

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, April 21, 2025, at 6:00 PM in the Ellsworth City Hall Council Chambers

Meetings will be broadcast live on:

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Spectrum Channel 1303

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meeting:
 - March 17, 2025, Regular Meeting
 - April 3, 2025, Special Meeting
5. Presentation of Awards.
 - Larry Gardner – 25 years of service
 - Arbor Day Proclamation
6. City Manager's Report.
7. Committee Reports.
8. Citizen's Comments.
9. Councilor Comments.

UNFINISHED BUSINESS

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.

NEW BUSINESS

10. Public Hearing and action on the application(s) for renewal for the following license(s):

- Ellsworth Hampton Inn, 4 Downeast Highway, for renewal of a City Lodging House License.
- Ellsworth Moose Lodge #2698, 47 Foster Street, for renewal of a City Class B License (Victualer, Liquor and Amusement) and renewal of a State Liquor License.
- Twin Hills Cottages of Acadia 210 Twin Hill Road, for renewal of a City Lodging House License.

****New Business****

- 207 Collectibles LLC d/b/a Ellsworth Candlepin Alley, 25 Eastward Lane Suite 6, for a new City Class B License (Victualer, Liquor and Amusement).
- Acadia Provisions, 425 High Street, for a new City Class C License (Victualer and Liquor) and a new State On Premise Beer and Wine Liquor License.
- Pentacle LLC d/b/a Thaiconic, 78 Downeast Highway, for a new City Class C License (Victualer and Liquor) and new State On Premise Beer and Wine Liquor License.

11. Council Order #042500 Presentation from Ellsworth Police Department on loitering policies. (Sponsored by Councilor O'Halloran)

12. Council Order #042501 Public Hearing and action on the Ellsworth School Budget Resolutions for FY2026.

- a) Order Approving State/Local EPS Funding Allocation for Public Education from Pre-Kindergarten to Grade 12 for Ellsworth Schools for FY2026.
- b) Order Approving Non-State Funded School Construction Debt Service for Ellsworth Schools for FY2026/
- c) Order Raising and Appropriating Additional Local Funds for Ellsworth Schools for FY2026.
- d) Order Approving Total School Operating Budget for Ellsworth Schools for FY2026.
- e) Order Appropriating and Raising Funds for Adult Education for FY2026 as Required by the Maine Revised Statutes, Title 20-A M.R.S.A §8602-A(1).
- f) Order to Raise Local Funds for Food Service in the Ellsworth Public Schools for FY2026.
- g) Order to Authorize Expenditure of Grants and Other Receipts for School Department Programs.
- h) Order to Authorize the Establishment of Reserves from Balance of Funds at Year End.
- i) Order to Authorize the Addition to Reserves from Balance of Funds at Year End.
- j) Order Authorizing Disposition of Additional State Subsidy.

13. Council Order # 042502 Public Hearing and action on the request of the Arbor Commission for amendments to the City of Ellsworth, Code of Ordinances, Chapter 43, Tree Ordinance.

14. Council Order # 042503 Request of the Public Works Director to amend the current contract with Northeast Paving to include mill and paving the Franklin Street Parklet.
15. Council Order #042504 Discussion and action on the request of the City Manager to approve the annual reports for affordable housing tax increment financing districts.
16. Council Order # 042505 Discussion and action on the request of the City Manager to allocate Tax Increment Financing funds for consulting services for review and possible changes to the current TIF District Plan, the City's Capital Improvement Plan, and certain City Ordinances.
17. Executive Session pursuant to 1 M.R.S.A §405 (6)D to discuss labor negotiations between the City of Ellsworth and the Ellsworth Police Association (affiliated with the Maine Association of Police – MAP).
18. Discussion and action on labor negotiations between the City of Ellsworth and the Ellsworth Police Association (affiliated with the Maine Association of Police – MAP)
19. Adjournment.

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, March 17, 2025, at 6:00 PM in the Ellsworth City Hall Council Chambers

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Spectrum Channel 1303

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meeting:
 - February 18, 2025, Regular Meeting

Move to adopt P Lyons, seconded by T Mote, passed 7-0

5. Presentation of Awards.
 - EHS Cheerleading Team – State Champions
 - Melanie Fox & Kat Archer – PVC Cheering Coaches of the Year
 - Ann Katherine Burns & Ella Montgomery – State Champion Individual Event Swimmers
 - Jim Goodman – PVC Boys Swim & Dive Coach of the Year
 - Andy Pooler – Big East Girls Basketball Coach of the Year
 - Daryl Clark – 25 years of service
 - James Hassard - 5 years of service
 - Meadowview Staff member Kert Clark and Residents Chuck Hodge and Glen Tucker – Hero Recognition
 - Firefighter/EMTs Michael Beau Parker and Michael Kaselis – Medal of Bravery
 - Interim Deputy Chief Tyler Kennedy – Medal of Valor
 - Captain Daryl Clark and Firefighters Riley DeWitt and Matthew Perry – Unit Citation Award

6. City Manager's Report.

Budget season is in full swing, we had our first budget meeting last Thursday (3/13). He is very proud of everyone, the Finance Team and all department heads, for fast tracking the process by a full month so that we could align our schedule with the school budget submission so the Council would have everything in front of them at the same time. The draft version of the budget is available online at ellsworthmaine.gov/budget. The numbers are preliminary, the school budget number is an estimate using last year's figures, and the process has just started so there will be

changes. He is very proud of the work that was done last year to revamp the process, it was built into the software, which made it a lot easier to get to the point we are at now.

Courthouse update – he is hoping to have a much more detailed update later this week. They have a big meeting tomorrow (3/18), where they are getting very close to the initial agreements on purchase and sale, land swaps and defining the city's obligations to keep the process moving forward. He and Councilor Smith did testify to the legislative judiciary at the legislature last Monday (3/10), as an initial potential request for State match reimbursement should the project move forward. There is a possibility that it will be moved to a different committee such as Appropriations or the Department of Transportation, but we will keep pressing for that.

It is mud season, the ground is softer, and it is getting a little bit warmer, so we are planning a lot of beautification projects. He had a couple of meetings last week, and are really trying to amp up our beautification efforts. There are plannings for Main Street, High Street, the marina, Knowlton Park, City Hall and some new playground equipment that was purchased last year that is ready to be installed. Facilities has a request in to redo the flooring on the splash pad, so we are really trying to prep for the summer.

The Economic Development Director application process has started. They had about forty applicants and are down to the final five. They had their first two scored interviews today and over the next couple of week will finish the interview process and move toward the recommendation step.

The Downtown Façade grant application process is closed. They had a ton of applications, and probably a little more than we have in total funding, so it is going to be difficult for the committee to make selections. He is excited for some big downtown improvements.

The Front Office area reopened today with the new counter redesign. He is happy to report that the project came in under budget and on time. A big thank you to Jim for all the extra work he put in to do the counters.

7. Committee Reports.

J Stein – the Recreation Commission still has a vacancy, so if people are interested in parks and recreation in the city and want to get involved, the application is on the website, please apply.

8. Citizen's Comments.

Cara Romano, Director of Heart of Ellsworth and Karin Otto, Heart of Ellsworth Board of Directors President – last week they sent an email to City Staff and Councilors about the upcoming FY2026 budget season. They are requesting that the Council consider moving Heart of Ellsworth's annual appropriations or funding request to the TIF. Ellsworth is Maine's 11th designated Main Street, and we have a unique opportunity this year to consider how funding will begin to come in line with the funding structure that is requested of HoE as an organization and the city to keep our Main Street America accreditation. Now that we have become a Main Street, they have helped reduce vacancy, generated \$1.1 million in investments since 2016 in the downtown area, have awarded over \$30,000 in grants to twenty-two different businesses since 2020 and secured over \$623,000 in grant funding to support local projects in the downtown district. Over the last week, at the request of a City Councilor, they have been asked to find out how other municipalities around the state work with their Main Street and how the city funds that Main Street program. After hearing back from all but one Main Street Community, the

communities of Belfast, Augusta, Westbrook, Bath, Saco, Gardner and Rockland utilize TIF funding to support their Main Street programs. They had direct connections and resources shared with them from Gardner, Bath and Old Town and how their TIF are structured that directly support their Main Street communities.

9. Councilor Comments.

No Councilor comments.

UNFINISHED BUSINESS

10. Council Order #022501 Request of the Public Works Director to accept the bid for local roads paving.

Mike Harris, Public Works Director – we had put the local roads out to bid in February and upon further examination of the bids received, there were some significant errors found. This request was tabled so he could review the errors with the contractors that had submitted bids and ultimately it was decided to put the bid back out to everyone. The bid request was revised and put back out to all five of the original bidders as well as the website for anyone else who wanted to bid. The same two companies bid again and after going through each bid line by line, Northeast Paving has the low bid of \$1,613,750, which also includes several bid alternates that they were hoping to accomplish if the bid came in under budget. The alternates are a stretch on Oak Street that has some serious pothole issues that have caused several claims, an area behind the library along the river where it is dropping off and on High Street there is a seam that goes across all lanes of traffic that has become uneven and has caused a large bump.

Councilors asked if someone from Public Works goes out and inspects the work while it is being done, the answer is yes. They also receive slips from the contractor indicating how much tonnage they have applied so they are able to compare it to what was submitted.

This is a reimagining of the way we do our roads now; this is our first round through it and there were some issues, but he thinks the city will be in a better position moving forward.

Northeast Paving will also be doing the High Street project, they will begin grinding early to mid-April, which is earlier than expected, with paving probably late April to early May.

City Manager Pearce – our Deputy City Manager Sara has a lot of experience with MaineDOT and Transportation and was involved in the second round of the bid process. We all know the roads are in bad shape, but Sara's priority is a more robust Capital Improvement Plan and how do we log all of our roads.

Councilor Mote asked what the plan was for the rest of the money that was part of the BAN request as this quote came in approximately \$500,000 less than the request. PWD Harris would like to find more roads to do but that is City Manager Pearce's decision. City Manager Pearce would like to talk about it more as part of the Capital Improvement process later this month, whether we were to find more roads to repair or possibly a down payment for the track. Chair Beal also made the point that just because it was part of the BAN request doesn't mean that we need to borrow it. We could put it back and reborrow later on when interest rates could be lower. She is also concerned that if we were to do more roads that not everything will get completed as Northeast Paving is doing State work and our work. She also asked that PWD Harris let the public know what roads were part of this bid. Below is the list:

Foster Street: Mill and pave 1.5" of 12.5 mm. 2157' x 24 High Street to Water St

Elm Street: Surface Elm St: 22' x 910' mill 1.5" and Surface @12.5 mm from High Street to Hancock Street

Happytown Road: Shim Happytown 23 x 4300 and surface at 1". 150 feet before mailbox 498 heading North

Grant Street (Upper): Approximate 21' x 3300' reclaim, grade, pave 2" 12.5mm binder and 1.25" of 12.5mm surface. Starting at Christian Ridge and heading Southeast

Grant Street (Lower): Approximate 20' x 1700' reclaim, grade, pave 2" 12.5mm binder and 1.25" of 12.5mm surface. Starting at Main Street heading Northwest

Western Ave./Holt/Argonne: Shim: 16' X 2200' x 1/2". Surface: 16' X 2200' x 1" Full Length each rd

Hancock Street: Shim Hancock Street: 19' X 900' @ 1/2". Surface Hancock Street: 19' X 900' @ 1". From Pine St to Deane St

Red Bridge Road: Reclaim Red Bridge Section 1: 22' X 2700' x 2". Surface Red Bridge Section 1: 22' X 2700' x 2". Starting at Rte 1 A and heading South

Red Bridge Road: Shim Red Bridge Section 2: 21' X 2400' x 1/2"; Surface Red Bridge Section 2: 21' X 2400' x 1". Starting at 240 Red Bridge Rd first driveway coming from Ellsworth heading North

Birch Avenue: Shim Birch Ave: 23' X 1100', 78 x 1/2". Surface Birch Ave: 23' X 1100' x 1". Between Oak St and School St.

Maddocks Avenue: Shim Maddocks Street: 21' X 1500' x 3/4". Surface Maddocks Street: 21' X 1500' x 1". Between Main St and Union St

Boggy Brook Road: Reclaim and pave 3". 23' X 2850' 2 lifts of 12.5MM. From Route 180 to heading north to end of pavement.

Bayview Avenue: Shim 19' X 1075' x 1/2". 19' X 1075' x 1" 9.5 mm. Between Union and Park St

Industrial Road: Pave 3". 24' X 350' 2 Lifts of 12.5MM. Starting at transfer station headed North.

Happytown/Winkumpaugh: From end of pavement to Winkumpaugh 4 corners approximately 22' x 3200'. City to grade existing gravel. Pave 2" of 12.5mm base and 1.25" of 12.5mm surface. The 1.25" surface lift only will continue up Winkumpaugh Road from end of pavement toward 1A 500 ft.

Gary Moore Road: Reclaim and pave 24' x 900' 2" of 12.5MM

Gary Moore Road: Surface 1" 9.5MM From Mailbox 267 to Mailbox 330 Shim 24' x 1250' x 1/2" and surface 9.5 mm @ 1". From mailbox 210 to mailbox 267

Harbor: Pave 2" 12.5MM over existing paved area including entrance

Harbor: Pave 2" over gravel parking area

City Manager Pearce – we will get dates so notifications can go out to the people on the effected roads, so they know when construction will be happening.

Councilor Mote asked if there would be the big electric signs letting people know of the construction. PWD Harris said that he didn't know if there would be for the High Street project, but there will be on Washington Junction Road because one end of the road will be shut down over April vacation so they can do cross culvert work.

After the motion and second, Councilor O'Halloran asked what assurance we have that the bonding will line up with the usable life of the road. PWD Harris stated that from the information he was able to gather, there are a couple of factors that you look at. Reclaiming is the best and longest option and usually gives approximately 10 years of life. The other thing that you have to take into account is traffic, how much traffic are you putting on the road. That also determines the depths that they are using for the different roads, a road with more traffic has a thicker coat

course on it. It also would depend on how hard of a winter you have and how much plowing and salt you use.

Move to approve the acceptance of the bid from Northeast Paving in the amount of \$1,613,750.00 for the road resurfacing and paving project with funding to be provided through the Bond Anticipation Note (BAN) approved by the council for this project, J Stein, seconded by T White, passed 7-0

11. Council Order #022502 Public Hearing and potential action on a proposed ordinance to more effectively control nuisance odors within the City of Ellsworth. This ordinance will outline how to determine an objectionable odor, compliance requirements, and enforcement procedures.

City Manager Pearce – he and Code Enforcement Officer Grant have spent many hours working on this very important issue. He believes that they are getting close to a resolution, they have a new proposal that was discussed at length at the workshop in January. It seems to be the will of the Council that the consent agreement was a good faith effort but isn't the answer, so a new smell ordinance seems to be the way to go. At the January meeting, the smell ordinance for the town of Sanford was brought forward, which seems to be more in line with the type of enforcement and specificity we are looking for.

Robert Grant, Code Enforcement Officer – it will be a year tomorrow (3/18) since the consent agreement was signed and he believes that we have all come to the conclusion that it didn't really work the way we had hoped. He believes that we are on the right track as far as the new odor ordinance they have been working on, to better handle not only Maine Organics but any sort of nuisance odor.

Councilor Smith – requested some clarification on a word in one of the bullet points. The word was "fire" and should have been "file." She loves that there have been numerous staff trained but within the ordinance only one person has the authority to make the determination of violation. CEO Grant stated that they would make the correction to state that he or someone he designates could make the determination.

Councilor Lyons had some questions about some of the wording and whether it was from the Sanford ordinance and whether the city's legal counsel has reviewed the standards and if they had raised any issues with it. CEO Grant stated that legal counsel had written them. He also asked if the red inset type was proposed language to be included, to which CEO Grant said yes it was. Councilor Lyons suggested keeping the one in section 6, because having that as an example would be helpful. The one in section 7b he would like to see added but not section 7c. He suggested reviewing section 9, under miscellaneous item d which should be c, because he doesn't believe that we need to allow it to go to the Board of Appeals.

City Manager Pearce asked if we would want to specify types of fines in the ordinance. Councilor Lyons stated that we could but don't typically have to because the title that is referenced, Title 30-A M.R.S. § 4452, actually sets out a range of penalties per day. CM Pearce also asked if we should keep the wording of "may file enforcement action" or if it should be "must." Councilor Lyons suggested keeping it as is, with "may." Councilor Lyons also mentioned that we don't mention the n-butanol test in the ordinance, which he thinks is wise because of ever changing technology, but he would suggest a standard or policy to go along with it because the more objective of a test we can apply the better chance of the enforcement being upheld in court.

Councilor Smith asked about the effective date of the ordinance once it was passed and the answer was that we can set the date, we could do it retroactive or upon passage.

Councilor Stein asked if this ordinance would supersede the consent agreement that was signed. Tim Pease from Rudman and Winchell stated that in the consent agreement it does state that the agreement doesn't limit the City's authority to enforce any other land use or permitting requirements, so the new ordinance would apply to Maine Organics despite the existence of the consent agreement.

Councilor O'Halloran expressed concern with the new ordinance because we had a section in a current ordinance for odors, which wasn't enough, so they created the consent agreement, which also ended up not being enough. He would like to know why we should feel comfortable with this new ordinance when everything we have hasn't worked. Mr. Pease responded with that the consent agreement was a tool, but the ordinance is more subjective and realistic in the way that people live their lives and the smells that they perceive are an issue and they can be enforced in court.

Councilor O'Halloran asked about the action that was brought against Maine Organics and where we are with that. CEO Grant responded that he informed them in the fall that they were in violation, and unfortunately didn't have the n-butanol test at the time, so the owner told him that because he didn't have the test kit that there was no violation. Since informing the owner of Maine Organics that there is a new ordinance in the works, he has been more agreeable and willing to act quickly if they have a problem.

Move to table, T Mote, seconded N Smith, passed 6-1 (S O'Halloran opposed)

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.

12. Council Order #032500 Request of the Deputy City Clerk to hold a Special Municipal Budget Validation Referendum Election on June 10, 2025. *

13. Request of the Arbor Commission to appoint Valencia Libby as a regular member with a term to expire 6/30/2025. *

~~14. Request to appoint Ellsworth Cemetery Commission members. (Sponsored by Councilor Smith) *~~

15. Council Order #032501 Reservation of the City of Ellsworth's right to harvest alewives. *
Chair Beal requested Item #14 to be removed from the Consent Agenda for further discussion.

Move to approve all T Mote, seconded by P Lyons, passed 7-0

NEW BUSINESS

14. Request to appoint Ellsworth Cemetery Commission members. (Sponsored by Councilor Smith)

Jennifer Sala has been working with Councilor Smith to form this commission, and they found a great group of applicants. Dotty Vachon has spent years going around to many different cemeteries gathering information. She has done a lot of work for findagrave.com. She has done as many as she can in Hancock County and has now moved onto Washington County and she was also part of a survey project with the Old Burial Ground. Tiffany Tate works at Jordan Fernald Funeral Home and is going to school to be a funeral director. She is also a member of the Hancock County Genealogical Society. Albert Scott is certified to officiate military funerals and has done about 1,200 in Hancock County. Jen overheard a conversation in the Clerk's Office regarding getting assistance with a burial, so she spoke to Tina, the Director of Social Services, who said it happens all the time and that she would be willing to assist because of her knowledge of what is needed.

Councilor O'Halloran asked about the existing members of this commission, but it is currently only existing in ordinance, there is no active commission yet, that is why they are looking for members.

Jen spoke with the Ellsworth Garden Club and they have offered to help with beautification, upkeep or cutting saplings that are overgrowing in some cemeteries.

Move to populate the city's new Cemetery Commission with the members Dotty Vachon, Tiffany Tate and Albert Scott, N Smith, seconded by T White, passed 7-0

16. Public Hearing and action on the application(s) for renewal for the following license(s):

- Eagles Lodge Motel, 278 High Street, for renewal of a City Lodging House License.
- Brian Muir d/b/a Josie's Country Store, 126 Surry Road, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, and IV) Malt Liquor, Wine, and Spirits Liquor License.
- Yuki Abra LLC d/b/a Finelli Pizzeria, 12 Downeast Highway, for renewal of City Class C License (Victualer and Liquor) and renewal of a State Liquor License.
- Casa Jalisco, 205 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III and IV) Liquor License.
- American Dream Pizza Hut LLC d/b/a Pizza Hut, 211 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal for a State Liquor License.
- Crazy Sumo LLC d/b/a Crazy Sumo, 75 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Liquor License.
- Riverside Café, 151 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Liquor License.
- Cresswell Investments, LLC d/b/a Finn's Irish Pub, 156 Main Street, for renewal of a City Class B License (Amusement, Victualer and Liquor) and renewal of a State Restaurant (Class III and IV) Malt, Vinous Liquor License.
- Sanctuary Inn Investors LLC d/b/a Sanctuary Inn, 33 Birch Avenue, for renewal of a City Lodging House License.
- Atlantic Coast Inn, 200 High Street, for renewal of a City Lodging House License.

- Siam Sky LLC d/b/a Siam Sky 2, 78 Downeast Highway, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.
- Ellgovs LLC d/b/a Governor's Restaurant and Bakery, 253 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.

Move to approve all, T Mote, seconded N Smith, passed 7-0

****New Business****

- Kalmar LLC d/b/a Smokey Bear Tobacco and Beverage, 139 High Street, for a new City Liquor License.

Move to approve, J Stein, seconded by T White, passed 7-0

17. Council Order #032502 Public Hearing and action on amendments to the City of Ellsworth Code of Ordinances, Chapter 3, Harbor Ordinance.

City Manager Pearce – this is a request from the Harbor Commission to bring their policy on members being residents of Ellsworth exclusively, to be more in line with what the Recreation Commission and Arbor Commission has done, by making it a majority being Ellsworth residents.

Move to accept the recommended edits to Chapter 3, changing the requirement from “members shall be either a resident or real estate property owner of the City of Ellsworth” to “A majority of Commission members shall be residents of the City of Ellsworth. At least one member of the Commission shall be appointed from membership of the Ellsworth City Council”, P Lyons, seconded by N Smith, passed 7-0

18. Council Order #032503 Public Hearing and action on the request of the Assistant City Planner to authorize the City Manager to sign the necessary closing documents to finalize the purchase of the Haynes Property for the Branch Lake Public Forest expansion.

Brittany Merrill, Assistant City Planner – everything should be pretty straightforward, they are just coming back to make sure that everything is in line for the closing. Last time they voted on closing documents, but not all of them, so this is to clean up any loose ends.

Motion to authorize the City Manager to sign the necessary closing documents with a goal closing date of March 31, 2025, to finalize the purchase of 279.1 acres for the Branch Lake Expansion at the purchase price off \$185,000.00 to be paid for through Lands for Maine Future Fund and Land & Water Conservation Fund grants, N Smith, seconded by J Stein, passed 7-0

19. Council Order #032504 Request of the Deputy City Manager for approval of the Village Partnership Initiative (VPI) contract.

Deputy City Manager Sara Devlin – in November 2023 the Council voted to approve the submittal of the Village Partnership Initiative with Maine Department of Transportation (MaineDOT), at that time the estimated project cost was \$109,000 with a 50/50 match requirement. Since then, we have gone through the RFP process and selected Sewall, which was the highest qualified consultant, and after negotiations we agreed on a scope cost of \$133,408 which is slightly higher than the original estimate mostly due to Sewall proposing to come to Ellsworth to do some actual traffic counts rather than relying on historical data. They are also conducting some road safety audits in some key locations and doing additional environmental and historic screening. The original 50/50 match that was originally proposed was \$32,000 from our Community Resilience

Partnership grant, \$15,000 from TIF funding and \$10,000 from Local Road funding. So tonight she is requesting an additional \$9,409.00 from surplus TIF funding.

Jarod Farn-Guillette, Region 4 & 5 Transportation Planner with the Department of Transportation and the Tribal Liaison – as Sara stated, Sewall was the most qualified consultant based on their proposal and qualifications. They actually anticipated some scope items that, he as the initial scope drafter didn't account for with the uniqueness of the traffic confluences that we get here especially during peak tourism season. Next steps if the Council approves the request is that they would make a supplemental transfer from their holding win for the additional funding needed for our VPI, the City Manager would receive a Docusign document from DOT, once signed a notice to proceed would go out to the consultant. We would then go to a kickoff meeting; he would anticipate a 2-year process because they are seeing longer delivery times for final reports due to the consultants being spread thin with so much work. Once we have the final report, the next step would be preliminary engineering, where it would be designed to about 90%, which could also be a year or so process, but getting the preliminary engineering contracts out the door can be a 5-to-10-month process. From the start of kick off to anything being built typically they are looking at about a 5-to-6-year process.

The memo mentioned that there are other municipalities that have done this process, Councilor Lyons asked if there were any that had been built to completion. Jarod said that Sanford, Hollowell, Belgrade and Windham have completed. One entering preliminary engineering is Presque Isle and other projects that are nearing their ending phases are Pittsfield, Van Buren and Fort Kent.

Move to approve entering into a contract with Sewall for the Village Partnership Initiative (VPI) program and increase matching funds by \$9409.00 of surplus TIF funding to meet Sewall's final proposed cost, P Lyons, seconded by N Smith, passed 7-0

20. Council Order #032505 Request of the Ellsworth Business Development Corporation to eliminate the City's interest in the 100-foot right-of-way to the right of the cul-de-sac at the end of the Commerce Park, and over Tax Map 42, Lot 8-1, per City Council minutes from March 16, 2015, as the Frenchman Bay Conservancy has confirmed that they no longer require a right-of-way for access, and given the lack of need for future growth in that area.

Chair Beal – she is the liaison with EDBC, and the right of way was the very last council meeting she had as City Manager. At the time, the Council had provided three lots plus the lot that is not part of the business park to EDBC to help fund that development corporation. When they did that, it was unknown what was going to happen to what was then known as the Whitney property, so they wanted to ensure that there was access to the property. Now 10 years later, Frenchman Bay Conservancy has purchased the Whitney property and has no need for that right of way and EDBC has an opportunity to sell their property. EDBC uses the funds to help bring in business and support business here in Ellsworth. So, they are requesting that the 100ft right of way request be removed so they can move forward with selling the property.

Move to approve the request of the Ellsworth Business Development Corporation to eliminate the city's interest in the 100ft right of way to the right of the cul-de-sac at the end of the Commerce Park, and over Tax Map 42 lot 8-1, per City Council minutes from March 16, 2015, as the Frenchman Bay Conservancy has confirmed that they no longer require a

right of way for access, and given the lack for need for future growth in that area, T Mote, seconded by N Smith, passed 7-0

21. Council Order #032506 Update from the Code Enforcement Officer on the status of the property identified as 7 Fairground Road before tearing down the Dangerous Building in the spring.

Robert Grant, Code Enforcement Officer – in July the Council deemed the property at 7 Fairgrounds Rd a dangerous building and authorized him and the City Manager to tear the building down. However, the timeframe was open-ended, the family was here that night and they said within 6 months they would have it well under way and up to a year was also mentioned. In his memo he attached photos taken in November, which shows a dumpster that had been delivered with four bags of garbage in it, and photos taken on Thursday (3/13) which show the same four bags of garbage; that is the extent of what they have done since July to rehabilitate the building. He doesn't believe that any of us want to tear down the building, but we have given them more than ample opportunity to do something to fix it and nothing has been done.

Councilor O'Halloran asked if CEO Grant had been in contact with the family and stated that when the family was present their thoughts and reality seemed different. CEO Grant stated that whenever he tries to call them on the number that he has, it goes to voicemail and he never gets a call back, he also has an email address that he has tried reaching out with and has gotten no answer. Councilor O'Halloran also asked if all their bills are paid, such as their taxes. The taxes are paid to date; however, he believes that they bank their mortgage is through does that not the family.

Chair Beal asked about the rodent infestation and if that had been taken care of. CEO Grant stated that the family hired a company for pest control but the company only placed traps around the house, they would not go inside.

Manager Pearce – toured the location with CEO Grant, he felt that was important because of the potential action that would be taken. Some of this predates CEO Grant but the former CEO Lori Roberts, had also struggled with this property for years. It presents a fire danger, there is a rodent problem and a lot of the neighbors have complained about it. We have had a few Council meetings about this and have heard from the family, we gave them some definitive things they needed to do to prevent this and they haven't done them. The Public Works team has agreed to tear the building down at City cost in the spring when we start our excavator rental cycle.

Councilor Beal asked if we would be able to recoup any of the cost of the tear down, to which CEO Grant said that we could put a lien on the property of the cost of the excavator, dump trucks, employee time and disposal. They would also fill in the foundation with dead sand from the City's gravel pit, so no one falls into the hole that would be left, which we could also put a lien on it for the gravel.

Councilor O'Halloran asked about the legality of this and whether we are in the right to be doing this. CEO Grant and Councilor Lyons both agreed that we have the right to tear it down. Councilor Lyons state that there is a statute under Maine Law about dangerous buildings for these types of situations, unfortunately it happens that they are left in disrepair to the point that they become a public health risk.

Councilor Smith added that if this is euthanizing the house, it has to end and what happens after this is a rebirth. They have talked about when the house as it is, is removed because it needs to be, that the site will be made clean and whole again and will have market value. The family will

still own the property so after fees are paid to the City for the demolition, they could have a fresh start or sell the property. Her one concern was managing the rodents when they start the demolition and CEO Grant said that he will have something in place to deal with them before they start tearing the building down.

CEO Grant stated that he did reach out to their insurance company, in July the claim was closed and has not been reopened. The family has made no attempt to reopen the claim to get the money to repair the home.

Councilor O'Halloran would like us to provide the family with an exact date of demolition because this is their life and their possessions. CM Pearce and CEO Grant both stated that we will send them notification and figure out how to make sure they get it. When this first came up in July the family was served by our attorney so CEO Grant is sure that they will be able to find them again so they can be notified of the demolition.

22. Council Order #032507 Public Hearing and action on the request of the Public Works Director to accept the Water Treatment Plant Engineering proposal from Woodard and Curran.

Mike Harris, Public Works Director – they have been working with Woodard and Curran for a number of years to get to a point where they can build a new water treatment plant. This request is for two things, one to approve their engineering contract and second to approve the first step of the process for the water treatment plant which is to have our water pilot tested by a firm for the technologies they would like to install at the new plant to see how it does. Woodard and Curran are present to answer any questions the Council may have about the engineering contract and/or the pilot test. These would both be funded with money that has already been allocated to us through Drinking Water SRF money and other loan and grant funding, so this would not come out of the operating budget.

Chair Beal asked if we had full funding because of some wording in the memo, it stated “the engineering services and pilot study will be funded through secured grants and loans, with additional funding applications to be submitted as needed.” Brent from Woodard and Curran stated that we have some of the money, we have approximately \$15.2 million secured but are still a little short. The anticipated shortness is that we would be expected this September to submit for any balance that we need through the Drinking Water SRF.

Councilor O'Halloran asked to have the \$15.2 million divided up to see how much is grants and how much is loans. In 2024 through the Drinking Water program, we got \$3.9 million worth of loan and \$2.1 million worth of grant. This past year that was just announced through the Drinking Water program we got another \$3.9 million worth of loan and \$2.1 million worth of grant. We have also been awarded a million-dollar grant from the Northern Border Regional Commission that is still pending, we have been given it but have not drawn it down or taken any money from it yet. We also have pending a \$2 million earmark of grant money towards the project. The interest rate on the loans from the Drinking Water program is 2%.

Councilor Lyons asked as a follow up to Councilor O'Halloran's question, if any loans we are taking out are being paid by the City or is it Enterprise funds. PWD Harris said that it is Enterprise fund not general fund, and during the Budget Workshops they plan to talk about beginning the rate increases necessary to offset the debit service that the Water Treatment Plant project will incur.

They are trying to be proactive instead of doing a huge increase all at once, they are looking around a 5-7% rate increase and probably will be a continuing thing going forward to try to forward fund before we incur the debit service.

Councilor Smith asked about the earmark as it is congressionally designated spending because she heard today (3/17/25) that the fiscal year 2025 is at risk. Brent said that what they have been told is that anything that is not funded will be resubmitted this year under an earmark.

Councilor O'Halloran asked if there was existing debit currently on the plant or is it debit free. PWD Harris stated that there is debit existing, there is Drinking Water SRF that expires in 2025 and another Drinking Water fund from 2008 that expires in 2028. The first debit payment for this would be approximately 2029.

Move to approve the request of the Public Works Director to approve the engineering services contract for the design, permitting, of the new Water Treatment Facility for a total cost of \$1,420,000 and to approve the pilot study by Blueleaf Inc in the amount of \$200,000. The engineering services and pilot study will be funded through secured grants and loans, P Lyons, seconded by J Stein, passed 6-1 (S O'Halloran opposed)

23. Council Order #032508 Update and potential action on the Brae Drive private utilities line issue.

Manager Pearce – there isn't too much to update, we discussed at length at the last Council meeting the Brae Drive utilities issue, and his recommendation, although unfortunate, was that it is a private line and private road. There was a request from Council for additional background on Holt Drive and Argonne St as to why they were accepted as city roads and what happened with Brae Drive. The information was included in the memo and validated a lot of the previous discussion that had been brought before the Council and rejected for very specific reasons, both the inception and in subsequent Council meetings. It seems like in line with previous Councils and the law and after final research on this, the other roads predated Brae Drive by many years and there was pretty affirmative action to accept those road and pretty affirmative action not to take Brae. The current policy is if the water leak becomes an emergency, that the city will step in to fix but would then have to charge the residents of Brae Drive for the fix.

Multiple Councilors agree that the City doesn't have the responsibility to fix this. Chair Beal did state that there were two or three roads in the past that were brought to city standards and then a special assessment was done for the residents, and it did work, but the residents of Brae Drive don't seem interested in having the City take the road.

Councilor O'Halloran asked if we know whether the issue is the Brae Drive infrastructure or if it is anywhere between the main and the house. PWD Harris said that we don't know where the issue is and on a public line anything from the shut off valve to the main the city would take care of and anything from the shut off to the house the resident would take care of. He also said that it is difficult to determine where exactly the issue is because water will travel underground until it finds a path upward.

24. Discussion on Council/City Goals and Priorities for 2025. (Sponsored by Manager Pearce)

City Manager Pearce – this item is pretty general, he believes that we need to have a more robust conversation about strategy planning and work planning now that we have the Comp plan, the business attraction plan, the housing needs assessment and the budget, which is our policy document for funding. He has had some general discussions with Councilors about how to be a little more strategic on Council Meetings and what is on the agendas and how we decide what

we're going to move forward with. He finds it interesting with this process in municipal government that with a lot of strategic planning initiatives, some of them are as straightforward as putting together a work plan based on smart goals for the organization in coordination with the executives, usually done through a 2–3-week process; but he has also done 3–4-month full business process redesigns with consultants that give you work plans. He has spoken with Sue Lessard, the Bucksport Town Manager, to see how she does it, and she has tried many things including retreats and strategy and visioning sessions. She is partial to a work plan for the year and an Excel spreadsheet on 10 of the big items that the Council is going to try to move forward with and has a tracking mechanism from year to year. He has been a part of many plans where there was a lot of interest and enthusiasm at the beginning and then they fall apart. He and DCM Devlin were working on a matrix of items including recreational cannabis, short-term rental registration, city land inventory, Capital Improvement planning, Pump House Point, VPI, full ordinance changes, wayfinding signage, and a Fleet Management system. He asked the Councilors what process they want to address and move forward on before he starts tackling some of the work.

Councilor Lyons said that where CM Pearce has done this a lot he would be interested in his recommendation. He doesn't want to have a bunch of meetings where they talk about "stuff." He would like to figure out what the priorities are and find a way to do it.

Chair Beal agrees with Councilor Lyons, and she thinks that it would be too much to try to do an analysis. She would like to have it all be public and let the public be part of the conversation. After the budget season is done, she thinks having one meeting with the public present, where they could talk about what his recommendations are.

Councilor Stein suggested leveraging the Comprehensive plan and using it as a reference. He also suggested "tagging" in specific Councilors for specific goals, he has really enjoyed getting into the Cannabis ordinance and figuring it out.

Councilor Smith said she was glad that they were having this conversation because we have reactive for the last year and a half that she has been here and now we get to be proactive. She thinks that while we are in the budget process they are thinking about what the assets are that the municipality has to accomplish some of the goals. What things we can get done in the next year and what things are not ready to do but would be soon and what things do we have partners working on. Getting the coordinated look both at things that have happened in the past and things we are going to focus on now and things that will come in the future. She thinks back to the forum at the Grand and talking about the things that you want to do and then what are you doing about it. Going to the monthly meetings and dealing with the things that are thrown at them are necessary, you have to do the housework, but now we want to be more thoughtful about proactive thoughtful coordinated work. Not adding to work that staff is doing but so they feel like they are a part of it and what their role is.

Chair Beal said that she thinks it is more exciting because we have more active volunteer commissions than she has ever seen, there are so many people who are very interested in improvements in Ellsworth and are willing to help.

Councilor Stein suggested varying the timelines for results of the projects that are decided on so that there are some long-term ones but also short-term easy things that people could consider a win for motivation.

25. Adjournment.

Move to adjourn, N Smith, seconded by T Mote, passed 7-0

SPECIAL MEETING NOTICE

A special meeting of the Ellsworth City Council will be held on Thursday, April 3, 2025, at 6:00 PM in the Ellsworth City Hall Council Chambers.

Meetings will be broadcast live on:

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Spectrum Channel 1303

AGENDA

1. Call to Order.
2. Council Order #040300 Public hearing and action on the request of the Public Works Director for the approval of purchasing necessary hardware associated with the MaineDOT High Street Project.

Mike Harris, Public Works Director – here tonight to request that they be able to expend funds to purchase manhole rims and covers and water boxes that are necessary for the High Street paving project that starts on Sunday (4/6). The funds come from bond money that was reallocated from the Water Street Pump Station project, that was approved a few months ago and set aside for this project. The funds include money for this purchase as well as money that we would end up reimbursing MaineDOT because they are raising and lowering all the manhole rims and covers and all the water boxes for the project.

Councilor O'Halloran – these funds are just for the labor not including the hardware?

PWD Harris – the funds were for both. What he is asking for now is to be able to expend some of that money to purchase the parts needed. The Council already approved the reallocation of money, he is just coming to them now to make sure that he is good to make the purchase.

Chair Beal – what we approved to reallocate included both bid and hardware and did we come in close to what was anticipated? PWD Harris responded to the question that yes both were included and we came in under because the manhole prices went down.

Councilor Stein – is this bid out or is this one manufacturer makes all of these? PWD Harris responded that he got prices from different places, EJ Prescott, Ti-Sales and American Concrete. He also checked with FW Webb and Fergusons for water box pricing. The one that he is recommending is the lowest priced ones.

Councilor O'Halloran – is a little confused about their original bid, he thought that we had to pay the contractor to do it all. PWD Harris said that DOT is paying the contractor and then we are reimbursing DOT but it is just for the labor and doesn't include the hardware. That is how it has been from the get-go, and it does state in the current awarded contract that we will be providing the hardware.

Chair Beal – we have always done it this way; we’ve always bought our materials. The DOT doesn’t want to be responsible for purchasing the materials because if something is missing or wrong they would be held to it. Plus, it is less expensive for us to do it this way because we wouldn’t have a markup.

Councilor Mote – where are we purchasing the three 12-inch insertion valves? PWD Harris answered with from EJ Prescott and there is only one price for that item because they are the only ones who do live main insertion valves.

Move to authorize the purchase of 55 manhole rims and covers from EJ Prescott in the amount of \$23,047.20; 40 water boxes from Ti-Sales in the amount of \$7,360.00 and three 12” insertion valves including installation in the amount of \$57,321.00, with funding to come from the reallocated 2023 General Obligation Bond funds designated for the High Street DOT project, T Mote, seconded by N Smith, passed 6-1 (S O’Halloran opposed)

3. Council Order #040301 Public Hearing and potential action on a proposed ordinance to more effectively control nuisance odors within the City of Ellsworth. This ordinance will outline how to determine an objectionable odor, compliance requirements, and enforcement procedures.

City Manager Pearce – we took the Council feedback from the last meeting and Robert, Code Enforcement Officer, Tim Pease from Rudman and Winchell and the team incorporated it into the new smell ordinance and he is very confident that we have this in line for what we need for the city.

Robert Grant, Code Enforcement Officer – in the packet is the odor ordinance that includes the amendments that were asked for at the last Council meeting. He had Tim work on the wording to make it more legally sound, and he or Tim are happy to answer any questions.

Tim Stone – looking over the new ordinance he isn’t sure it has the “teeth” that he was hoping it would have. He is hoping to get a better understanding to show that it does actually have “teeth” and isn’t just another way to “kick the can down the road again.” It doesn’t have anything about repeated offenses, it does have the same kind of language as before, that if they do something then they get some kind of violation but if they work on it that everything is ok. He is concerned about the language and doesn’t think it is enough, so he is hopeful that someone can help him understand.

CEO Grant – this isn’t an ordinance that is going against any particular business or entity. We had a test case and keeping that in mind they tried to do the best they could as far as making something they believed would be effective but not targeting or singling out any one business.

Manager Pearce – this is a new smell ordinance and the original one is extremely broad, which is why he believes the consent agreement was agreed to. Having reviewed other smell ordinances across the state and wanting to have a more defined process, adding the n-butanol kits that we are now certified for that, but also a reasonableness standard and giving the Code Office more discretion, it gives a clearly defined process to address it within the Code Office.

CEO Grant – an example would be if someone didn’t like the smell of a cheeseburger cooking, there would be a daily complaint and since it would also be a repeated complaint, he would be able to use his discretion and the flexibility of that being built into the ordinance of whether it

actually is an offensive odor or if someone is just trying to get their least favorite restaurant shut down.

Chair Beal – is concerned because there are a couple of businesses that do put off odors off their property lines and if someone isn't used to them, like all of us are, or is new next door that there could be complaints. She also asked if Tim would mind explaining where the changes are and the reason that they have more “teeth” in his opinion.

Tim Pease, Rudman and Winchell – he thinks it is interesting, from his perspective, as someone who's had to enforce ordinances in court for many years, he looks at the way this new ordinance is drafted and think it has more teeth than less teeth. One of the changes included was giving maximum flexibility to the Code Enforcement Officer when it comes to timing. It was originally worded with a 15-minute time frame, which isn't always feasible if they are unavailable or tied up with something. Another “tooth” added was tying the amount of fines and enforcement to the statute 30A M.R.S.A 4452, and there are minimum daily fines there as well a range, which can go up very high. In his experience, judges will take into account whether a violator has been willful and trying to flout the law and they do take this very seriously. He would compare this ordinance to the way the noise ordinance is drafted, which states that a fine is not less than \$50 but not more than \$250, so he thinks the ability under the odor ordinance to get someone's attention is much higher. So it is his opinion that this new ordinance provides maximum flexibility to the city which was his understanding of what we were looking for.

Councilor Smith – asked if Tim could speak a little more about section 7, there are three phases A, B and C and in C it says that the city may but is not required to file an enforcement action, and the reason and why we needed the flexibility. Tim responded with that he has always struggled with this and thinks lawyers generally do, if you had the requirement that the city shall file an enforcement action you only have one course of action and that's it. There may be other things that you could work out other than simply running to court. Court can take a long time and the outcome can be uncertain, so you so if you can find another path that is better for the situation to get it corrected, this gives that flexibility.

Councilor O'Halloran – would like to go on record saying that when he was elected the first time, the then city manager took him on a city tour and took him to the solar site near Maine Organics. He advised him that the city bent every rule possible to get Maine Organics to come to Ellsworth, and he didn't think much of it at the time. After he was elected, he started receiving many phone calls and conversations about the odor at Maine Organics, he does realize that this new ordinance is a general ordinance but wanted to bring it up, so he reviewed the minutes from two Planning Board meetings in 2017, and the previous CEO stood up and said that we do have an odor ordinance it is in 801.3b and it clearly states that no land use or establishment shall be permitted to produce offensive or harmful odors beyond their property lines. For whatever reason, nothing seems to have been done with that, and then we get to a consent agreement which he disagreed with. He is also against this new ordinance, because to him it is more “hullabaloo” about what is going on and he believes it is one more protection for the offender.

Councilor Lyons – stated that the city attorney said the opposite so he would like to note that for the record too.

Councilor Stein – stated that if this passes it would be nice to have an update in a number of months as it starts warming up and the weather getting hotter so the smells start coming out. CEO Grant replied that he would be happy to give a city-wide update.

WHEREAS, the City of Ellsworth recognizes the importance of maintaining a clean and healthy environment for its residents, businesses, and visitors; and

WHEREAS, excessive and persistent odors can negatively impact public health, quality of life, and economic development within the community; and

WHEREAS, it is in the best interest of the City to establish reasonable regulations to prevent and mitigate nuisance odors from industrial, commercial, and agricultural sources while balancing the rights and interests of property owners and businesses; and

WHEREAS, the City Council has reviewed the proposed amended Odor Ordinance, which establishes clear definitions, thresholds, enforcement mechanisms, and penalties for violations;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Ellsworth hereby adopts Chapter 66: Odor Ordinance for New and Existing Commercial and Industrial Uses, as presented, effective immediately upon passage and in accordance with applicable laws; and BE IT FURTHER RESOLVED that the City Manager and relevant departments shall take the necessary steps to implement and enforce this ordinance, including public outreach and education as appropriate., T Mote, seconded by N Smith, passed 6-1 (S O’Halloran opposed)

4. Adjournment.

Motion to adjourn, N Smith, seconded by T Mote, passed 7-0



OFFICIAL PROCLAMATION



Whereas, in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

Whereas, Arbor Day is now observed throughout the nation and the world, *and*

Whereas, trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing a habitat for wildlife, *and*

Whereas, trees are a renewable resource giving us paper, wood for our home, fuel for our fires, and countless other wood products, *and*

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify the community, *and*

Whereas, trees – wherever they are planted – are a source of joy and spiritual renewal.

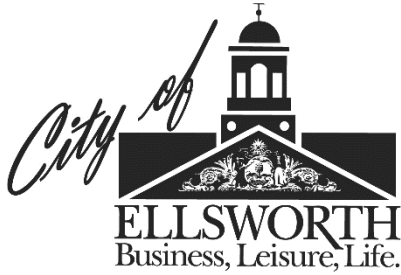
Now, therefore, I, Michelle Beal, City Council Chair for the City of Ellsworth, do hereby proclaim April 25, 2025, as **Arbor Day** in the City of Ellsworth, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 17th day of March, 2025

_____, Ellsworth City Council Chair





City Clerk's Office

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 669-6680

edowling@ellsworthmaine.gov

Memo

To: City Council
CC: Charles Pearce, City Manager
From: Ebony Kramp-Dowling
Date: April 21, 2025
Re: Business License Renewals

Suggested Motion:

Move to approve the Business License renewals for Ellsworth Hampton Inn, Ellsworth Moose Lodge #2698 and Twin Hills Cottages of Acadia.

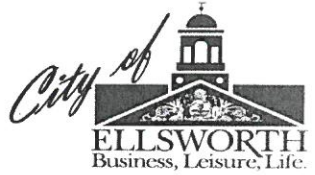
Background:

All licensing fees have been paid, inspections done and licensed signed off on by all required departments.

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form



ELLSWORTH HAMPTON INN
64 BIRCH AVE
ELLSWORTH ME 04605

Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 40

State Tax ID:

Business Name: ELLSWORTH HAMPTON INN ✓

State License #:

Business Address: 4 DOWNEAST HIGHWAY ✓

Business Email: tracy.jordan@withamhotels.com

Business Phone: 207-667-2688

Business Fax: 207-667-2699

Type of Business:

Mailing Address: 64 BIRCH AVE, ELLSWORTH ME 04605

Owner Name: THE WITHAM FAMILY LLC ✓

Owner Phone: 207-667-2688

Owner Address: 64 BIRCH AVE, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$30 + 2/room Lodging House		85	\$ 200.00
\$80. Public Hearing Notice Fee			\$ 80.00
Total License Fees:			\$ 280.00

OK to pay
Jordan
3/19/25

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 04/30/2025

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best of my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Tracy Jordan

Print Name

Tracy Jordan

Date

3-19-25

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: 3/24/25

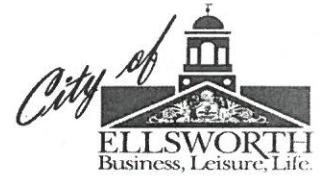
Receipt No: 32000142

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

ELLSWORTH MOOSE LODGE #2698
ELLSWORTH MOOSE LODGE 2698
47 FOSTER STREET
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 48 State Tax ID:
Business Name: ELLSWORTH MOOSE LODGE 2698 State License #:
Business Address: 47 FOSTER STREET Business Email: lodge2698@mooseunits.org
Business Phone: 207-664-5199 Business Fax:
Type of Business: *Not for Profit*
Mailing Address: 47 FOSTER STREET, ELLSWORTH ME 04605
Owner Name: ELLSWORTH MOOSE LODGE 2698 Owner Phone: 207-664-5199
Owner Address: 47 FOSTER STREET, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$85.00 per year			\$ 85.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 165.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 04/30/2025

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Christie Foster
Signature

Christie Foster
Print Name

3-17-25
Date

Please return signed application and payment to the City of Ellsworth

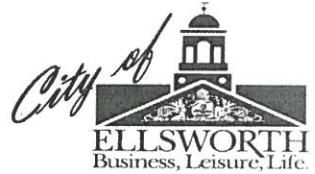
Office Use Only: Date Received: *3/20/25* Receipt No: *32000139*

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

TWIN HILLS COTTAGES OF ACADIA
210 TWIN HILL ROAD
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 309

State Tax ID:

Business Name: TWIN HILLS COTTAGES OF ACADIA

State License #:

Business Address: 210 TWIN HILL ROAD

Business Email:

Business Phone: 419-270-2299

Business Fax:

Type of Business:

Mailing Address: 210 TWIN HILL ROAD, ELLSWORTH ME 04605

Owner Name: COLLINS WALLACE

Owner Phone: 631-255-5237

Owner Address: 724 Reach Road, Brooklin Me 04616

Fees	Fee Based On	Quantity	Amount
\$30 + 2/room Lodging House		14	\$ 58.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 138.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 04/30/2025

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

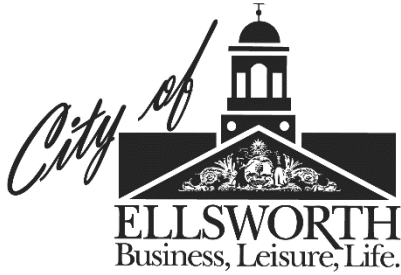
Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: 3/10/25 Receipt No: CC



City Clerk's Office

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 669-6680

edowling@ellsworthmaine.gov

Memo

To: City Council
CC: Charles Pearce, City Manager
From: Ebony Kramp-Dowling
Date: April 21, 2025
Re: New Business Licenses

Suggested Motion:

Move to approve the new Business Licenses for 207 Collectibles LLC d/b/a Ellsworth Candlepin Alley, Acadia Provisions and Pentacle LLC d/b/a Thaiconic.

Background:

207 Collectibles LLC d/b/a Ellsworth Candlepin Alley:

In November, Amanda Thurlow sold D'Amanda's to Ryan Lounder, who was operating Strike N' Slice, a food vendor, as part of the bowling alley. Ryan combined both businesses and began operating as Ellsworth Candlepin Alley under the business license for Strike N' Slice. After many attempts to reach Amanda regarding her business license with no response, Code Enforcement went to the location to post a stop work order on April 1, 2025. On April 2, 2025, Ryan came in and filled out the new business license application to combine the businesses. We are allowing him to continue to operate as he was, so as to not disrupt business and because of his understanding and cooperativeness.

Acadia Provisions:

Acadia Provisions is adding liquor to their cafe, so they have to change from a Victualer License to a Class C License.

Pentacle LLC d/b/a Thaiconic:

On April 3, 2025, Pentacle LLC bought Siam Sky 2 from Siam Sky LLC, and because the business licenses are not transferable, they are coming to get their new business license.

All licensing fees have been paid, inspections done and licensed signed off on by all required departments.

One City Hall Plaza
Ellsworth ME 04605



The City of Ellsworth thanks you for choosing our City to do business. Please fill out the required information below. Once complete, return to the City Clerk's office for processing. Once the required fees are paid, the City Code Enforcement Office and Fire Inspector will schedule your business for an inspection. Once your business passes inspection, we will confirm taxes are paid and that there are no issues with our police department. If your business requires a public hearing, I will place you on the schedule. If this is your first year operating, a representative must be present at the hearing. Once the City Council approves your license, you may open for business!

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4/2/25
Date

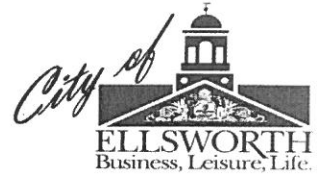
Office Use Only: Date Received: _____ Receipt No: _____

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License

ELLSWORTH CANDLEPIN ALLEY
207 COLLECTIBLES LLC
25 EASTWARD LN STE 6
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quicker processing. If you have any questions call 207-669-6680.

Account Number: 664

State Tax ID:

Business Name: 207 COLLECTIBLES LLC

State License #: 87-0902685

Business Address: 25 EASTWARD LN STE 6

Business Email: strikeslice@gmail.com

Business Phone: 207-667-9228

Business Fax:

Type of Business: LLC

Mailing Address: 25 EASTWARD LN STE 6, ELLSWORTH ME 04605

Owner Name: RYAN LOUNDER

Owner Phone: 207-266-4548

Owner Address: 25 EASTWARD LN STE 6, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$80. Public Hearing Notice Fee		1	\$ 80.00
\$85.00 per year		1	\$ 85.00
\$20.00 per year		1	\$ 20.00
Total License Fees:			\$ 185.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee.

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: _____ Receipt No: _____

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605



Business License Application

The City of Ellsworth thanks you for choosing our City to do business. Please fill out the required information below. Once complete, return to the City Clerk's office for processing. Once the required fees are paid, the City Code Enforcement Office and Fire Inspector will schedule your business for an inspection. Once your business passes inspection, we will confirm taxes are paid and that there are no issues with our police department. If your business requires a public hearing, I will place you on the schedule. If this is your first year operating, a representative must be present at the hearing. Once the City Council approves your license, you may open for business!

Account Number: 204 State Tax ID: 1004-7489
Business Name: Acadia Provisions State License #: 32988
Business Address: 425 High Street, Ellsworth 04605 Business Email: AcadiaProvisions@gmail.com
Business Phone: 207-412-0363 Business Fax: N/A
Type of Business: Butcher / Grocer / Cafe
Mailing Address: 425 High Street Ellsworth, ME 04605
Owner Name: Lawrence Bates Owner Phone: 207-356-0271

Owner Address: 409 Upper Dedham Rd

Dedham, ME 04429

Class A Establishment (Amusement, Victualer, Liquor, Lodging) \$100.00
Class B Establishment (any THREE of the Class A types) \$85.00
Class C Establishment (any TWO of the Class A types) \$65.00
Victualer's License (provider of food for consumption on or off premise) \$35.00
Mobile Vending License (any unit selling prepared food) \$45.00
Amusement (Live music, dancing, entertainment etc.) \$35.00
Lodging House (sleeping accommodations) \$30 plus \$2.00 per room
Liquor (for on or off premise consumption) \$35.00
Arcade (area for video games, billiards, pool etc.) <12 devices \$20.00
> 12 devices \$35.00
Special Amusement (regular amusement, with alcohol) \$35.00

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Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

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Signature

Lawrence R Bates
Print Name

4/2/2025
Date

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: 4/3/25

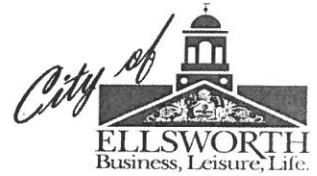
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City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License

THAICONIC
PENTACLE LLC
78 DOWNEAST HIGHWAY
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quicker processing. If you have any questions call 207-669-6680.

Account Number: 665

State Tax ID:

Business Name: PENTACLE LLC

State License #: 33-3533120

Business Address: 78 DOWNEAST HIGHWAY

Business Email:

Business Phone: 207-412-0373

Business Fax:

Type of Business: LLC

Mailing Address: 78 DOWNEAST HIGHWAY, ELLSWORTH ME 04605

Owner Name: JIRAPORN PITAK

Owner Phone: 207-703-8063

Owner Address: 19 CRESENT DR, HANCOCK ME 04640

Fees	Fee Based On	Quantity	Amount
\$65.00 per Year		1	\$ 65.00
\$80. Public Hearing Notice Fee		1	\$ 80.00

Total License Fees: \$ 145.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee.

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Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: _____ Receipt No: _____

One City Hall Plaza
Ellsworth ME 04605



Business License Application

The City of Ellsworth thanks you for choosing our City to do business. Please fill out the required information below. Once complete, return to the City Clerk's office for processing. Once the required fees are paid, the City Code Enforcement Office and Fire Inspector will schedule your business for an inspection. Once your business passes inspection, we will confirm taxes are paid and that there are no issues with our police department. If your business requires a public hearing, I will place you on the schedule. If this is your first year operating, a representative must be present at the hearing. Once the City Council approves your license, you may open for business!

The Pentacle LLC

Account Number:		State Tax ID:	33-3533120
Business Name:	THAICONIC	State License #:	
Business Address:	78 Downeast Hwy	Business Email:	
Business Phone:	207 412 0373	Business Fax:	
Type of Business:	RESTAURANT		
Mailing Address:			
Owner Name:	SIRAPORN PITAK	Owner Phone:	208-703 8063
Owner Address:	19 CRESCENT DR HANCOCK ME 04640		

Class A Establishment (Amusement, Victualer, Liquor, Lodging) \$100.00
 Class B Establishment (any THREE of the Class A types) \$85.00
 Class C Establishment (any TWO of the Class A types) \$65.00
 Victualer's License (provider of food for consumption on or off premise) \$35.00
 Mobile Vending License (any unit selling prepared food) \$45.00
 Amusement (Live music, dancing, entertainment etc.) \$35.00
 Lodging House (sleeping accomodations) \$30 plus \$2.00 per room
 Liquor (for on or off premise consumption) \$35.00
 Arcade (area for video games, billiards, pool etc.) <12 devices \$20.00
 > 12 devices \$35.00
 Special Amusement (regular amusement, with alochol) \$35.00

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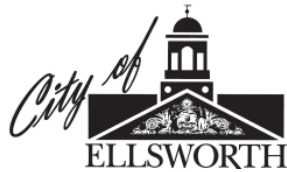
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All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature  Print Name Suporn Pitak Date 4/3/2025

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: 4/3/25 Receipt No: 32.000000/44



ELLSWORTH POLICE DEPARTMENT
416 HIGH STREET
ELLSWORTH, MAINE 04605
Tel. 207-667-2133 Fax 207-664-0521



Chief Troy Bires
tbires@ellsworthmaine.gov

Deputy Chief Shawn Willey
swilley@ellsworthmaine.gov

To: Ellsworth City Council
RE: Loitering

The Ellsworth Police Department was asked to prepare information of the current loitering and trespass laws within the City of Ellsworth.

I have researched the current City of Ellsworth ordinance that pertains to “loitering” and trespassing. (**Chapter 11 Use of Streets, section 113.**) Maine state statute (**§402. Criminal trespass**). The police department primarily enforces the current Maine criminal statute of criminal trespass when enforcing loitering complaints.

I have also how looked at other cities and how they are currently enforcing “loitering” ordinances. I will give a brief explanation of the City of Ellsworth’s ordinance, current Maine Trespassing law and an overview of case law from Portland Police Department, which raises 1st amendment issues when attempting to enforce loitering complaints.

Thank You,
Chief of Police
Troy M. Bires



ENGAGING AND CHALLENGING ALL STUDENTS

Amy J Boles
Superintendent of Schools
Ellsworth School Department
11 Avery Lane, Ellsworth, ME 04605
Phone: 207.664.7100 Fax 207.669.6032
aboles@ellsworthschools.org

TO: Ellsworth City Manager Charlie Pearce and Ellsworth City Councilors

FROM: Amy Boles, Superintendent of Schools

DATE: April 16, 2025

RE: FY26 School Budget – Council Orders and Notice of Amounts

Suggested Motion:

Move to approve the Ellsworth School Budget Resolutions for FY2026 and send them to referendum on June 10, 2025.

Dear Members of the City Council,

On behalf of the Ellsworth School Department, I am submitting the FY26 School Budget Council Orders and accompanying Notice of Amounts for your review and approval.

This year's budget represents another step forward for our schools – supporting key priorities, addressing current student needs, and positioning us for continued growth and improvement. It was developed through a thoughtful and collaborative process that engaged the Ellsworth School Department Board members, district leaders, and school-based staff at all locations. I want to recognize the hard work and dedication of our school department team in crafting a budget that is both responsive and responsible.

The FY26 budget continues to move our schools forward while maintaining a clear focus on fiscal responsibility. We have made every effort to balance our commitment to student achievement with the need to minimize the impact on local taxpayers. The result is a comprehensive budget that supports strategic goals – such as literacy, mathematics, universal Pre-K, staffing for student support, and improvement of technology in our classrooms.

Key highlights include:

- A clear alignment with our district's strategic priorities and educational mission
- Continued support for evidence-based practices and professional development
- Careful attention to enrollment trends, staffing needs, and targeting interventions
- A modest and thoughtful increase in local appropriation to ensure sustainability

We believe this budget reflects the values of the Ellsworth community: a commitment to excellence in education, responsible financial planning, and a vision for continued progress. We appreciate your partnership and support as we work together to provide the highest quality education for every student in Ellsworth.

After the School Budget is presented and approved at the City Council meeting on April 21, 2025, it makes it the official budget subject to voter validation. It is crucial that the City continues with the referendum process outlined in the charter in order to formally adopt the School budget.

Please do not hesitate to reach out if you have questions about the enclosed documents or would like additional information.

ELLSWORTH SCHOOL DEPARTMENT BUDGET FY2026 Council Orders

*Actions taken pursuant to items 1 – 4 must be taken by a **recorded** vote.*

ORDER APPROVING STATE/LOCAL EPS FUNDING ALLOCATION FOR PUBLIC EDUCATION FROM PRE-KINDERGARTEN TO GRADE 12 FOR ELLSWORTH SCHOOLS FOR FY 2026

School Administrative Unit Contribution to Total Cost of Funding Public Education from Pre-Kindergarten to Grade 12 (as required by Maine Revised Statutes, Title 20-A, §15690(1 A-B)):

City Council Order #042501a: ORDERED that the City will appropriate for the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend \$8,173,085.00**) and to see what sum the municipality will raise as the municipality's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

The School Board Recommends \$ 8,173,085.00

"Explanation: The school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars."

ORDER APPROVING NON-STATE FUNDED SCHOOLS CONSTRUCTION DEBT SERVICE FOR ELLSWORTH SCHOOLS FOR FY2026

Appropriation for Non-state-funded Debt Service Allocation (as required by Maine Revised Statutes, Title 20-A, §15690 (2A)):

City Council Order #042501b: ORDERED that the City will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, or non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade 12.

The School Board Recommends \$75,023.57

"Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality/district long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body."

ORDER RAISING AND APPROPRIATING ADDITIONAL LOCAL FUNDS FOR ELLSWORTH SCHOOLS FOR FY2026

Appropriation of Additional Local Funds (as required by Maine Revised Statutes, Title 20-A, §15690 (3 A-B)):

City Council Order #042501c: ORDERED that the City of Ellsworth raise and appropriate **\$6,624,474.25** in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$6,624,474.25** as required to fund the budget recommended by the school board.

The School Board recommends **\$6,624,474.25** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$6,624,474.25**. **This amount is needed to cover the School Department's expenses that are not recognized or fully funded by the State's funding model: Facilities/Maintenance costs, Special Education costs, Technology costs, Transportation costs, Professional Development costs, and System Administration costs.**

Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the (municipality/district) budget for educational programs.

NOTE: City council approval of this order requires 4 affirmative votes, see 20-A M.R.S.A. section 15671-A(5)(B)(2) (requiring for council approval "a majority of the entire membership of the council")

ORDER APPROVING TOTAL SCHOOL OPERATING BUDGET FOR ELLSWORTH SCHOOLS FOR FY2026

Total Budget Article (as required by Maine Revised Statutes, Title 20-A, §15690 (4A)): *(A school administrative unit must include a summary article indicating the total annual budget for funding public education from pre-kindergarten to grade 12 in the school administrative unit. The amount recommended must be the gross budget of the school system. This article does not provide money unless the other articles are approved.)*

City Council Order #042501d: ORDERED that the City of Ellsworth will authorize the School Board to expend for the fiscal year beginning July 1, 2025 and ending June 30, 2026 from the school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

Recommend \$32,014,754.69

**ORDER APPROPRIATING AND RAISING FUNDS FOR ADULT EDUCATION FOR
FY2026 AS REQUIRED BY THE MAINE REVISED STATUTES, TITLE 20-A M.R.S.A.
§8603-A(1)**

Adult Education as required by Maine Revised Statutes, Title 20-A, §8603-A (1):

City Council Order #042501e: ORDERED that the City of Ellsworth appropriate **\$266,084.00** for Adult Education and raise **\$266,084.00** as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

**ORDER TO RAISE LOCAL FUNDS FOR FOOD SERVICE IN THE ELLSWORTH
PUBLIC SCHOOLS FOR FY2026**

City Council Order #042501f: ORDERED that the City authorizes that the sum of **\$272,719.23** is hereby raised for All Other Expenditures (the Food Service Program) for Fiscal Year 2025-26; and that the Ellsworth School Department is authorized to expend any unexpended balances, and additional, incidental, or miscellaneous receipts in the interest and for the well-being of the food service program.

**ORDER TO AUTHORIZE EXPENDITURE OF GRANTS AND OTHER RECEIPTS
FOR SCHOOL DEPARTMENT PROGRAMS**

City Council Order #042501g: ORDERED that in addition to amounts approved for the Fiscal Year 2025-26 School Operating Budget, the School Board be hereby authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not appropriated for the School Operating budget.

**ORDERS TO AUTHORIZE THE ESTABLISHMENT OF RESERVES FROM
BALANCE OF FUNDS AT YEAR END**

City Council Order #042501h: ORDERED that the City authorizes the School Board to appropriate funds from the ending balance of the school general operating funds for Fiscal Year 2024-25 to establish a reserve for unanticipated Student & Staff Support costs, and authorizes the School Board to expend those funds.

Recommend: \$100,000.00

City Council Order #042501h: ORDERED that the City authorizes the School Board to appropriate funds from the ending balance of the school general operating funds for Fiscal Year 2024-25 to establish a reserve for unanticipated Food Service costs, and authorizes the School Board to expend those funds.

Recommend: \$15,000.00

ORDER TO AUTHORIZE THE ADDITION TO RESERVES FROM BALANCE OF FUNDS AT YEAR END

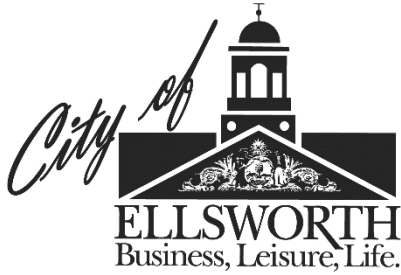
City Council Order #042501i: ORDERED that the City authorizes the School Board to appropriate funds from the ending balance of the school general operating funds for Fiscal Year 2024-25 to increase the existing reserve for unanticipated Special Education costs, and authorizes the School Board to expend those funds.

Recommend: \$50,000.00

ORDER AUTHORIZING DISPOSITION OF ADDITIONAL STATE SUBSIDY

City Council Order #042501j: ORDERED that in the event the Ellsworth School Department receives more state education subsidy than the amount included in its budget, the School Board be authorized to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the School Board, increase the allocation of finances in a reserve fund approved by the School Board, and/or decrease the local cost share expectation, as defined in Title 20-A, section 15671-A(1)(B), or local property taxpayers for funding public education as approved by the School board.

Explanation: *This order permits the use of any additional funds received through state subsidy to increase expenditures for school purposes in cost center categories approved by the School Board, increase the allocation of finances in a reserve fund approved by the School Board, and/or decrease the local cost share expectation, as defined in Title 20-A, section 15671-A(1)(B), for local property taxpayers for funding public education as approved by the School Board.*



Arbor Commission

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 667-2563

ellsworthmaine.gov

Memo

To: City Council

CC: Charles Pearce, City Manager

From: Arbor Commission

Date: 4/21/2025

Re: Amendments to the City of Ellsworth Code of Ordinances, Chapter 43, Tree Ordinance

Suggested Motion:

Move to adopt the amendments to the City of Ellsworth Code of Ordinances, Chapter 43, Tree Ordinance.

Background:

The Ellsworth Arbor Commission would like to formally request the opportunity to update the city's existing tree ordinance. While the current ordinance has served its purpose, it is now outdated and falls short in promoting tree planting, preservation, and protection, which are critical to supporting the long-term health, beauty, and resilience of our community.

- We propose an updated ordinance that incorporates improved preservation standards, clear penalties for violations, and initiatives to increase tree planting while integrating modern urban forestry practices. These changes will better align Ellsworth with the growing body of evidence that trees should be treated as a public utility and an appreciating investment.
- An updated ordinance would bring measurable benefits to the city by reducing stormwater runoff, improving air quality, and supporting biodiversity. Numerous studies have demonstrated the economic and environmental advantages of protecting and planting trees in urban settings, including boosting property values and enhancing public health.
- The Arbor Commission is deeply committed to advancing Ellsworth's urban forestry efforts. We believe that this update will help create a more sustainable and vibrant future for our city while fostering a stronger sense of pride and connection among residents.

Tree Ordinance

[Replacement for the current Tree Ordinance, Chapter 43 approved in 1991]

Article 1 Purpose:

- 1.1 To advance and safeguard public health, safety, and general welfare through the regulation of trees and shrubs on City of Ellsworth property, including those in rights-of-way and other public plantings.

Article 2 Definitions:

- 2.1 Person: Any individual, firm, corporation, association, partnership, or organization.
- 2.2 Property Owner: The person owning the property as shown by the City of Ellsworth tax assessor's records.
- 2.3 Public Hazard: A condition of any tree or shrub that constitutes a hazard to persons or property.
- 2.4 Public Property: all property owned, leased, or occupied by the City of Ellsworth.
- 2.5 Public Trees: all trees and shrubs on public property, including City rights-of-way.
- 2.6 Tree Warden: An official of the City of Ellsworth appointed by the City Council who shall have the care and control of all public shade trees upon and along City roads and public rights of way and in the parks and public lands of the City of Ellsworth. That official shall enforce all laws relating to the preservation and maintenance of public shade trees and public trees.
- 2.7 ANSI: American National Standards Institute, tree planting and care standards used by tree experts nationally.

Article 3 Tree Warden:

- 3.1 The City Council shall annually appoint a Tree Warden with forestry and/or arborist credentials. The Tree Warden oversees all work on public trees, including assessment and removal of public hazards, and works with the Arbor Commission to enforce and administer the provisions of this ordinance.
- 3.2 The Tree Warden shall make regular reports to the Arbor Commission.
- 3.3 Any person or organization, including the Arbor Commission, may appeal, in writing, any ruling or order issued by the Tree Warden by filing a notice of appeal with the Board of Appeals within seven (7) days of the date of the ruling or order.

Article 4 Ellsworth Arbor Commission:

- 4.1 The Arbor Commission shall consist of 8 full-time members and one alternative appointed by City Council, the majority of which must be Ellsworth residents or property owners. Each full-time member will be appointed for a staggered number of years. Their appointment and term of office will expire on June 30 of each year.
- 4.2 All members of the Arbor Commission serve without compensation.
- 4.3 The Arbor Commission, along with the Tree Warden, shall formulate arboriculture and forest management policy and oversee the implementation of this ordinance and the City's Comprehensive Forestry Management Plan.
- 4.4 The Arbor Commission shall maintain a list of the City's Heritage and Ecologically Significant Trees and undertake to have them appropriately cared for and preserved.
- 4.5 The Arbor Commission shall administer the Ellsworth Tree Trust according to provisions laid out in the City's Comprehensive Forestry Management Plan .
- 4.6 The Arbor Commission shall assist with code enforcement of the Unified Development Ordinance (Chapter 56) as it relates to the preservation, planting and care of trees.
- 4.7 The Arbor Commission shall assist the Planning Board with developing appropriate standards for arboriculture and assist the Technical Review Team in advising on and reviewing applications to the Planning Board.

Article 5 Permits:

- 5.1 A permit is required for any activity related to public trees and landscaping plans on public property.
- 5.2 Exceptions: Any tree work done on public trees by volunteers or City employees under the supervision of the Tree Warden shall not require a permit. Utility companies that subcontract tree trimming to teams that include Maine State licensed arborists shall not require a City permit.

Article 6 Specifications and Standards:

- 6.1 ANSI Contract Specifications and Pruning Standards for Shade Trees shall be followed.

Article 7 Tree Planting, Maintenance, and Removal:

- 7.1 Authority to Plant or Remove Trees on Public Property: Trees must be selected and located in accordance with this ordinance and the City's Comprehensive Forestry Management Plan.

Article 8 Protection of Trees on Public Property:

- 8.1 During Excavation or Construction, trees must be guarded with a substantial barrier at a minimum 4' high.
- 8.2 No person shall deposit anything on the ground which may impede the free passage of water, air or fertilizer to the roots of any public tree.
- 8.3 Under no circumstance shall any person cut, carve, transplant, or remove any public tree; attach any rope, wire, nails, advertising posters, or other contrivance to any public tree; allow any substance harmful to trees to come in contact with any public tree; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any public tree.
- 8.4 It shall be unlawful for any person to interfere with any Ellsworth employee, volunteer, or contractor hired by the City of Ellsworth, while engaging in tree care and maintenance authorized in accordance with this ordinance.

Article 9 Violations and Penalties:

- 9.1 Violations of this ordinance may result in fines and penalties.
- 9.2 If, as a result of the violation of any provision of this ordinance, the injury, mutilation, or death of a public tree occurs, the penalty shall include, but not be limited to, the replacement value of the tree, calculated as specified in the City's Forestry Management Plan.

Article 10 Severability:

- 10.1 Invalidity of any section, clause, or provision shall not affect the validity of the ordinance as a whole.

Tree Removal Approval Standards

1. Removal Justification & Objectives

Removal must serve at least one of the following approved purposes:

- **Public Safety & Risk Assessment:**
 - Tree poses a **hazard to pedestrians, vehicles, or structures**, as determined by a risk assessment.
 - Tree is interfering with **utility lines** and cannot be managed through proper pruning.
 - Tree has **compromised root stability** due to soil erosion, construction impact, or other environmental changes.
 - Tree is blocking sightlines or traffic visibility in a way that cannot be mitigated through pruning.
- **Tree Health:**
 - Tree is **dead** or in irreversible decline.
 - Tree has **significant structural defects** (e.g., large cavities, severe decay, extensive root damage) that pose a safety risk.
 - Tree is **infested with pests or diseases** that cannot be effectively treated (e.g., Emerald Ash Borer, Dutch Elm Disease).
 - Tree has sustained **storm damage** making it structurally unstable.
- **Urban Forest & Environmental Considerations:**
 - Removal aligns with the **City's Urban Forestry Plan** and tree canopy goals.
 - Tree removal will not result in significant **environmental degradation**, such as increased erosion or habitat loss.
 - Removal is part of a **city-approved development plan** where preservation alternatives have been explored.
 - Tree species is **non-native, invasive, or otherwise unsuitable** for the location.

2. Approval Process: Requests must specify the reason for removal.

3. Replanting & Mitigation Requirements

- Applicant must submit a **replanting plan** if removal is approved.

- If replanting is not feasible, the applicant must **contribute to the city's tree fund** to support new tree plantings elsewhere.
- Replacement trees should align with city-approved species lists and site suitability.

4. Public Notification & Appeals

- Public notification is required for the removal of **significant, historic, or highly visible trees**.
- Citizens may appeal tree removal decisions through the **Arbor Commission**.

Tree Pruning Approval Standards

1. Pruning Justification & Objectives

Pruning must serve at least one of the following approved purposes:

- **Public Safety:** Remove dead, broken, or hazardous branches that pose a risk to pedestrians, vehicles, buildings, or utilities.
- **Tree Health:** Address structural defects, diseased limbs, or pest-infested branches that threaten the tree's long-term viability.
- **Clearance & Visibility:** Maintain appropriate clearance for sidewalks, roads, traffic signs, streetlights, or buildings while preserving tree structure.
- **Structural Integrity:** Improve branch attachment, eliminate weak crotches, or reduce wind resistance to minimize storm damage.
- **Restoration Pruning:** Correct previous improper pruning practices, such as topping or lion-tailing.

2. Pruning Standards & Best Practices

All pruning must follow **ANSI A300 (Part 1) – Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning)** and adhere to **ISA Best Management Practices**:

- **No Topping:** The practice of cutting back large branches or the main trunk to stubs is strictly prohibited.
- **No Excessive Pruning:** Removal of live foliage should not exceed 25% of the tree's canopy within a single season unless necessary for health or safety.
- **Proper Cuts:** All cuts must be made just outside the branch collar, avoiding flush cuts or leaving stubs.
- **Seasonal Considerations:** Pruning should be done during the appropriate season for the species to minimize stress and prevent disease spread (e.g., avoid oak pruning during high-risk periods for oak wilt).

3. Approval Process

- Requests must specify the **reason for pruning, target branches, and pruning methods**.
- Pruning must be performed by a **qualified arborist** or tree care professional with experience in structural and corrective pruning.
- For mature trees, excessive canopy reduction or limb removal requires additional review by the **Tree Warden**.

4. Special Considerations

- **Historic & Landmark Trees:** Pruning requests for significant trees require additional evaluation and public notification.
- **Utility Line Clearance:** Pruning for utility lines must be coordinated with the appropriate utility company and comply with industry standards.
- **Public Trees on Private Property:** If a city-owned tree extends over private property, property owners may apply for pruning but must follow city guidelines and obtain approval.

5. Post-Pruning Compliance & Inspections

- The **Tree Warden** may inspect work before, during, and after pruning to ensure compliance.
- Improper pruning may result in fines or requirements for corrective pruning at the permit holder's expense.
- Severe or unauthorized pruning that compromises a tree's health may require the permit holder to pay for mitigation or replanting.

City of Ellsworth Tree Work Permit Application

Purpose: A permit is required for any tree work conducted on public trees within the City of Ellsworth, including planting, pruning, removal, or treatment. This ensures compliance with the City's Tree Ordinance and promotes the health, safety, and longevity of the urban forest.

Applicant Information:

- Name: _____
 - Business (if applicable): _____
 - Address: _____
 - Phone: _____
 - Email: _____
-

Tree Work Details:

- Location of Work: _____
- Number of Trees: _____
- Species (if known): _____

Type of Work (check all that apply):

☐ **Tree Removal**

☐ **Tree Pruning**

☐ **Tree Planting**

☐ **Root Disturbance**

☐ **Other:** _____

- Purpose of Work: _____
 - Equipment to be Used: _____
 - Expected Start Date: _____ Expected Completion Date: _____
-

Standards & Compliance: All work must conform to the latest ANSI A300 Tree Care Standards and ANSI Z133 Safety Standards. Work must be performed by an ISA or State of Maine Certified Arborist or under their direct supervision unless otherwise approved by the City.

Any damage to public property or adjacent trees resulting from permitted work must be repaired at the applicant's expense. The City reserves the right to conduct inspections before, during, and after work completion.

Tree Replacement & Mitigation: If a public tree is approved for removal, the applicant may be required to provide a replacement tree or pay into the City's Tree Fund. Replacement species, size, and location will be determined in consultation with the City Tree Warden or designated official.

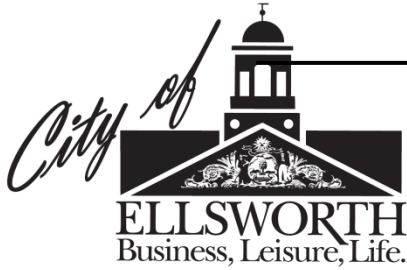
Penalties & Enforcement: Failure to obtain a permit before conducting tree work, or failure to comply with approved conditions, may result in fines as outlined in the Tree Ordinance. Unauthorized tree removal may require compensatory replacement or payment equal to the appraised value of the tree.

Applicant Agreement: I hereby certify that the information provided is accurate and that all work will be performed in accordance with the City of Ellsworth Tree Ordinance, ANSI Standards, and any conditions set forth by the City. I accept full responsibility for any damages or violations incurred.

Applicant Signature: _____ **Date:** _____

City Approval:

- Approved: ☐ Yes ☐ No
- Conditions/Notes: _____
- **City Official Signature:** _____ **Date:** _____



From the Desk of Mike Harris

1 City Hall Plaza • Ellsworth, ME 04605
Phone (207) 667-7315 • Fax (207) 667-9757
mharris@ellsworthmaine.gov



Franklin St. Parklet area

TO: Ellsworth City Council
DATE: 3/12/25
SUBJECT: Approval Request – Paving the Parklet

MOTION:

Move to approve the change order from Northeast Paving in the amount of \$26,600 for the paving of the Franklin Street parklet, with funding to come from the Road Improvement Reserve Account, and to authorize the City Manager to sign all necessary documents to proceed with the work.

Background:

The Franklin Street Parklet is a popular downtown attraction that sees heavy use during the summer months. It provides a welcoming space for residents and visitors to gather, relax, and enjoy downtown events. Paving the parklet will improve its accessibility, appearance, and long-term usability.

There are ongoing conversations with the Heart of Ellsworth, Recreation Commission and other downtown business owners regarding the future of the parklet, including discussions about whether to proceed with permanent or semi-permanent updates. These potential improvements aim to enhance the parklet's overall usability while also addressing concerns about long-term maintenance.

The contract includes an agreed-upon price per ton that is being held at the same level as previously approved by the Council in the full roads contract.



NORTHEAST PAVING
A division of Eurovia Atlantic Coast LLC.
32 Washington Junction Rd
Hancock, ME 04640
PO Box 1142, Ellsworth, ME 04605
T/ 207-667-9671 – F/ 207-945-8887

To: City of Ellsworth
Address: One City Hall Plaza
Ellsworth, ME 04605

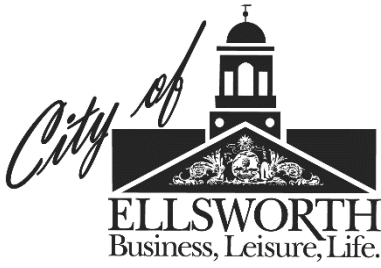
Attn: Mike Harris
Email: mharris@ellsworthmaine.gov
Phone: (207) 667-2563

Project Name: City of Ellsworth - PD & Franklin St
Project #:
Bid Date:
Completion:

of Addenda:
Revised: 04/02/2025

Item	Description	Quantity	Unit	Unit Price	Ext Price
	POLICE DEPARTMENT (UPPER LOT) - PAVE 1.5"	152.000	TN	\$ 220.00	\$33,440.00
	POLICE DEPARTMENT (LOWER LOT) - PAVE 2.5"	286.000	TN	\$ 190.00	\$54,340.00
	FRANKLIN ST PARKLET - MILL & PAVE 2"	76.000	TN	\$ 350.00	\$26,600.00
GRAND TOTAL:					\$114,380.00

1. Police Department Parking Lot (Upper): Pave 1.5" of 12.5 mm (approx: 16,575 SF)
2. Police Department Parking Lot (Lower): Pave 2.5" of 12.5 mm (approx: 18,750 SF). All grading done by the City.
3. Franklin St. Parklet: Mill and pave 2" of 9.5 mm. (155' x 40')
4. All structures will be lowered by the City prior to milling Franklin St.
5. Flagging and MOT provided by NEP.
6. Initial spring cleaning of winter sand, leaves, and debris to be done by the City.
7. Terms & Conditions: Payment due net 30 days from date of invoice with approved credit; COD for all others.
8. This is a unit price quote, all units placed/performed will be billed.
9. This quote is based upon a mutually agreeable schedule. Excessive delays could incur additional costs.
10. This quote is valid for 30 days but may be accepted at any later date at the sole discretion of Northeast Paving.
11. A standard MDOT asphalt escalator will apply. The price of liquid asphalt at the time of this quote was \$627.50/ton.
12. Quote excludes striping.



City Manager
1 City Hall Plaza ♦ Ellsworth, ME 04605-1942
Phone (207) 669-6616 ♦ Fax (207) 667-4908
www.ellsworthmaine.gov

MEMO

To: City Council
From: Charlie Pearce
Date: April 8, 2025
Re: Annual Report for Affordable Housing Tax Increment Financing Districts

Motion:

Move to approve the Annual Reports for Tax Year April 1, 2024 through March 31, 2025 for Affordable Housing Tax Increment Financing Districts, Leonard Lake, Oriole Way and Oriole Way Senior in the City of Ellsworth.

Background:

I am respectfully requesting the council approve the Annual Reports for Tax Year April 1, 2024 through March 31, 2025 for the Affordable Housing Tax Increment Financing Districts.

These Annual Reports are required to be filed with Maine Housing pursuant to 30-A M.R.S.A. §5250-E for all Affordable Housing Tax Increment Financing Districts. We currently have three such districts: Leonard Lake, Oriole Way and Oriole Way Senior.

Annual Report for Tax Year April 1, 20____ – March 31, 20____
Affordable Housing Tax Increment Financing District
Submission Deadline of April 30, 20____

Municipality: _____

Municipal official submitting this report:

Printed name

Signature

Date

Title: _____

Mailing address: _____

Phone number: _____

Email address: _____

Name of Affordable Housing Development District:

Date the municipal legislative body approved this Report (not the District):

_____, 20____

In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.

Status of affordable housing within the District: *“Affordable” means for households earning no more than 120% area median income.*

Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)				
Rental (senior)				
Owned home/condo				

Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):

Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.

Annual Report for Tax Year April 1, 20____ – March 31, 20____
Affordable Housing Tax Increment Financing District
Submission Deadline of April 30, 20____

Municipality: _____

Municipal official submitting this report:

Printed name

Signature

Date

Title: _____

Mailing address: _____

Phone number: _____

Email address: _____

Name of Affordable Housing Development District:

Date the municipal legislative body approved this Report (not the District):

_____, 20____

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Annual Report for Tax Year April 1, 20____ – March 31, 20____
Affordable Housing Tax Increment Financing District
Submission Deadline of April 30, 20____

Municipality: _____

Municipal official submitting this report:

Printed name

Signature

Date

Title: _____

Mailing address: _____

Phone number: _____

Email address: _____

Name of Affordable Housing Development District:

Date the municipal legislative body approved this Report (not the District):

_____, 20____

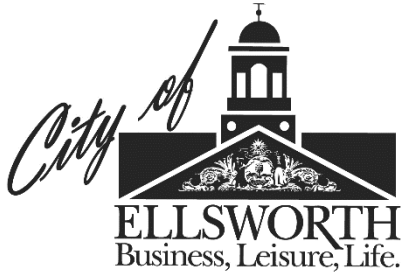
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Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)				
Rental (senior)				
Owned home/condo				

Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):

Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.



Office of the City Manager

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 664-7100

ellsworthmaine.gov

Memo

To: City Council

CC:

From: Charlie Pearce, City Manager

Date: April 16th, 2025

Re: TIF Funding Allocation

Suggested Motion:

Move to authorize the City Manager to allocate surplus funds from the City's Economic Development Tax Increment Financing (TIF) account for the purpose of securing consulting services related to: (1) the review and potential amendment of the City's current TIF District Development Program; (2) an update to the City's Capital Improvement Plan with a focus on economic development readiness; and (3) policy and ordinance review related to housing and business development.

These consulting services shall be funded from surplus TIF funds consistent with of the City's adopted TIF District Plan. The City Manager shall ensure that all expenditures comply with the plan's allowable uses and provide the City Council with updates as the work progresses and RFP's are reviewed and selected for final approval by council.

Overview

As part of the City's ongoing commitment to implementing the goals outlined in our recently adopted Comprehensive Plan, Housing Needs Assessment, and Business Attraction Plan, I am recommending that the City Council authorize the allocation of surplus Tax Increment Financing (TIF) funds to support consulting services in three critical strategic areas:

1. A review and potential amendment of the City's current TIF District Development Program;
2. A targeted update of the City's Capital Improvement Plan (CIP) with a focus on economic development readiness;

3. Policy and ordinance review relative to housing production, infrastructure financing, and business growth.

These efforts are essential to aligning our financial and policy tools with the goals the Council has already adopted and to ensuring that Ellsworth remains competitive, affordable, and responsive to both current and future community needs.

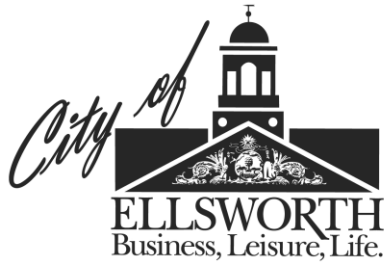
Background

These consulting items were initially proposed as part of the FY2026 General Fund budget. However, in an effort to preserve General Fund flexibility and reduce upward pressure on the tax rate, we have identified a more appropriate funding mechanism: the City's omnibus Economic Development TIF District.

In FY2025, the City's TIF program generated over \$100,000 in surplus, undesignated funds due to higher than anticipated valuation. Over \$400,000 in additional revenue is expected to be generated from this TIF in FY26 due to lower debt service obligations. These are restricted funds, meaning they can only be used for specific purposes outlined in the City's approved TIF Development Program. Utilizing surplus TIF funding rather than FY26 general funds also allows the city to move quicker to enacting these initiatives.

All three of the consulting efforts described above qualify as eligible uses under Section 2.03: Municipal Development Program, Community-Wide Investments (ii) Economic Development Consulting of the City's adopted TIF District Plan (attached). Utilizing these funds not only ensures compliance with statutory and program requirements, but also reinforces our commitment to funding strategic planning and policy updates without burdening the general taxpayer.

Additional information on general budget and background on each of the services that would be contracted for is attached and was presented during the recent budget workshops.



MEMO

To: City Council

From: Charlie Pearce, City Manager

Date: March 13, 2025

Re: Proposal for Hiring a Consultant to Redesign TIF Districts

Purpose

The purpose of this memorandum is to request City Council approval to engage a professional consultant to assist in the review and redesign of the City's Tax Increment Financing (TIF) districts. Given the complexity of TIF regulations and the need to align these districts with the City's economic development goals, professional expertise is essential to maximize their effectiveness.

Background

The City currently maintains 4 TIF districts, each serving as a financial tool to stimulate investment, job creation, and infrastructure development. Over time, economic conditions, municipal priorities, and state regulations evolve, necessitating a reassessment of existing TIF structures. An optimized TIF strategy ensures the City captures appropriate tax revenues while fostering sustainable growth and development.

Need for a Consultant

A consultant specializing in TIF district planning will provide:

- **Comprehensive Analysis:** Review existing TIF districts to determine their financial impact, compliance with state laws, and effectiveness in achieving economic development objectives.
- **Strategic Recommendations:** Identify opportunities for restructuring TIF boundaries, revising revenue capture strategies, or implementing new districts where appropriate.

- **Financial Modeling & Projections:** Forecast the long-term fiscal impact of proposed changes and ensure alignment with the City's financial goals.
- **Regulatory Compliance:** Ensure adherence to Maine's TIF laws and best practices to mitigate risks.
- **Stakeholder Engagement:** Facilitate discussions with local businesses, residents, and officials to align the redesign with community priorities.

Estimated Cost & Funding

Based on research, the estimated cost for the TIF redesign project is approximately \$15,000, depending on the scope of work and the number of districts under review. This cost would be allocated to the Economic Development department budget.

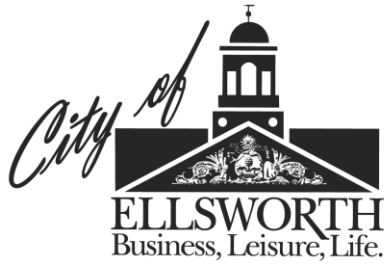
Recommendation

It is recommended that the City issue a Request for Proposals (RFP) to identify and select a qualified consultant to conduct a thorough review and redesign of our TIF districts. This investment will enhance the City's economic development strategy and ensure we are maximizing the benefits of TIF financing.

Next Steps

Upon Council approval, staff will draft and issue an RFP, evaluate submissions, and present a recommended consultant for final approval.

We appreciate your consideration of this request and look forward to discussing this initiative further.



MEMO

To: City Council

From Charlie Pearce, City Manager

Date: March 13, 2025

Re: Capital Improvement Plan Consultant Request

Introduction

As our city continues to grow and evolve, the need for a well-structured and comprehensive capital improvement plan (CIP) becomes increasingly critical. To ensure effective long-term planning, financial stability, and efficient resource allocation, it would be beneficial to hire a consultant to assist in developing a 1-, 5-, and 10-year capital plan.

Justification

1. Expertise and Best Practices

A consultant with experience in municipal capital planning will bring industry best practices, technical knowledge, and innovative approaches to prioritize infrastructure projects, facility upgrades, and capital investments. Their expertise will ensure our plan aligns with state and federal requirements, as well as emerging trends in urban planning and public works.

2. Objective and Data-Driven Approach

An independent consultant will provide an unbiased assessment of our current infrastructure, funding mechanisms, and future needs. Their data-driven analysis will help establish clear priorities based on community needs, fiscal responsibility, and long-term sustainability.

3. Efficiency and Capacity Building

Developing a comprehensive capital plan requires significant time and effort. Given the demands on our existing staff, engaging a consultant will allow for dedicated focus on the planning process without overburdening city departments. Furthermore, collaboration with a consultant will enhance staff capacity by transferring knowledge and methodologies for future CIP updates.

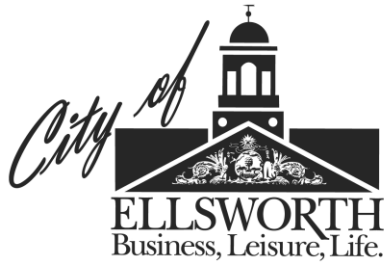
4. Financial Planning and Grant Opportunities

A well-developed capital plan is essential for effective budgeting and securing

external funding. Many state and federal grants require cities to demonstrate long-term planning efforts. A consultant can help structure our plan to maximize funding opportunities and ensure our financial resources are utilized effectively.

Next Steps

- Appropriate \$45,000 from the FY26 Budget to retain a CIP development consultant.
- Create a Request for Proposals (RFP) to attract qualified consultants.



MEMO

To: City Council

From: Charlie Pearce, City Manager

Date: March 13, 2025

Re: Proposal to Hire a Consultant for a Comprehensive Ordinance Rewrite

As Ellsworth continues to experience growth, it is imperative that our City ordinances align with the community's vision as outlined in the 2024 Comprehensive Plan and the Housing Needs Assessment and Strategy. To ensure consistency, clarity, and legal soundness, I recommend that the City engage a professional consultant to undertake a comprehensive revision of our ordinances.

Reasons for Engaging a Consultant:

1. Alignment with the 2024 Comprehensive Plan and Housing Needs Assessment

The 2024 Comprehensive Plan and Housing Needs Assessment which were approved by council late last year, identify specific ordinance changes necessary to implement key recommendations for encouraging new business and residential growth. Notably, it suggests items like reducing or eliminating minimum parking requirements to lower development costs, creating a library of pre-approved plans to streamline development, and improving the clarity and reliability of the permitting process. These changes aim to support housing development, economic growth, and sustainability.

2. Legal and Technical Expertise

A consultant specializing in municipal land use law and ordinance drafting will ensure adherence to state regulations and best practices, providing the technical expertise necessary for a comprehensive and legally sound ordinance framework.

3. Speed, Efficiency, and Objectivity

Time is of the essence. Previous ordinance change efforts have been talked about but fall off limited staff time available to apply to an overhaul like this. While city staff are integral to ordinance development, an external consultant can offer unbiased analysis, facilitate public engagement, and streamline the process, ensuring that the revisions are both efficient and reflective of community needs. Plus with a contracted deadline of deliverables we can ensure timelines are being met on this project regardless of what new issues may come up that require staff to prioritize other items in the near term.

4. Enhanced Clarity and Usability

Many existing ordinances are outdated or difficult to interpret. A comprehensive rewrite will simplify regulations, improve accessibility, and strengthen enforcement, making them more user-friendly for residents and developers alike.

Next Steps:

- Allocate \$45,000 from the FY26 Budget for hiring a consultant to assist with the ordinance rewrite effort. This may qualify for TIF funding.
- Develop a Request for Proposals (RFP) to attract qualified consultants with experience in municipal ordinance revisions.
- Form a working group consisting of key stakeholders, including members of the Planning Department, City Council, and community representatives, to oversee the process and ensure that the revisions align with the community's vision and needs.
- Align on deadlines for delivering workshops on ordinance changes and timeline for presenting to planning boards and council for approval in calendar year 2025.

By undertaking this comprehensive ordinance rewrite, we can ensure that our regulatory framework effectively supports Ellsworth's growth and development in alignment with our community's goals and values.