

**RECORD OF SPECIAL MEETING  
ELLSWORTH CITY COUNCIL**

**DATE: JUNE 26, 2015**

**TIME: 9:00 AM**

**PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS**

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

**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE,  
DANIEL HIGGINS, MICKI SUMPTER, TERI DANE, AMANDA TUPPER,  
BRENDA THOMAS, KEN SHEA AND TAMMY MOTE.**

*Call to Order.*

Chairman Crosthwaite called the Special meeting of the Ellsworth City Council to order at 9:00 AM.

Chairman Crosthwaite requested the following three items be added to the agenda this morning.

#3 on the agenda provided to the Council prior to the meeting listed: Public hearing and action on the intent of the Ellsworth City Council to increase the property tax limit for FY 2016 (LD1). (Public hearing was held on 6/15/2015)

# 6 on the agenda provided to the Council prior to the meeting listed: Council Order #061527, Request of the Deputy Treasurer/Tax Collector to accept payments on tax acquired timeshare units per the attached spreadsheet and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds.

#6 (A) is a new request that was unanticipated at the time the agenda was distributed, An Order to award up to \$2,150,000 of the authorized TAN Amount to the bank with the lowest interest rate pricing at that amount. A short description of the request was provided to Council prior to the meeting this morning.

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

**RESOLVED to approve the addition of the above three items.**

**Unfinished Business.**

*Public hearing and action on Budget Resolutions for FY 2016. (Public hearing was held on 6/15/2015).*

*On a motion by Fortier, seconded by Phillips, it was unanimously*

**RESOLVED to approve leaving on the table, action on Budget Resolutions for FY 2016 time certain to June 26, 2015, see attachment #1.**

**Call to Order.**

**Approved - Addition of the above three items.**

**Unfinished Business.**

**Approved - Leaving on the table, action on Budget Resolutions for FY 2016 time certain to June 26, 2015.**

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BRENDA THOMAS, KEN SHEA AND TAMMY MOTE.**

*Public hearing and action on the intent of the Ellsworth City Council to increase the property tax limit for FY 2016 (LD1). (Public hearing was held on 6/15/2015).*

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

**RESOLVED to approve leaving on the table, action on the intent of the Ellsworth City Council to increase the property tax limit for FY 2016 (LD1), see attachment #2.**

**New Business.**

*Public hearing and action on the following Ellsworth School Budget Resolutions for FY 2016:*

Dan Higgins, Ellsworth School Superintendent spoke briefly on the steps that have been taken since the validation vote failed to pass on June 9, 2015, leading up to the vote this morning. The revised draft of the Ellsworth School Budget was presented this morning as attachment #3. Higgins explained the focus during the first year as the Ellsworth Department was on improving the School Department and storing it to its former premiere status. Instituted a Pre-K through Adult Education philosophy for the operations and decision making. Capitalizing on the expertise and knowledge of the administrative, teaching and support staff. Another focus was on making a smooth transition to a proficiency based instructional model. The new Vision and Mission Statement for the Ellsworth School Department is almost completed. This new statement will tie in nicely with the statement currently being developed by the City. The Mission and Vision Statement will incorporate and reflect community values and beliefs toward education. This will also restore pride toward the Ellsworth School Department. There has been a great reception to the new School Department from the staff, students, parents, and the citizens. The School Board is well functioning and committed to the education of the students. The School Department is very fortunate to have a great relationship with the City Council. Higgins gave a brief overview of the three different versions of the budget that was created from the beginning of the process to the draft budget being presented this morning. The first draft was an initial draft completed at the administration and School Board level. Higgins listed very specific items that were contained in that draft which would move the School Department System, Adult Education Program and campus ahead. This initial budget would have been a 7% increase overall in the expense

**Approved - Leaving on the table, action on the intent of the Ellsworth City Council to increase the property tax limit for FY 2016 (LD1).**

**New Business.**

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side of the budget. This would have served as the true baseline budget for the Ellsworth School Department. The percentage increase would have translated into an over 20% increase to local taxes. It was determined that version of the budget, could not be placed before the public for a vote. Therefore it was returned to the administration team for a revised budget that would still meet the needs of the students, staff and keep the School Department moving in a positive direction; however, not add any new items. Higgins mentioned the revenue side of the budget was very difficult for the School Department to factor into their budgets. He explained even if the proposed budget had a 0% increase in expenditures, there would be a significant increase locally. Higgins stated through the school funding formula the mil-rate expectation was predicted to increase substantially. This would translate into a \$349,000 increase in locally raised funds. If the local contribution is raised, there would be a reduction of \$291,000 in subsidy. The other concern with the revenue side of the equation was an over estimate of tuition revenues for this year and next fiscal year the school is predicting a decrease of \$445,000 in tuition revenues. Another challenging piece to the revenue side of the budget is this is the second year of an increase in the School Department's share of state retirement payments for teachers. All of these revenue pieces would have led to an \$883,000 increase even with a 0% increase on the expenditure side. The draft agenda that reflected a 7% increase was not presented to the Council or the voters. The next two drafts of the budget have a responsible expenditure side of the budget; however, the revenue side continues to be a challenge. The next draft of budget; reduced the expenditures and maintained the current level of services and programs. Higgins stated with the quality of teachers and support staff, the School Department will continue to move forward; however, not at the pace they would like. An explanation of reductions to the initial budget was provided. After all the amendments were made, the once 7% increase was reduced to a 2.6% increase; translating to a local increase of \$1.3 million. This version of the budget was approved unanimously by the School Board on May 12, 2015, approved by the Council on May 18, 2015, and sent to the voters on June 9, 2015. The small margin of voters that considered the budget, voted against it. The following morning, the budget was reviewed again. The budget being considered this morning in attachment #3 will keep the School Department heading in the right direction and responsive to the results of the referendum. Further reductions will have an impact on students and programming. After reviewing recommendations and prioritizing those, approximately \$135,000 worth of reductions were made. Higgins listed those reductions in detail as well as the impacts on the students and staff. This budget reflects an increase of \$363,753 translating into a 1.9% increase

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in expenditures over the budget for FY 2015. After the Adult Education Program is added into the formula the increase is 2.2%. Higgins noted the Adult Education Program was only operated for a portion of FY 2015; under the FY 2016 Budget that program will be operated for the full year. There was a short discussion on how the current events with the State Budget process will impact the School Department budget. At this point it appears there will be an increase to the allocated dollars Ellsworth School Department will receive through that process, those were not initially available at the time of the first validation vote on June 9, 2015. Higgins noted, on May 18, 2015 City Council approved applying any additional funds received through the State Budget subsidy process directly to the FY 2016 budget in an effort to reduce the local tax impact. Higgins felt this was a wise decision.

Councilor Moore stated it was critical to continue with the improvements if the School Department expects to increase the tuition rate.

Higgins stated the projected enrollment for the high school is 470, in response to Chairman Crosthwaite's question.

Councilor Blanchette inquired what Higgins meant by larger class sizes in some subjects and areas. Higgins explained this would mean increasing from 16 or 17 students to 20 or 21. Blanchette shared his thoughts on the proposed budget in comparison to the election results on June 9, 2015.

Higgins discussed the Missions and Visions project in more detail particularly in relation to the survey results.

*Council Order #061519, Order Approving State/Local EPS Funding Allocation For Public Education From Kindergarten To Grade 12 For Ellsworth Schools For FY2016.*

Public hearing opened.

There were no comments.

Public hearing closed.

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

**Approved - Council Order #061519, Order Approving State/Local EPS Funding Allocation For Public Education From Kindergarten To Grade 12 For Ellsworth Schools For FY2016 as read into the record and**

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BRENDA THOMAS, KEN SHEA AND TAMMY MOTE.**

**RESOLVED to approve Council Order #061519, Order Approving State/Local  
EPS Funding Allocation For Public Education From Kindergarten To Grade 12  
For Ellsworth Schools For FY2016 as read into the record and presented in  
attachment #4.**

*Council Order #061520, Order Approving Non-State Funded School Construction  
Debt Service For Ellsworth Schools For FY2016.*

Public hearing opened.

There were no public comments.

Public hearing closed.

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

**RESOLVED to approve Council Order #061520, Order Approving Non-State  
Funded School Construction Debt Service For Ellsworth Schools  
(Elementary/Middle School only) For FY2016 as read into the record and  
presented in attachment #4.**

*Council Order #061521, Order Raising And Appropriating Additional Local  
Funds For Ellsworth Schools For FY2016.*

Public hearing opened.

There were no public comments.

Public hearing closed.

*On a motion by Phillips, seconded by Fortier, it was unanimously*

**RESOLVED to approve Council Order #061521, Order Raising And  
Appropriating Additional Local Funds For Ellsworth Schools For FY2016 as  
read into the record and presented in attachment #5.**

*Council Order #061522, Order Approving Total School Operating Budget for*

presented in  
attachment #4.

**Approved - Council  
Order #061520,  
Order Approving  
Non-State Funded  
School Construction  
Debt Service For  
Ellsworth Schools  
(Elementary/Middle  
School only) For  
FY2016 as read into  
the record and  
presented in  
attachment #4.**

**Approved - Council  
Order #061521,  
Order Raising And  
Appropriating  
Additional Local  
Funds For Ellsworth  
Schools For FY2016  
as read into the  
record and presented  
in attachment #5.**

**Approved - Council**

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BRENDA THOMAS, KEN SHEA AND TAMMY MOTE.**

*Ellsworth Schools for FY2016.*

Public hearing opened.

There were no comments.

Public hearing closed.

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

**RESOLVED to approve Council Order #061522, Order Approving Total School Operating Budget for Ellsworth Schools for FY2016 as read into the record and presented in attachment #6.**

*Council Order #061523, Order Appropriating And Raising Funds For Adult Education For FY 2016 As Required By The Maine Revised Statues, Title 20-A M.R.S.A. §8603-A(1).*

Public hearing opened.

There were no comments.

Public hearing closed.

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

**RESOLVED to approve Council Order #061523, Order Appropriating And Raising Funds For Adult Education For FY 2016 As Required By The Maine Revised Statues, Title 20-A M.R.S.A. §8603-A(1) as read into the record and presented in attachment #6.**

*Council Order #061524, Order To Raise Local Funds For Food Service In The Ellsworth Public Schools for FY2016.*

Public hearing opened.

There were no comments.

**Order #061522,  
Order Approving  
Total School  
Operating Budget for  
Ellsworth Schools for  
FY2016 as read into  
the record and  
presented in  
attachment #6.**

**Approved - Council  
Order #061523,  
Order Appropriating  
And Raising Funds  
For Adult Education  
For FY 2016 As  
Required By The  
Maine Revised  
Statues, Title 20-A  
M.R.S.A. §8603-A(1)  
as read into the  
record and presented  
in attachment #6.**

**Approved - Council  
Order #061524,  
Order To Raise  
Local Funds For  
Food Service In The  
Ellsworth Public  
Schools for FY2016**

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**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER DAVID COLE,  
DANIEL HIGGINS, MICKI SUMPTER, TERI DANE, AMANDA TUPPER,  
BRENDA THOMAS, KEN SHEA AND TAMMY MOTE.**

Public hearing closed.

*On a motion by Moore, seconded by Phillips, it was*

**RESOLVED to approve Council Order #061524, Order To Raise Local Funds For Food Service In The Ellsworth Public Schools for FY2016 as read into the record and presented in attachment #7.**

Before a vote was taken Councilor Fortier stated this item is very much like the City's solid waste program. This is a user based program that has tax payer dollars helping to fund it. Fortier encouraged the School Department to continue to find a way to make the food program self sustaining rather than subsidizing the program at such a high level. Higgins confirmed that continues to be the School Department's goal.

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

*Council Order #061525, Order To Authorize Expenditure Of Grants And Other Receipts For School Department Programs.*

Public hearing opened.

There were no comments.

Public hearing closed.

*On a motion by Phillips, seconded by Moore, it was unanimously*

**RESOLVED to approve Council Order #061525, Order To Authorize Expenditure Of Grants And Other Receipts For School Department Programs as read into the record and presented in attachment #7.**

*Council Order #061526, Order Approving Reduction in Local Tax Assessments in the Event of an Increase in State Funding for Public Schools for FY2016.*

Public hearing opened.

as read into the record and presented in attachment #7.

**Approved - Council Order #061525, Order To Authorize Expenditure Of Grants And Other Receipts For School Department Programs as read into the record and presented in attachment #7.**

**Approved - Council Order #061526, Order Approving Reduction in Local Tax Assessments in**

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**CITY COUNCIL ABSENT:**

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DANIEL HIGGINS, MICKI SUMPTER, TERI DANE, AMANDA TUPPER,  
BRENDA THOMAS, KEN SHEA AND TAMMY MOTE.**

There were no comments.

Public hearing closed.

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

**RESOLVED to approve Council Order #061526, Order Approving Reduction in Local Tax Assessments in the Event of an Increase in State Funding for Public Schools for FY2016 as read into the record and presented in attachment #7.**

*Public hearing and action on the adoption of a continuing resolution to fund the city's various departments and accounts in an amount sufficient to finance necessary expenses until a final budget resolve is in force.*

Chairman Crosthwaite stated the City is in a situation where it is nearly impossible to close the budget until the City knows if and what the revenue sharing numbers will be and the numbers for State aid to education have been reported. This item will allow a continuing resolution to be adopted in an effort to fund the various departments and accounts of the City in an amount not to exceed \$2 million. The continuing resolution will be in effect for the month of July. If the final budget is not adopted within this time frame, the process of adopting a continuing resolution will need to be repeated. This process is in accordance with the City Charter, and reviewed by legal counsel.

See attachment #8 for a complete explanation of this request.

Public hearing opened.

There were no comments.

Public hearing closed.

*On a motion by Phillips, seconded by Moore, it was*

**RESOLVED to approve the request of the Interim City Manager to approve the adoption of a continuing resolution to fund the various departments and accounts of the City of Ellsworth in an amount not to exceed \$2 million dollars for the month of July 2015 in order to finance necessary City, Water, and**

**the Event of an Increase in State Funding for Public Schools for FY2016 as read into the record and presented in attachment #7.**

**Approved - Request of the Interim City Manager to approve the adoption of a continuing resolution to fund the various departments and accounts of the City of Ellsworth in an amount not to exceed \$2 million dollars for the month of July 2015 in order to finance necessary City, Water, and Wastewater Department expenses until a final budget resolve is adopted. In the event a final budget resolve is not adopted by the end of July 2015, this process shall be repeated.**

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**CITY COUNCIL ABSENT:**

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*Wastewater Department expenses until a final budget resolve is adopted. In the event a final budget resolve is not adopted by the end of July 2015, this process shall be repeated.*

Councilor Fortier stated for public record, the discussion at the Finance Committee meeting indicated that the Finance Director will continue to enforce the budget freeze. Non-essential purchases will not be allowed and capital projects such as ordering a new plow truck will be postponed a month or so. This resolution applies only to essential services. Fortier explained the School Department is allowed to operate under the last budget approved by the City Council; however, asked that the School Department use good judgment before spending.

Crosthwaite explained the School Department budget is not required to be part of the continuing resolution. State Statue regulates which budget the School Department is allowed to operate under until such time a budget is validated by the public.

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

*Council Order #061527, Request of the Tax Collector to accept payments on tax acquired timeshare units per the attached spreadsheet and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds.*

Amanda Tupper, Tax Collector stated two timeshare units have sold since the last meeting. The reason Tupper requested permission to add this item to the agenda today was because one of the timeshare units will be coming up shortly. By having this item heard today, it should expedite the process, so the new owners can use the unit this year. See attachment #9 for a complete list of new owners and timeshare unit information.

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

**RESOLVED to approve Council Order #061527, Request of the Tax Collector to accept payments on tax acquired timeshare units per attachment #9 and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds.**

**Approved - Council Order #061527, Request of the Tax Collector to accept payments on tax acquired timeshare units per attachment #9 and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds.**

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*An Order to award up to \$2,150,000 of the authorized TAN Amount to the bank with the lowest interest rate pricing at that amount.*

Tammy Mote, Finance Director explained that on June 15, 2015 at the Regular Council meeting the Council authorized the borrowing of \$3.5 million dollars for a Tax Anticipation Note (TAN). While the Bond Council was drawing up the paperwork, they realized due to the refinancing of the USDA loans during this past year, the City had exceeded the \$10 million dollar limit when applying for small issuer bank qualified borrowing. The IRS stipulates how much a municipality can borrow on a tax exempt basis. Therefore, the amount has been reduced to \$2,150,000 at this time. The Bond Council has completed the paperwork with the 2,150,000 figure and it has been signed. The paperwork was forwarded to TD Bank, the approved lowest bidder on June 15, 2015 at an interest rate of 0.70%. TD Bank stated they wanted to disperse the funds as a lump sum, if the intent was to disperse the entire \$3.5 million dollars on an as needed basis the interest rate would increase to 0.80%. If this option was not accepted by the City, they would pull their original bid. Mote received this information yesterday, which resulted in her request to add the item to the agenda this morning. Mote has contacted the next lowest bidder; Bangor Savings Bank to ensure they can make this borrowing move forward quickly as well as if they will honor the .072%. After speaking to the Bond Council and the Bank, Mote does not have a definite bank to award the TAN to at this moment. The Council Order contained in attachment #10 would authorize Mote to award the TAN, report back to the Council, and start the appropriate paperwork. This item could be turned around so that the City would have the necessary funds by next Thursday. The paperwork would be signed on Monday. This item is just the authorization. The Bond Council did not indicate a public hearing was necessary at this time since the request is an amendment to an approved order on June 15, 2015. Mote explained the City will still need to borrow the \$3.5 million over the year; however the disbursement will be split into \$2,150,000 now and in January the remaining portion will be disbursed. When money is borrowed the IRS looks at the request on a calendar year rather than a fiscal year. Chairman Crosthwaite clarified the Council has already approved the complete borrowing.

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

**RESOLVED to approve be it hereby ordered and resolved by the City Council as follows that the City Finance Director be and is authorized to award up to**

**Approved - Be it hereby ordered and resolved by the City Council as follows that the City Finance Director be and is authorized to award up to \$2,150,000 of the authorized TAN Amount to the bank with the lowest interest rate pricing at that amount, as she shall determine in her discretion and that she shall thereafter report said award to the City Council. See the complete Award of FY 15-16 Tax Anticipation Borrowing in attachment #10.**

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*\$2,150,000 of the authorized TAN Amount to the bank with the lowest interest rate pricing at that amount, as she shall determine in her discretion and that she shall thereafter report said award to the City Council. See the complete Award of FY 15-16 Tax Anticipation Borrowing in attachment #10.*

*Adjournment.*

*On a motion by Fortier, seconded by Phillips, it was unanimously*

**RESOLVED to approve adjournment at 9:45 AM.**

**A TRUE COPY**

**ATTEST: \_\_\_\_\_  
HEIDI-NOËL GRINDLE**

**Approved -  
Adjournment at 9:45  
AM.**