness concerning that. The fees is a portion of the overall request; however, is not required within the Resolution, if the Council feels more comfortable only addressing the maintenance backlog within the Resolution. Cole suggested amending the Resolution to end with reasonable fees. Fortier noted that was going to be part of his motion because the entire Resolution is positive and supportive of the Park Service and then ends on a negative note. Blanchette also agreed with this reasoning. The current entrance fee at Acadia National Park for a 7 day pass is \$25 including a vehicle, \$20 for motorcycles, and \$12 for bicycle or on foot and the annual pass is \$50 including a vehicle. The lifetime senior pass was just increased to \$80. The fee increases would only impact the busy times of the year such as June through the end of October; for example the bike fee would increase from \$12 to \$30 for a 7 day period. During April and May the prices would remain at the current rates. There is value to adding the rest of the Congressional Delegations to the initiative. There is a House Companion Bill as well.

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

RESOLVED to approve Council Order #121703, the Resolution of Support for the National Park System as presented with one alteration and that being the last paragraph; that states "Be it Further Resolved that the City of Ellsworth, Maine recognizes that entry fees to enter selected National Parks are a significant revenue source and supports reasonable fee increases." (Period strike the rest of it).

Council Order #121704, Request of the City Manager for consideration on the Hancock County Maine Hazard Mitigation Plan 2018 Update Resolution.

David Cole, City Manager explained the Hancock County EMS Director, Andrew Sankey contacted the City in regards to the Hazard Mitigation Plan which is

**Approved - Council
Order #121704,
accept the
recommendation of
the City Manager to**

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updated approximately every six years. The last update was conducted in 2012. At this time they are requesting a Resolution of Support from the Council; see attachment #7 for the explanation on the request as supplied by Andrew Sankey as well as the proposed Hancock County ME Hazard Mitigation Plan -2018 Update Resolution. Cole has reviewed the Plan which includes a list of projects for the most part dealing with the Public Works Department. For example, drainage management and scaling up culverts. One of the projects listed in the Plan six years ago on the Beechland Road has been completed. There are still five remaining to be completed and are subject to securing funding. Cole addressed a couple of projects that the City completed even though they were not listed in the 2012 Plan; however, has had a positive impact on the geographic areas addressed in the Plan. Although, there are more projects to be completed there is no obligation on the City's side to complete them; however, it is helpful in the future when seeking grants to have the projects listed in an official plan.

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

RESOLVED to approve Council Order #121704, accept the recommendation of the City Manager to enter into the Hancock County Maine Hazard Mitigation Plan 2018 Update Resolution and affix appropriate signatures as they pertain to this Resolution (attachment #7).

Public hearing and action on proposed amendments to Ellsworth Code of Ordinances Chapter 5 Sewer Ordinance.

Michael Harris, Wastewater Superintendent explained there are a couple of amendments he is proposing to the Ordinance. See attachment #8 for the complete request, proposed language, and existing Ordinance. Article XI in the Ordinance currently states the City shall not accept septage; this was an oversight when the new wastewater treatment plant was built. The new plant was built specifically to be capable of accepting septage and has been accepting it since going online. The current language was added to the Ordinance because the old plant was not capable of handling septage. Harris would like to remove the current Article XI along with the language that states the plant cannot accept septage and would like to replace it with a new Article XI. The new Article XI titled Special Exception would add language to the Ordinance that would allow an exception to be granted on any Article within the Ordinance if circumstances warranted. The new language would give the Wastewater Superintendent in conjunction with the City Manager, after

enter into the Hancock County Maine Hazard Mitigation Plan 2018 Update Resolution and affix appropriate signatures as they pertain to this Resolution (attachment #7).

Approved - Amending the City of Ellsworth Code of Ordinances Chapter 5 Sewer Ordinance to remove Article XI as currently written (attachment # 8A).

Approved - Tabling the replacement of the former Article XI with the new Article XI Special

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discussions with parties who have a vested interest in the project, authorization to grant an exception to a particular Article within the Ordinance. In a case where the exception is granted the parties would not necessarily subscribe to the letter of the law within a particular Article of the Ordinance. Councilor Moore inquired if Article XI were removed as it currently stands, would the term exception still be necessary or is it stated somewhere else within the Ordinance. Harris explained currently there is not a provision within the Ordinance for a special exception to be granted. This would technically be a new Article to the current Ordinance. The idea was since Article XI was proposed to be removed rather than renumber the entire Ordinance and add a new Article at the end; it would be simpler to rewrite Article XI by removing the existing language as it is no longer necessary and add the new language for a completely new provision. David Cole, City Manager noted one issue has nothing to do with the other; just the Article number will be reused. The special exception would be used in cases where the current language doesn't exist in the Ordinance to grant any latitude when complying with the Ordinance. Currently, the Superintendent and the City are in a rigid environment when implementing the current Ordinance. The proposed language states there cannot be an adverse impact to the City and otherwise does not violate the spirit of other parts of this or any other City Ordinances. The proposed language just provides some flexibility when applying the Ordinance to different projects. Cole noted as Michele Gagnon, City Planner works a lot with ordinance development was consulted when designing the proposed language within this request. Chairman Blanchette felt the amendments proposed this evening appeared to be mostly housekeeping in nature. Harris agreed with that interpretation. Councilor Crosthwaite inquired if this language had been reviewed by the City Attorney. Harris stated it had not been reviewed by legal counsel yet. Cole stated the language could be provided to the attorney and provided there is not any material changes required have the intent approved this evening. Councilor Fortier felt the proposed amendment adding the Article Special Exception could wait until the next Council meeting for approval. It does not appear waiting a month would impact any proposed projects. Harris can develop the fact finding documents and submit those for approval. Fortier was uncomfortable allowing a Department Head and the City Manager to agree to violate the design criteria of an ordinance. There is one project currently being reviewed that this proposed language would help; this concept has been discussed in the Finance Committee meetings as well as the reasons for this change. The Council is aware of this project and the impact making this change would have on that project as well as the reason for making this change to the Ordinance on a permanent basis. A discussion was held on conducting the

Exceptions until it is reviewed by the City Attorney.

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public hearing this evening as it had been advertised and then table the action portion until next month. Councilor Hamilton questioned the impact of delaying action if this request is mostly procedural. Harris gave a brief explanation in regards to the current Article within the Ordinance that was creating a hardship for a project and therefore driving the need for this proposed language. He further explained how he would handle the request if the language existed within the current Ordinance for a special exception to be granted. Harris did not feel it would violate the intent of the Ordinance because he would require certain items to ensure the City is protected. There is a plan in place if an issue should arise with the sewer line. Both parties have agreed to sign that document. This satisfies the common sense parameter of allowing them to tie into something that was built to the standards for this purpose. The increased financial burden to build their own connection to the sewer system will be removed; if not exempted it could potentially kill the project. Currently, Harris does not have the latitude within the Ordinance to enter into the agreement which contains the safe guards as he described protecting both the City and ensuring the project becomes a reality. Harris clarified whether Fortier was proposing a request should on a case by case basis come before the Council for final approval before granting a variance from the Ordinance. Fortier stated he would like at least the findings of fact as developed by the Wastewater Superintendent to be presented to the Council, as it is a City Ordinance adopted by the City Council. Fortier agreed this particular project is a perfect example of why the special exemption should be allowed. He is more concerned with any future requests. Fortier suggested, the first sentence be amended to read in concurrence with the City Council may grant a special exception. Once the attorney reviews the amendment, the City Council will finalize it next month. Fortier felt the attorney might tell the City Council they need to hold a public hearing because the Ordinance is being amended; it should then be reviewed by the City Council to be sure it is acceptable. Fortier's intent is not to hold up the project, he just wants to ensure the City is covered when the next project requires a special exception. Before the public hearing was held and based on the City Council's discussion of crafting a motion to table action on the additional language; Harris asked the Council to consider adding language to their motion tonight to remove the language pertaining to not accepting septage. Crosthwaite stated that request could not be combined with the tabling motion.

Public hearing opened.

There were no public comments.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: DECEMBER 18, 2017

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: HUDSON

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MIKE HARRIS, LARRY GARDNER, GLENN MOSHIER, AND KATINA
HOWES.**

Public hearing closed.

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

RESOLVED to approve amending the City of Ellsworth Code of Ordinances Chapter 5 Sewer Ordinance to remove Article XI as currently written (attachment # 8A).

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

RESOLVED to approve tabling the replacement of the former Article XI with the new Article XI Special Exceptions until it is reviewed by the City Attorney.

Council Order #121705, Request of the Police Chief to approve the Regional Communication Center Third Shift Dispatch Services Agreement between the Hancock County Commissioners and the City of Ellsworth.

Glenn Moshier, Police Chief noted the Council was provided with an updated copy of the contract with the Hancock County RCC (attachment #9 complete request and proposed Agreement). This contract is developed on a calendar year basis. The proposed contract is an extension of the contract that has been in place for a little over a year. This has been successful and following a meeting with key staff a few minor issues have been discussed. Moshier and Richard Tupper, Fire Chief discussed some concerns they have had with service interruptions or errors that have been made during the previous year at this meeting. The RCC administration was very receptive to the concerns addressed and Moshier and Tupper left the meeting feeling confident in moving forward with a contract for calendar year 2018. There is a slight increase in fee from the previous year which is contributed to a pay increase for the RCC dispatchers according to their contract.

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

RESOLVED to approve Council Order #121705, the agreement between the City of Ellsworth, Maine and the Hancock County Commissioners for the Regional Communication Center third shift dispatching services as presented (attachment #9).

Before a vote was taken on the above motion, Councilor Beathem noted the small

Approved - Council Order #121705, the agreement between the City of Ellsworth, Maine and the Hancock County Commissioners for the Regional Communication Center third shift dispatching services as presented in attachment #9.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: DECEMBER 18, 2017

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: HUDSON

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MIKE HARRIS, LARRY GARDNER, GLENN MOSHIER, AND KATINA
HOWES.**

increase equals 6%. This is not a small increase in Beathem's opinion; however, given the cost reflection for the upcoming year it is still less expensive than what the City can provide on their own.

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

Council Order #121706, Request of the City Manager to hire an additional police officer in preparation for an upcoming retirement.

Glenn Moshier, Police Chief explained he has been notified of an upcoming retirement for one of the long standing officers. The Department was in the process of preparing a candidate for a reserve officer position. The request this evening is for the City to offer the candidate a full time position so that he can attend the Maine Criminal Academy. The candidate would attend the Academy that starts the second week of January, which would put the Department ahead of the curve in regards to the pending retirement. The candidate would graduate from the Academy in May and then have a 12 to 16 week field training officer period, then be on the road by late July or early August. This would leave the patrol officers short by a couple of months. See attachment #10 for the complete request. The alternative is the Department waits until the retirement date which is slated for May and then start the hiring process. At that point the first Academy class would be August. The graduation date would be December and therefore substantially increasing the amount of time the Department would be short a patrol officer. This would have a significant impact financially on the City as all the shortages are covered with overtime. This is an attempt to avoid some of that extra expense and have an officer ready to fill that vacancy as soon as possible.

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

RESOLVED to approve Council Order #121706, authorize the City Manager to hire an additional police officer in preparation for and in advance of an upcoming retirement.

Executive Session to discuss labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.

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

Approved - Council Order #121706, authorize the City Manager to hire an additional police officer in preparation for and in advance of an upcoming retirement.

Approved - Entering executive session at 8:23 PM for the purpose of discussing

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: DECEMBER 18, 2017

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: HUDSON

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MIKE HARRIS, LARRY GARDNER, GLENN MOSHIER, AND KATINA
HOWES.**

RESOLVED to approve entering executive session at 8:23 PM for the purpose of discussing labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.

Tammy Mote, Deputy City Manager attended the executive session.

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

RESOLVED to approve adjournment from the executive session at 8:35 PM.

Council Order #121707, Discussion and action on the item from the executive session.

There was no discussion before a motion was made.

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

RESOLVED to approve Council Order #121707, Union Contract between the City of Ellsworth and the Ellsworth Police Association affiliated with the Maine Association of Police to expire on June 30, 2018 as presented (attachment #11), and authorize the City Manager to sign on behalf of the City Council.

Adjournment.

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

RESOLVED to approve adjournment at 8:38 PM.

labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.

Approved - Adjournment from the executive session at 8:35 PM.

Approved - Council Order #121707, Union Contract between the City of Ellsworth and the Ellsworth Police Association affiliated with the Maine Association of Police to expire on June 30, 2018 as presented (attachment #11), and authorize the City Manager to sign on behalf of the City Council.

Approved - Adjournment at 8:38 PM.

A TRUE COPY

ATTEST: _____
HEIDI-NOËL GRINDLE