

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 18, 2016

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICHELE GAGNON, GARY SAUNDERS, RICHARD TUPPER, PETE
BICKMORE, MICHAEL HANGGE, LARRY GARDNER AND MANY PAID ON
CALL FIREFIGHTERS.**

Call to Order.

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

Pledge of Allegiance.

All stood for the pledge of allegiance.

Rules of Order.

The meeting was conducted under Robert's Rules of Order and other rules adopted at the November 9, 2015 Annual Organizational Meeting of the Ellsworth City Council. After being recognized by the Chairman, a person may speak not more than three (3) minutes on any one item on the agenda. In addition, the person may speak not more than two (2) minutes in rebuttal.

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

RESOLVED to approve adding the following two agenda items this evening:

1) Request of the City Manager to accept a bid for the Davis Brook/Shore Road Culvert Reconstruction Project.

2) Request to approve the agreement between the City of Ellsworth and the Hancock County Commissioners for the Regional Communication Center third shift dispatching service.

In an effort to keep the numbers straight for the Clerk, Fortier numbered the proposed agenda items as 19 B (Davis Brook/Shore Road) and 19 C (communication center). He furthered moved to at that time suspend the rules and take 19 B and 19 C out of order so they can be heard after agenda item #15 (immediately before the executive session).

Adoption of minutes from the following meeting (s) of the Ellsworth City Council:

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved adding two items to the agenda this evening.

Approved - Adoption of minutes from the

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06/20/2016 Regular Monthly Meeting.

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

**RESOLVED to approve adoption of minutes from the 06/20/2016 Regular
Monthly Meeting as presented.**

City Manager's Report.

David Cole, City Manager explained he is meeting weekly with the MaineDOT and R.F Jordan Construction to discuss the coordination and progress of the project underway on Rt. 1A. Cole thanked the traveling public's patience with the project as there have been some time periods when the flow of traffic has been impacted. Updates will be available to the public as the project moves forward. Cole announced August 2 will be the ground breaking ceremony at the Jackson Laboratory's future location within Ellsworth at 12:30 PM. Earlier in the day, there will be a ribbon cutting ceremony at the City's incubator facility located on Water Street. These two events are milestones for the City of Ellsworth.

Committee Reports.

➤ *Harbor Commission.* Councilors Moore and Phillips attended the Harbor Commission meeting this month. It has been an uneventful season with all the slips being rented. Councilor Fortier noted the Coastal Cruisers which visited the Harbor a few years ago; currently have five vessels docked at the Harbor for the next two nights. It was noted that Adam Wilson, Harbormaster has done a great job making the Harbor Park a welcoming destination.

Citizens' Comments.

There were no citizens' comments this month.

Presentation of Awards.

Michael Hangge, for thirty years of service with the Ellsworth Fire Department.

Michael Hangge was present to accept his service award from Chairman

**06/20/2016 Regular
Monthly Meeting as
presented.**

**City Manager's
Report.**

Committee Reports.

Citizens' Comments.

**Presentation of
Awards.
M. Hangge, 30 years
with the Fire
Department.**

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Crosthwaite on behalf of the Ellsworth citizens.

Kenneth Worden, for thirty years of service with the Ellsworth Fire Department.

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

K. Worden, 30 years with the Fire Department.

Gary Saunders, for twenty years of service with the Ellsworth Fire Department.

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

G. Saunders, 20 years with the Fire Department.

Clyde Cushing, for twenty years of service with the Ellsworth Fire Department.

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

C. Cushing, 20 years with the Fire Department.

Lieutenant Robert “Bobby” Dorr was recognized for achieving (on his own initiative) a fire science degree from the Columbia Southern University.

B. Dorr – Achieved a fire science degree.

Kevin Bland was presented with a certificate of appreciation as he prepares to retire from the Ellsworth Fire Department after 39 years of service as a paid on call firefighter. His accomplishments within the Department were recognized.

K. Bland – Retirement from Fire Department.

Councilor Pamela Perkins was presented with a parting gift in honor of her 9 years of service on the City Council as she relocates to follow her future career goals.

P. Perkins – Honored for 9 years Council.

UNFINISHED BUSINESS

Unfinished Business.

There were no items under Unfinished Business this month.

CONSENT AGENDA

Consent Agenda.

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

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Agenda.

There were no items under the Consent Agenda this month.

NEW BUSINESS

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

Ellsworth Elks Lodge #2743, 317 High Street, for renewal of a City Class B License (Victualer, Alcohol and Special Amusement) and renewal of a State Club On Premise Catering Liquor License (Malt, Spirituous and Vinous).

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

RESOLVED to approve the request of Ellsworth Elks Lodge #2743, 317 High Street, for renewal of a City Class B License (Victualer, Alcohol and Special Amusement) and renewal of a State Club On Premise Catering Liquor License (Malt, Spirituous and Vinous).

Capital Pizza Huts, Inc. d/b/a Pizza Hut, 211 High Street, for renewal of a City Class C License (Victualer and Alcohol).

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

Public hearing was opened.

There were no comments.

New Business.

Approved - Ellsworth Elks Lodge #2743, 317 High Street, for renewal of a City Class B License (Victualer, Alcohol and Special Amusement) and renewal of a State Club On Premise Catering Liquor License (Malt, Spirituous and Vinous).

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Public hearing was closed.

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

RESOLVED to approve the request of Capital Pizza Huts, Inc. d/b/a Pizza Hut, 211 High Street, for renewal of a City Class C License (Victualer and Alcohol).

Council Order #071600, Request of the City Manager to issue a Request for Proposals (RFP) for development of market rate housing on City owned property located at Shore Road (land only) along Leonard's Lake on Map 034 Lot 001 and at Sterling Street (land only) on Map 36 Lot 077.

No formal vote was taken on this item.

David Cole, City Manager explained recently he asked City Staff to provide a list of City owned properties where there might be land available to help promote housing development within the City. Ellsworth has housing needs ranging from affordable housing to market rate options. Recently, the 2015 Housing Opportunities for Age 55 & Older Markets housing study was conducted with the results clearly demonstrating the need for more available housing options. See attachment #1 for a complete description of the request as well as maps of the parcels being discussed. The Leonard Lake and Sterling Street parcels have been retained by the City and not designated for any particular use. One of the parcels is approximately 5.5 acres off from Shore Road located just below the Leonard's Lake housing development. This parcel is nestled along the shore line. The other parcel is approximately 1 acre located near Sterling Street. Cole is seeking authorization from the Council to develop and issue a Request for Proposals (RFP) related to development of those properties. The RFP would be sent to qualified housing developers who would demonstrate to the City what the market potential for development would be on those two parcels. The initial thought is to look for development that takes advantage of infill opportunities within the urban core in the form of multi-unit town houses, condos, and cottages. Another objective by developing these properties is to place improved parcels of property back on the tax rolls. A final goal with this proposal is to enhance the area, the lake and other housing developments in those particular areas. Cole suggested using an RFP process where the Council through the Chair appoints an advisory committee to work with staff. This committee would help guide the selection of a developer or developers on these sites with the final recommendation coming before the full

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Council. Cole suggested having members of the Ellsworth Business Corporation, members of the housing study committee and councilors represented on this advisory committee. After discussions with the Code Enforcement and Planning Departments as well as others it was initially felt the Shore Road parcel could potentially have 15 to 20 units constructed on it. It is important to note that there is a required 100' setback from the lake and Cole suggested the City retain rights along the shoreline for public access, potentially for a walking trail. The initial thought is to issue one RFP with developers having the option of responding to either property or both. Cole would like to hold a public meeting with the neighbors of the parcels being invited as well as anyone interested in the housing topic. Cole provided some key points about the physical location of the properties through the use of maps included as attachment #1. It was noted that the developable portion of the Shore Road parcel will be approximately 2.4 acres once the setback requirement is satisfied. The Sterling Street parcel would have 20,000 square feet of developable property remaining. Councilor Fortier addressed a concern with the parcels considering the shore land - limited residential zone requires 40,000 square feet per dwelling unit. According to this requirement the Sterling Street parcel could only contain a single housing unit. The Shore Road property would only be allowed approximately 5.6 to 6.2 dwelling/housing units when calculating in the shore land zone requirements. There was a lengthy discussion on this concern. Fortier voiced concerns with adding a multi-unit development to the Sterling Street area, he recommended selling the parcel for a single housing unit. Michele Gagnon, City Planner stated staff was aware of the concern with adding a multi-unit development to a residential area and therefore the earlier recommendation of holding a public meeting for the neighborhood before development plans move forward. Fortier was in support of researching and exploring this concept further; however, recognized the need for more information and questions to be answered. Councilor Perkins was in favor of exploring further a public/private partnership in regards to the property on the Shore Road. Councilor Moore reminded everyone to keep in mind that the parcel on the Shore Road does contain some steep inclines when designing walking trails. Chairman Crosthwaite inquired if Cole had received enough input tonight to move forward with the project. Cole confirmed this discussion satisfied the need at this time, particularly as it is only the beginning of a process. As part of the process a potential zone change could be explored. Crosthwaite noted that as input is gathered it may be appropriate to workshop this project. The density of development being envisioned with this project is not out of character with what is

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found above the Leonard's Lake housing development. Councilor Phillips agreed with the concept of placing the parcels back on the tax rolls.

No formal vote was taken on this item.

Presentation by Kevin Bunker from Developers Collaborative on a proposed workforce housing development to be located between Washington Street and Foster Street. (No action needed)

Chairman Crosthwaite noted the Council would not be taking action on this concept tonight; the goal tonight was to hear about the project and future plans for the site. Kevin Bunker from Developers Collaborative was present this evening to share the details of a workforce housing project that is currently in the Planning Board approval process. Bunker has had some preliminary discussions with City Manager David Cole in regards to designating a Tax Increment Financing (TIF) District for the project. This project will be placed behind the Reny's Shopping Center on a large parcel of land before the land dips into a ravine. Union River Estates is located on the South side and Straw Way is located on the North side. The final project will be two phases. The first phase will have 50 units of workforce housing and the second phase will be approximately the same size with market rate housing units. Nationally a successful trend being utilized is to build residential housing units around shopping centers. Another trend this project is drafting on is the current growth rate being experienced by Ellsworth. This project is felt to meet a need Ellsworth is currently experiencing by creating 50 housing units through approximately 11 separate buildings. Typically, there are 3-5 units per building. Bunker briefly spoke about the rent structure that would be utilized. The project receives funding through tax credits awarded through the Maine Housing Authority. The rents are fixed to be affordable by residents earning approximately \$20,000 to \$38,000 a year. There are regulatory reasons why this project can only serve residents earning the above dollar amounts. This phase of the project will not serve residents earning the area medium. Residents earning less than the allowable income will not be eligible either. Tax credits are awarded through a competitive process through the State. The company Bunker represents has been very success over the past eight years. This is a prime example of a project that can be successful and receive the necessary funding to become a reality. Bunker explained the reason he would like to explore a TIF district with the City is due to the scoring for the project being based on many factors. It is

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based on the community the project will be built in, the relative need the housing authority has ranked it on, various levels of smart growth, how close to the downtown area the project is located, and how ready the development is to proceed (for example have all the municipal approvals been obtained). The quality and experience of the developer, as well as the quality and experience of the management company are also considered. One of the biggest categories is the total development costs; the more efficient the developer is with costs the higher the project will score. One of the other components the project is scored on is whether the municipality is participating alongside the developer through the availability of a TIF district. A TIF can be structured so that it is not costing the municipality any money. Bunker provided an explanation on how this TIF district could benefit the City of Ellsworth. This project will not score high enough without the addition of a TIF district. Workforce housing projects allow the sheltered funds to be placed in Educational Fund Accounts. Councilor Fortier felt this was a great project and the start of a successful residential community. Fortier thanked Bunker for bringing this project to Ellsworth. Councilor Moore noted this is exactly the type of project the City has been seeking for properties that are otherwise not being utilized. This project is an excellent example for revitalizing undesirable properties. The size and location of this property lends itself to residential housing units. Councilor Phillips found the proposal very interesting and inquired what the time schedule for the actual construction of the project would be. Bunker explained he is applying for financing on October 28, 2016, the success of this portion will be determined by the end of the year. Assuming the project is successful Bunker plans to break ground on the project in May of 2017. Best case scenario the project would be completed within the next year. The plan that was on display during the meeting reflected Phase One only; the road that is shown proceeding down Foster Street is the pathway to Phase Two. The road from Washington Street to Foster Street will be built entirely during Phase One but the development will only be in the top half of the property. The lower half of the property will be opened up for future build out. The total acreage being utilized for Phase One is 4.67 acres with the placement of 50 units. Chairman Crosthwaite noted there are plans within Phase One for a community building in the middle (holds the laundry facility), a playground next to this building, a tell-a-medicine room (where residents can see a doctor without having to leave the development), and a community room (for scheduling meetings and holding parties). The development is structured in a two-pod formation. The community building would be located between the two pods in effect connecting the pods. Cole noted this

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development group has a website that can be accessed to see examples of other developments they have built. This development team has met with the City Staff and many members of their team are known entities to the City of Ellsworth. Cole agreed a TIF in this situation is almost essential to the success of the project; he furthered agreed creating a TIF would be beneficial to both the project and the City. From a land use standpoint given there are so many services located within walking distance of this complex not to mention recreational opportunities (Harbor and Sunrise Trail) this project is extremely well positioned for success. Crosthwaite thanked Bunker for all his efforts getting the project to this point and welcomed him back to the Council level more formally in August or September for consideration of a TIF District. Bunker will appear before the Planning Board sooner than that for consideration on preliminary approval and then September for consideration on final approval of the project. Michele Gagnon, City Planner stated the proposed site visit for the Planning Board is planned for August 11, 2016 at 3:30 PM and is open to the public. The City staff is working closely with Bunker's team to gather the TIF information and create the necessary documents, which will then be reviewed by the City legal team. Moore inquired if there will be an opportunity for local contractors to bid on the project. Bunker stated there will be opportunities for local contractors to be involved in the project; in fact that is critical to the financial success of the project. Fortier spoke on the importance of developing the TIF District for this project particularly in regards to gaining the necessary points during the scoring process.

Presentation only, no formal vote was taken or required this evening.

Council Order #071601, Request of the Deputy Treasurer/Tax Collector to release the Matthew Corcoran and Melanie Sawyer property (Map 31 Lot 45) through a Quit-Claim Deed. (Land only at Woodland Road)

Tammy Mote, Finance Director explained typically this type of request is part of the Consent Agenda; however, due to the circumstances it was appropriate to give a short explanation. The City of Ellsworth foreclosed on a parcel of land in FY 14 for nonpayment of taxes. There were two parcels of property affected by this foreclosure. One located at 20 Woodland Road and the other being directly across the street (land only, Map 031 Lot 045-000-000). The land only portion (Map 031 Lot 045-000-000) contains the septic system for the parcel located at 20 Woodland Road. The City contacted the mortgage holder at the time of the foreclosure;

Approved - Council Order #071601, the request of the Deputy Treasurer/Tax Collector to release the Matthew Corcoran and Melanie Sawyer property (Map 31 Lot 45) through a Quit-Claim Deed. (Land only at

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however, the financial institute did not believe the land only portion was included with the mortgage. After some further research by the financial institute they realized it is part of 20 Woodland Road, and have since paid all the past due taxes including costs and interest. Mote is requesting to deed Map 031 Lot 045-000-000 land only on Woodland Road back to the original owner. Councilor Fortier clarified and Mote confirmed the City has already received all past due amounts. Currently, 20 Woodland Road is in the process of being sold and the sale will not be completed without the portion of land that contains the septic system.

Woodland Road).

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

RESOLVED to approve Council Order #071601, the request of the Deputy Treasurer/Tax Collector to release the Matthew Corcoran and Melanie Sawyer property (Map 31 Lot 45) through a Quit-Claim Deed. (Land only at Woodland Road).

Council Order #071602, Request of the Finance Director for approval to adjust various Capital Improvement Accounts.

Approved - Council Order #071602, Request of the Finance Director to transfer the FY 2016 capital improvement remaining balances as presented in attachment #2 (reflective of the two requested changes), with the two changes of Knowlton Park \$7,133.12 will go to Knowlton Park Capital Reserve subaccount or maintenance whichever is appropriate and \$58,914.71 go to City

At the June City Council meeting, a request was made to encumber certain capital improvement accounts. At that time, the City Council asked if there was a need for some of those accounts and was it possible to “close” some of those accounts as the funds were no longer needed for specific projects. See attachment #2 for a list of accounts which can be transferred to reserve subaccounts, as the designated project has ended. The options for transferring these funds include closing to fund balance, transfer to another specific capital improvement line item, or transfer the funds to a reserve subaccount at Bar Harbor Bank & Trust. Mote recommended distributing some of the remaining funds to the Basketball Court Reserve subaccount, Wastewater Reserve subaccount, Moore Community Center Reserve subaccount, and Knowlton Park Reserve subaccount to cover future maintenance and associated expenses related to those original projects. The remaining \$58,914.71 from various line items could be redistributed in a couple of different ways. Those funds could be transferred to a Capital Reserve subaccount or another Capital Improvement account. Councilor Fortier agreed with the recommended transfers. He would like to see the remaining \$58,914.71 transferred to the City Hall Capital Improvement account to fund the security improvements project initiated by the dispatching services moving out of City Hall. Chairman

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Crosthwaite agreed with the suggestion of setting \$58,914.71 aside for that particular project, the entire amount may not be needed. Mote reminded the Council they had removed the cost of repairing the City Hall roof out of the budget; she would like consideration on designating \$30,000 of those funds to completing that project. Fortier stated that would be a consideration after the building has been secured.

**Hall Capital
Improvement
account.**

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

RESOLVED to approve Council Order #071602, Request of the Finance Director to transfer the FY 2016 capital improvement remaining balances as presented in attachment #2 (reflective of the two requested changes), with the two changes of Knowlton Park \$7,133.12 will go to Knowlton Park Capital Reserve subaccount or maintenance whichever is appropriate and \$58,914.71 go to City Hall Capital Improvement account.

Council Order #071603, Discussion and action on allowing the Ellsworth Area Chamber of Commerce to include a beer tasting event as part of the Autumn Gold festivities at the Harbor Park.

Approved - Council Order #071603, the request of the Economic Development Director for the Ellsworth Area Chamber of Commerce to add a new event (brew/wine tasting tent) on the waterfront for the Autumn Gold Days hosted by Airline Brewing Company.

Gretchen Wilson, Executive Director of Ellsworth Area Chamber of Commerce explained that the Chamber was approached by the owner of the Airline Brewery, Gary Cresswell to consider adding a brew/wine tasting tent to Autumn Gold. This event will be held on September 24, 2016. This new addition would be a small tasting tent with a maximum of two Chamber member breweries and wineries offering their products. See attachment #3 for the complete request including a map showing the approximate location of the tasting tent. Wilson has spoken with the State Liquor Enforcement officer in regards to the necessary application to conduct this event. The planning for this new event has not moved past a discussion at the Chamber level until approval has been secured from the City Council. Wilson provided a detailed description of where the additional tent would be located in conjunction to the Chowder Fest tent. The required application to the State of Maine would be a Special Tasting application with the license being held by the Breweries and Wineries and the Airline Brewery being the primary signature on the license. Wilson explained this type of license allows one fee to be charged to each guest, who then gets tagged with a glass and are allowed a certain amount of alcohol (approximately 12 oz) because a significant amount of food is

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not being offered. Each paying guest will receive 12 tickets to apply to tastings of wine (1.5 oz) each or beer (up to 4 oz). Each guest will be required to be 21 years of age and remain in the designated area while consuming the beverages. Wilson explained a few of the other requirements absorbed by the wineries and breweries as well as how the Chamber volunteers would be involved with the event. It requires a State license; however, the City will be required to sign the application as well. It is very similar to the Off Premise Liquor License application that comes before the Councilors routinely. David Cole, City Manager confirmed this type of event is very popular and has been held in Bangor. Councilor Fortier felt it would be a great addition to Autumn Gold. After approval is obtained from the Council, Wilson will discuss the finer technical details with the Fire and Police Chiefs. Councilor Perkins noted it sounded like a great idea and the perfect way to highlight all the breweries and wineries in the area.

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

RESOLVED to approve Council Order #071603, the request of the Economic Development Director for the Ellsworth Area Chamber of Commerce to add a new event (brew/wine tasting tent) on the waterfront for the Autumn Gold Days hosted by Airline Brewing Company.

Council Order #071604, Request of the Finance Director to award a contract to Atlantic Landscape Construction for Knowlton Park maintenance.

Tammy Mote, Finance Director stated this request is to hire Atlantic Landscape Construction for a maintenance contract through FY 2017. They would be responsible for weekly mowing, path edging, over seeding lawns, adjusting soil PH levels, fertilizing the lawn, mulching plants, weeding, and the spring and fall opening and closing of the park. See attachment #4 for the cost estimate from Atlantic Landscape in the amount of \$27,060 for the year. Atlantic Landscape Construction was the contractor for the Knowlton Park construction project, hiring them would guarantee the warranty for the remainder of the first year of the park being opened. Chairman Crosthwaite inquired what the term of service was in the original contract, particularly in regards to if that contract has been satisfied then this contract should have gone out to bid. Councilor Fortier stated this topic was discussed during a Finance Committee meeting, the warranty is still valid until the Fall and it was felt best not to mix up the two possible contractors. The Finance

Approved - Council Order #071604, Request of the Finance Director to award a contract to Atlantic Landscape Construction for Knowlton Park maintenance up to \$27,060 as per the quote contained in attachment #4.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 18, 2016

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICHELE GAGNON, GARY SAUNDERS, RICHARD TUPPER, PETE
BICKMORE, MICHAEL HANGGE, LARRY GARDNER AND MANY PAID ON
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Committee asked Micki Sumpter, Economic Director to gather prices for keeping this service with Atlantic Landscape Construction this year to cover any warranty questions and then next year plan to bid this service out. Next year was clarified as FY 2018 budget cycle. Councilor Blanchette questioned in description of work (see attachment #4 for the complete request and copy of the estimate) it states under Fall Leaf Clean-up and then just below that it says additional maintenance requested or required beyond that listed above, one of those items states Leaf clean-up, removal and disposal. Mote stated she could look into whether that service is covered under the estimate or would be viewed as an additional cost. Sumpter stated that service will be included as part of the cost estimate provided. Councilor Perkins inquired up until this point, which company or department has been providing the maintenance at the Knowlton Park. Mote stated Atlantic Landscape has been providing maintenance, under the contract from last year. That contract only covered a small portion of the year; this contract would take the City through June 30, 2017. It was clarified that they have been mowing the grass at Knowlton Park; this has not been done by City staff. Perkins inquired if the contract included watering the grass areas. Some concerns with the condition of the grass were addressed in regards to the grass being scratchy due to the dry environmental conditions. Mote stated she would have the Public Works Department check the condition and possibly use their equipment to irrigate it. Crosthwaite inquired if attachment #4 was an estimate or an actual contract amount and whether this is a budgeted item. Sumpter clarified even though attachment #4 states estimate, it is the budgeted amount and the \$27,060 is the contracted amount including the blowing of leaves as well as removing them from the property. The only irrigated areas are the flower gardens. She will look into the concerns voiced with the grass areas; however, was confident Atlantic Landscape was not asked to water the grass areas continually. Councilor Moore inquired if the suggested motion should state at a total amount or up to an amount of \$27,060. Mote and Sumpter agreed it should state up to an amount of \$27,060. This is a budgeted item and will be funded from the Knowlton Park line item.

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

RESOLVED to approve Council Order #071604, Request of the Finance Director to award a contract to Atlantic Landscape Construction for Knowlton Park maintenance up to \$27,060 as per the quote contained in attachment #4.

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DATE: JULY 18, 2016

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CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICHELE GAGNON, GARY SAUNDERS, RICHARD TUPPER, PETE
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Request of the City Manager to accept a bid for the Davis Brook/Shore Road Culvert Reconstruction Project.

David Cole, City Manager stated he is requesting the Council authorize the City Manager to accept the bid from K. J. Dugas Construction Inc. for \$120,730 for the Davis Brook/Shore Road Culvert Reconstruction Project. This project would be funded from a grant in the amount of \$89,354, as well as from the Local Roads Capital Improvement Account in the amount of \$31,376. See attachment #5 for the complete bid results and letter of recommendation from Andrew McCullough, PE. The bids did come in higher than originally thought; this was largely in part to the scope of the project being upgraded to improve sight distance on the Shore Road as well as a change to fix the grade at the Eggleston residence. This would be the low point on the Shore Road causing the water to consolidate. It seemed appropriate to make these changes as the project involves changing out a box culvert in that area. The City will be leveraging \$3 for every \$1 it spends on the project. McCullough noted that Dugas provided the City with a significantly lower unit price on the asphalt pavement portion of the project as he is not subletting that portion due to the size of the project. Cole did not believe rebidding the project would result in a lower price; he thinks this is the correct approach to completing the project. Cole is recommending accepting the bid from K.J. Dugas. Councilor Fortier inquired if the Alternate One bid is being accepted at this time, which includes the concrete fitting. The additional cost for approving Alternate One would be \$7,000. As it was not known if that portion was necessary at this time; Fortier stated that dollar amount could be approved at a later date.

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

RESOLVED to approve request of the City Manager to accept a bid from K.J. Dugas Construction, Inc. for the Davis Brook/Shore Road Culvert Reconstruction project at an estimated cost of \$120,730, further move to accept unit prices as declared in attachment #5. To be funded from the Stream Crossing Public Infrastructure grant in the amount of \$89,354 and from the Local Roads Capital Improvement account in the amount of \$31,376.

Before a vote was taken, Chairman Crosthwaite inquired what the timeframe on this project was. Cole stated the construction would be this September. Michele Gagnon, City Planner explained there is a very tight deadline with this project due

Approved - request of the City Manager to accept a bid from K.J. Dugas Construction, Inc. for the Davis Brook/Shore Road Culvert Reconstruction project at an estimated cost of \$120,730, further move to accept unit prices as declared in attachment #5. To be funded from the Stream Crossing Public Infrastructure grant in the amount of \$89,354 and from the Local Roads Capital Improvement account in the amount of \$31,376.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 18, 2016

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PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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FORTIER, MOORE, PERKINS AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
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to the permitting process and the impact on the fish spawning season. Cole thanked the Council for adding this item to the agenda this evening, in an effort to provide enough time for the box culvert to be ordered.

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

Request to approve the agreement between the City of Ellsworth and the Hancock County Commissioners for the Regional Communication Center third shift dispatching services.

Councilor Fortier introduced Harold “Pete” Bickmore, Police Chief to explain this request. Bickmore stated this is a request to move the midnight dispatch service over to the Hancock County Regional Communication Center (RCC). Over the past month, Bickmore and Richard Tupper, Fire Chief in coordination with the RCC have been working on the technical details of moving the midnight dispatching shift over to the new location. There has been a vacancy on the midnight shift at the Ellsworth Dispatch Center and he anticipates other vacancies this year. This would be the first step in moving the City’s dispatch services over to the Hancock County RCC. Currently, the correct radio and telephone connections are being installed and created between the Hancock County RCC and the City. A budget not to exceed \$10,000 was proposed at the Friday morning Finance Committee meeting to complete this phase of the project. See attachment #6 for the draft copy of the Memorandum of Understanding between the Regional Communications Center of Hancock County and the City of Ellsworth to provide overnight dispatching services to the City of Ellsworth Police and Fire Departments. Bickmore has received a unanimously affirmative vote on this project/proposal from the Hancock County Commissioners. Fortier clarified this proposal is for a 6 month pilot program. The total anticipated cost is \$9,200 for the 6 month period. The yearly cost would be approximately \$18,000. This cost would be largely funded from saved overtime pay and shift wages. The initial shift being covered under this agreement is 11 PM to 7 AM except from Friday, Saturday and Sunday when the shift would start at 1 AM due to the current workload at the County.

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

**Approved -
Agreement between
the City of Ellsworth
and the Hancock
County
Commissioners for
the Regional
Communication
Center third shift
dispatching services
as presented in
attachment #6.
Authorize the City
Manager to sign the
agreement on behalf
of the Council.**

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 18, 2016

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICHELE GAGNON, GARY SAUNDERS, RICHARD TUPPER, PETE
BICKMORE, MICHAEL HANGGE, LARRY GARDNER AND MANY PAID ON
CALL FIREFIGHTERS.**

RESOLVED to approve the agreement between the City of Ellsworth and the Hancock County Commissioners for the Regional Communication Center third shift dispatching services as presented in attachment #6. Authorize the City Manager to sign the agreement on behalf of the Council.

Before a vote was taken Fortier offered a friendly amendment to authorize the City Manager to sign the agreement on behalf of the Council. Phillips approved the amendment and Beathem seconded it.

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

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

There was no discussion prior to a motion being made to enter executive session. The Council plans to take action upon adjourning from this item.

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

RESOLVED to approve entering executive Session to discuss labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D at 8:30 PM.

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

RESOLVED to approve adjourning from executive Session for the purpose of discussing labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D at 8:48 PM.

Council Order #071605, Discussion and action on ratifying the Local Ellsworth Wastewater Treatment Plant Unit, Local Union 327, Massachusetts and Northern New England Laborers' District Council Union Contract.

Councilor Fortier inquired if the Union has approved and signed this document; Councilor Beathem confirmed they have. See attachment #7 for the complete

Approved - Entering executive Session to discuss labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D at 8:30 PM.

Approved - Adjourning from executive Session for the purpose of discussing labor contracts at 8:48 PM.

Approved - Council Order #071605, ratifying the Local Ellsworth Wastewater Treatment Plant

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 18, 2016

TIME: 7:00 PM

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FORTIER, MOORE, PERKINS AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICHELE GAGNON, GARY SAUNDERS, RICHARD TUPPER, PETE
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Agreement between City of Ellsworth, Maine and the Massachusetts and Northern New England Laborers' District Council in behalf of Local Union 327, Ellsworth Waste Water Treatment Plant Unit of the Laborers' International Union of North America.

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

RESOLVED to approve Council Order #071605, ratifying the Local Ellsworth Wastewater Treatment Plant Unit, Local Union 327, Massachusetts and Northern New England Laborers' District Council Union Contract and authorize the City Manager to sign the contract on behalf of the City Council as presented in attachment #7.

Executive Session to discuss the condition, acquisition or the use of real or personal property in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6C.

There was no discussion prior to a motion being made to enter executive session.

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

RESOLVED to approve entering executive Session to discuss the condition, acquisition or the use of real or personal property in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6C at 8:50 PM.

The Council requested Finance Director Tammy Mote, City Planner Michele Gagnon and Ruth and Butch Moore join the executive session for portions of the discussion.

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

RESOLVED to approve adjourning from executive Session for the purpose of discussing the condition, acquisition or the use of real or personal property in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6C at 9:33 PM.

Unit, Local Union 327, Massachusetts and Northern New England Laborers' District Council Union Contract and authorize the City Manager to sign the contract on behalf of the City Council as presented in attachment #7.

Approved - Entering executive Session to discuss the condition, acquisition or the use of real or personal property in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6C at 8:50 PM.

Approved - Adjourning from executive Session for the purpose of discussing the condition, acquisition or the use of real or personal property at

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 18, 2016

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICHELE GAGNON, GARY SAUNDERS, RICHARD TUPPER, PETE
BICKMORE, MICHAEL HANGGE, LARRY GARDNER AND MANY PAID ON
CALL FIREFIGHTERS.**

Council Order #071606, Discussion and action on the item from the executive session.

Councilor Fortier stated for the purpose of the public the Council has provided some direction to City staff in regards to this item. At this time the Council will take no official action.

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

RESOLVED to approve Council Order #071606, during the executive session City Staff was provided direction on this topic. The Council will take no official action this evening.

Before a vote was taken Chairman Crosthwaite clarified this motion does not mean there was no action taken as they have directed the staff so that the Council does not have to take any action themselves right now. The Council will see how things keep moving. Staff will keep working on the topic so that it will be ready when the parties involved are ready.

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

Adjournment.

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

RESOLVED to approve adjournment at 9:34 PM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

9:33 PM.

Approved - Council Order #071606, during the executive session City Staff was provided direction on this topic. The Council will take no official action this evening.

Approved - Adjournment at 9:34 PM.