

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: FEBRUARY 24, 2017 (postponed from February 13, 2017 due to inclement weather)

TIME: 8:15 AM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: MOORE

KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, JENIFER MADORE, AMANDA TUPPER, TERI DANE, MICHAEL HANGGE, RICHARD TUPPER, GARY SAUNDERS, MANY MEMBERS FROM THE ON CALL/FULL TIME FIRE DEPARTMENT AND HEIDI GRINDLE.

Call to Order.

Chairman Phillips called the regular meeting of the Ellsworth City Council to order at 8:15 AM.

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 14, 2016 Annual Organizational Meeting of the Ellsworth City Council. After being recognized by the Chairman, a person may speak not more than three (3) minutes on any one item on the agenda. In addition, the person may speak not more than two (2) minutes in rebuttal.

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

- ❖ 01/09/2017 Regular Council Meeting.

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

RESOLVED to approve adoption of minutes from the 01/09/2017 Regular Council Meeting as presented.

City Manager’s Report.

David Cole, City Manager thanked the Public Works Department for the hard work and dedication they have displayed during the last few large snow storms. The crews worked 27 hours to cleanup from the storm that resulted in over two feet of snow falling. Councilor Fortier noted at least six to eight people have commented on how great the Ellsworth roads are compared to roads maintained by other entities. There is a clear difference when you reach roads maintained by the Ellsworth Public Works Department. Councilor Blanchette noted he rode along

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of minutes from the 01/09/2017 Regular Council Meeting as presented.

City Manager’s Report.

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with Adam Wilson while he plowed the large snowstorm on February 13, 2017 and concurred on the excellent work being done by this Department.

Committee Reports.

➤ *Recreation Commission.* Councilor Fortier noted the Recreation Commission put together an extraordinary day of recreational activities for the Winter Carnival. He thanked the crew of volunteers that worked well past midnight on Friday night to prepare the ice rink. The weather conditions were perfect for the activities. Fortier noted there was a great turnout for the events at Woodlawn Museum. He thanked Woodlawn for their continued support of the event. Fortier listed a few of the events that brought enjoyment to the participants. Reviews of the fireworks indicated it was one of the best shows anywhere in years. Fortier thanked all the Recreation Commission members and members of the public that supported the 2017 Winter Carnival. Councilor Hudson thanked the Ellsworth Snowmobile Club for providing rides and packing down the hill to make the sledding even better. Patty Cakes was an added attraction with her homemade sweet treats. Hudson also thanked WNX, Star 97.7 for promoting the event live. This is one of the very few times motorized vehicles are allowed on the Woodlawn trails.

➤ *Harbor Commission.* Chairman Phillips noted the Harbor Commission met. Routine business was discussed with nothing of pressing measure to bring forward.

Citizens' Comments.

Martha Dickinson, Ellsworth taxpayer proposed the City Council consider conducting a feasibility study on installing solar photovoltaic systems to provide the needed electricity for the Municipality. See attachment #1 for her complete presentation.

William Reeves, an engineer and Ellsworth resident spoke in support of Dickinson's comments as well as supplied some additional facts pertaining to the solar photovoltaic concept.

Presentation of Awards.

Committee Reports.

Citizens' Comments.

Presentation of

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Presentation of Firefighter of the year award by Fire Chief.

Richard Tupper, Fire Chief was very proud to present Lieutenant Bobby Dorr with the Firefighter of the year medal. Tupper read the description of what this award represents. Dorr's qualities that contributed to naming him firefighter of the year were announced.

Heidi-Noël Grindle, for 20 years of service with the City of Ellsworth.

Heidi-Noël Grindle was present to accept her service award from Chairman Phillips on behalf of the Ellsworth citizens.

Recognition of the Waste Water Treatment Facility for having been selected by the New England Water Environment Association (NEWEA) to receive its 2016 Wastewater Utility Award.

This item will be postponed until the March Council meeting when employees of the Wastewater Treatment Facility can be present.

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

CONSENT AGENDA

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

Council Order #021700, 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-

Awards.

Presentation of Firefighter of the year.

H. Grindle – 20 years with the City of Ellsworth.

Postponed until the March meeting.

Unfinished Business.

Consent Agenda.

Approved - Consent agenda as presented items 9-13.

CO #021700 – Quit-Claim timeshare units to new owners.

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*Claim Deeds.**

See attachment #2 for the list of timeshare units that were sold during the course of the last month, along with the sale price and purchaser information.

*Council Order #021701, Request of the Deputy Treasurer/Tax Collector to release properties redeemed during the 30 day redemption period ending January 20, 2017 through Quit-Claim Deeds (the complete list is available in the City Clerk's Office) and authorize the City Manager to release said properties through Municipal Quit-Claim Deeds.**

See attachment #3 for the property information on parcels redeemed during the 30 day redemption period ending January 20, 2017.

*Council Order #021702, Request of the Deputy Treasurer/Tax Collector for approval of a Real Estate Purchase Installment Contract (REPIC) between the City of Ellsworth and Allan Linscott.**

*Council Order #021703, Request of the Recreation Commission to accept a resignation letter from Will Houston with a term to expire on June 30, 2018.**

*Council Order #021704, Request of the City Manager to appoint a representative and alternate to the Maine Service Center Coalition.**

See attachment #4 for the Resolution for Membership and Appointment of Voting Delegate Representative (David Cole) and Alternate to the Maine Service Center Coalition (Tammy Mote).

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

RESOLVED to approve the consent agenda as presented items 9-13.

NEW BUSINESS

CO #021701, Release properties redeemed during the 30-day redemption period.

CO #021702, REPIC between City and A. Linscott.

CO #021703, Resignation W. Houston from Recreation Comm.

CO #021704, Appointment representative and alternate to Maine Service Center Coalition.

New Business.

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Public hearing and action on the issuance of Business License (s):

Alicia Souththivong d/b/a Bangkok Restaurant, Inc., 78 Downeast Highway, for renewal of a City Class B License (Victualer/Liquor/Amusement) and renewal of a State Restaurant (Class I, II, III, IV) 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 Blanchette, seconded by Beathem, it was unanimously

RESOLVED to approve the request of Alicia Souththivong d/b/a Bangkok Restaurant, Inc., 78 Downeast Highway, for renewal of a City Class B License (Victualer/Liquor/Amusement) and renewal of a State Restaurant (Class I, II, III, IV) Liquor License (Malt, Spirituous, and Vinous).

Ell Gov's, LLC d/b/a Governor's Restaurant, 253 High Street, for renewal of a City Class C License (Victualer/Liquor) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

Approved - Alicia Souththivong d/b/a Bangkok Restaurant, Inc., 78 Downeast Highway, for renewal of a City Class B License (Victualer/Liquor/Amusement) and renewal of a State Restaurant (Class I, II, III, IV) Liquor License (Malt, Spirituous, and Vinous).

Approved - Ell Gov's, LLC d/b/a Governor's Restaurant, 253 High Street, for renewal of a City Class C License (Victualer/Liquor) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.

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

RESOLVED to approve the request of Ell Gov's, LLC d/b/a Governor's Restaurant, 253 High Street, for renewal of a City Class C License (Victualer/Liquor) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.

Sanjeeva Abeyasekera d/b/a Serendib, 2 State Street, for a new City Class C License (Victualer/Liquor) and a new State Restaurant (Class III and IV) Malt and Vinous Liquor License.

Rylee was present, as it was required by the Licensing Ordinance in regards to new businesses.

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.

Councilor Fortier inquired if the Fire Department is keeping watch of this location as this business is currently under renovation. Mike Hangge, Fire Inspector stated this business is currently expanding their restaurant and upgrading equipment. He has been working directly with them throughout this process, everything looks good.

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

RESOLVED to approve the request of Sanjeeva Abeyasekera d/b/a Serendib, 2 State Street, for a new City Class C License (Victualer/Liquor) and a new State Restaurant (Class III and IV) Malt and Vinous Liquor License.

Dana Cassidy d/b/a Colonial Inn, 321 High Street, for renewal of a City Lodging

Approved - Sanjeeva Abeyasekera d/b/a Serendib, 2 State Street, for a new City Class C License (Victualer/Liquor) and a new State Restaurant (Class III and IV) Malt and Vinous Liquor License.

Approved - Dana

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License.

Due to the letter contained in the backup material, Chairman Phillips requested Mike Hangge, Fire Inspector provide an update on this request. Hangge stated he and Richard Tupper, Fire Chief have met directly with Mr. Cassidy, the owner of the Colonial Inn. As of last week, everything the Fire Department has requested of Cassidy has been worked out. This is a work in progress. Cassidy has several days to complete the tasks at which point Hangge will conduct another inspection. Hangge assured the Council everything is being taken care of. He is comfortable that the necessary tasks will be resolved this time based on the discussions at the meeting with Cassidy and his Manager. This promise to have the items taken care of has been signed by Cassidy. Hangge stated if he returns to find the items have not been addressed this license will immediately be brought back to the Council. Hangge is comfortable signing off on the license at this time. Councilor Blanchette inquired if there will be a visit to the facility by Hangge before this license comes before the Council for renewal in 2018. Hangge stated during his conversation with Cassidy it was made clear he would be returning within six months to confirm these items were addressed adequately. Hangge felt this was a fair amount of time to address the deficient items. Most of the items fall under routine maintenance and are easy to address, those were verbally listed for the Council. Councilor Fortier was concerned that if an inspection is conducted tomorrow everything could be in compliance than the following week items could be out of compliance. The inspection process is designed to assure the traveling public that a facility is safe; he felt this establishment was inappropriately letting items go unaddressed. Fortier noted there is a sign advertising for a new manager at that location which may impact the items being addressed within the timeframe discussed at the earlier meeting. Hangge noted the type of situation mentioned by Fortier affects not only this lodging license but all types of licenses and inspections. The only way to alleviate that situation is to conduct inspections every month and the City does not have the resources to accomplish that. Hangge stated a relationship has been built with most business owners so that they understand the City's situation and are very responsible when it comes to maintaining facilities that meet the inspection codes. There are very few properties within the City that have issues throughout the inspection process. Hangge stated when one is found of this nature the inspection team tries to maintain a regular visit every six months or even three months. They are at the request of Cassidy going to conduct an inspection earlier than necessary

**Cassidy d/b/a
Colonial Inn, 321
High Street, for
renewal of a City
Lodging License to
be extended only for
90 days.**

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for the renewal of the restaurant located at the Colonial Inn. He has the right to request this inspection as the owner of the property. Hangge explained how the plan of correction is used to reach compliance. Up until this point the fire alarm system at the Colonial Inn was not being monitored; it is now being monitored as confirmed by Hangge. This is a contracted service which was allowed to lapse; however, it has been reinstated. Chairman Phillips noted the Council believes Hangge will be performing due diligence in this matter as well as the Council will need to put some faith in Cassidy's word to stay true to his promises and obligations.

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

RESOLVED to approve the request of Dana Cassidy d/b/a Colonial Inn, 321 High Street, for renewal of a City Lodging License to be extended only for 90 days.

Result of the motion; however, not part of the motion: (This license will require another public hearing and action at the end of the 90 days at the City's expense.)

Councilor Beatham stated the City will need to trust but verify in this case. He felt six months was a long time to trust the tasks would be completed; he would like to see an inspection sooner than that to confirm they are making progress on the items. Keeping that intention in mind, Beatham made the motion to approve the lodging license. Blanchette is very uncomfortable with this application and inquired if in this situation would it be possible to conduct an inspection every couple of months. Hangge appreciated the Council's support on this matter; however, had some reservations on conducting inspections every couple of months. He is concerned it could be seen as harassment; however, did not have a problem returning in three months. There was a lengthy discussion on what would happen if Hangge returned in three months and found unresolved issues or even new items of concern. Hangge

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could serve the business with a citation; however, was not sure what actions the Council could or would be allowed to take at that point. Fortier stated he was considering amending the above motion to extend the current license for 90 days and if the deficiencies are not corrected at that point than the business will be ordered to close. This is a public safety concern, where the rules are intended to be followed. The Council did not have a plan of correction in front of them; they only had the list of deficiencies prepared for the meeting originally scheduled for February 13, 2017. That was prior to the submittal of the plan of correction. Fortier listed the most concerning deficiencies. Beathem stated the City tries to work with the businesses based on the established inspection process and Inspector; based on this Beathem is taking the word of the Inspector who feels he is working productively with this business. If he did not trust this established relationship the motion would have been to deny the request this morning. Hudson agreed with this explanation for the basis of seconding the above motion as stated. Councilor Crosthwaite inquired if Cassidy was aware he needed to file a Plan of Correction. Hangge stated yes he was aware. Crosthwaite inquired if a deadline for the Plan had been established and whether Cassidy had signed to that fact. Hangge confirmed a deadline was stated and he did sign. Hangge stated he has 60 days to complete all deficient items. The signed Correction Plan has been received by Hangge; however, not in time for distribution to the Council. The three month inspection can be completed. Richard Tupper, Fire Chief agreed the work will be completed; however, it was difficult to receive this commitment from Cassidy. This has been an ongoing process at this location even prior to Cassidy becoming the owner of the establishment. Tupper supported a shorter time frame for the license to be renewed as a proactive way to ensure the requested items are corrected completely and timely. At that time the term of the license can be revisited as a way to show a little bit of strength when deficiencies are noted. Tupper agreed with the concerns already mentioned with regards to giving the traveling public a false sense of safety staying in an inspected facility. David Cole, City Manager agreed 90 days seemed appropriate to extend the license ensuring the 60 day correction plan would be met within that window of time. Cole noted Hangge has a very difficult responsibility which he takes very serious and even consults with Cole when needed. Phillips inquired if Beathem would be interested in extending the license for 90 days. Beathem amended the motion to extend the license for 90 days; Hudson seconded the amendment. Hudson clarified this will be an extension to the current license; or a limited license per Phillips. Fortier inquired to be fair to the

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applicant would the City cover the cost of the public hearing notices for the hearing in 90 days. Cassidy paid for this hearing as required by the Ordinance. Although Fortier was in favor of the City paying for the advertisement, a discussion was held on whether the applicant should be responsible for this additional fee because it is only necessary as a result of the applicant's history of neglecting to follow through with correcting deficiencies. Heidi Grindle, City Clerk requested clarification on how the additional public hearing cost would be handled. The Licensing Ordinance does not address license extensions or the request by the Council for an additional public hearing before renewing a license for the entire term. The question of whether the Council would like a second public hearing at the end of 90 days or just action on the remainder of the license term was discussed. Grindle informed the Council the public hearing notice fee is \$80. Phillips assumed a public hearing would be necessary to allow an opportunity for the owner to speak, any interested party to comment and allow for any further discussion by the Council on the license. Crosthwaite felt the present license could be extended for 90 days and then table this application as well as this public hearing. Fortier felt it would be cleaner at the end of 90 days to pay for another public hearing and handle the application the normal way. Phillips felt this was a minimal fee.

A final vote was taken on the above motion with 5 members voting in favor (Beatham, Crosthwaite, Fortier, Hudson, and Phillips) and 1 member voting in opposition (Blanchette).

Council Order #021705, Request of the Deputy Treasurer/Tax Collector to offer for sale by sealed bid various properties that have been acquired for non-payment of real estate taxes. (Complete list available at the City Clerk's Department).

Amanda Tupper, Deputy Treasurer/Tax Collector stated the foreclosure date for unpaid FY 2015 real estate taxes was December 12, 2016. The parcels that foreclosed were mailed a 30 day redemption letter, which stated all taxes, interest, and lien costs must be paid within 30 days in order to redeem their property. The remaining unpaid parcels include 47 timeshare units and one vacant building located at 415 Main Street. See attachment #5 for a list of properties acquired for non-payment of real estate taxes. Tupper is requesting to offer for sale by sealed bid all 47 timeshare units and the one property located at 415 Main Street acquired for non-payment of real estate taxes. The City would own approximately 300

Approved - Council Order #021705, Request of the Deputy Treasurer/Tax Collector to offer for sale by sealed bid 47 timeshare units, and one property located at 415 Main Street (Map 028 Lot 015) acquired for non-payment of real

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timeshare units with the additional 47 units being considered this morning. Tupper noted the City has sold approximately 8 during the last few months.

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

RESOLVED to approve Council Order #021705, Request of the Deputy Treasurer/Tax Collector to offer for sale by sealed bid 47 timeshare units, and one property located at 415 Main Street (Map 028 Lot 015) acquired for non-payment of real estate taxes. (Complete list attached to minutes as attachment #5).

Council Order #021706, Request to authorize the City Manager to execute an agreement with PERC for the disposal of municipal solid waste after April 2018.

David Cole, City Manager reminded the Council during the spring of 2016 the City Council held workshops for the purpose of allowing representatives from PERC and MRC/Fiberight LLC to present competing proposals for handling the City's solid waste after April 2018. Council Order #041610 was approved for a general agreement that the Council accept the PERC proposal and use them for the City's municipal solid waste after April 2018. See attachment #6 for the complete contract as recommended for approval this morning. The agreement with PERC has been reviewed by the City's legal councilor Ed Bearor of Rudman Winchell. Bearor recommended adding language used by at least three other communities in their contracts with PERC. The proposed addendum, according to Bearor, "deletes any requirement for minimum tonnage being delivered to PERC in order to ensure its continued operation. The agreement includes a Schedule A which explains the terms of the agreement and tipping fees. The ten year term (2018 – 2028) carries a tipping fee of \$89.57, while the fifteen year term (2018 – 2033) has a tipping fee of \$84.36. Cole is recommending the 15 year option. Representatives from PERC were present in the audience in the event the Council had any questions or concerns. Councilor Blanchette inquired if the representatives from PERC agreed with Bearor in regards to whether the additional language removed the requirement for minimum tonnage. Henry Lang, Plant Manager for PERC stated his understanding was the minimum tonnage language was added to the original contract and then later in the addendum removed by the same people who requested the language be put in. Lang future explained they are past the February

estate taxes. (Complete list attached to minutes as attachment #5).

Approved - Council Order #021706, Authorize the City Manager to execute any and all documents associated with the PERC Waste Disposal Agreement for municipal solid waste disposal services after April 1, 2018, including proposed addendum and for a minimum fifteen year term.

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18, 2017 deadline of when this language would have been necessary. All parties seemed to be in agreement that the language within the addendum would be acceptable.

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

RESOLVED to approve Council Order #021706, Authorize the City Manager to execute any and all documents associated with the PERC Waste Disposal Agreement for municipal solid waste disposal services after April 1, 2018, including proposed addendum and for a minimum fifteen year term.

Council Order #021707, Request of the IT Systems Administrator to purchase a new traffic light detection camera.

Jason Ingalls, IT System Administrator explained this request is for the exact same camera that was just installed at the Main Street/Water Street intersection. As part of the Jackson Lab Project on Kingsland Crossing the City has requested they purchase a Gridsmart camera for installation at the intersection of Route 3 and Myrick Street. This camera will perform traffic counts at that intersection as well as traffic detection. See attachment #7 for the complete request including the quote from Electric Light Company. The goals of adding this camera were discussed. This camera is fully funded by Jackson Lab. Ingalls explained this camera does not have the software to adjust the traffic light based on the real time detection of vehicles. That software is part of the controller system for the camera rather than part of the actual camera purchase. In order to convert the camera to a smart style controller it would cost approximately \$100,000. The purpose of this camera is to collect traffic counts 24/7 365 days a year; this system gathers better data than hiring staff to count traffic. If the City decides to purchase the smart controllers these cameras are compatible with that system. Councilor Hudson clarified whether it was an additional \$100,000 to add the smart controllers. Ingalls stated that was an estimate only and would require switching companies for the controllers. The cameras are purchased from a separate company; the controllers and cameras are independent purchases from each other.

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

Approved - Council Order #021707, Request of the City Manager to purchase an Aldis Gridsmart camera system from Electric Light Company in the amount of \$20,900 to be reimbursed by The Jackson Lab and to send a thank you to Jackson Lab.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: FEBRUARY 24, 2017 (postponed from February 13, 2017 due to inclement weather)

TIME: 8:15 AM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: MOORE

KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, JENIFER MADORE, AMANDA TUPPER, TERI DANE, MICHAEL HANGGE, RICHARD TUPPER, GARY SAUNDERS, MANY MEMBERS FROM THE ON CALL/FULL TIME FIRE DEPARTMENT AND HEIDI GRINDLE.

RESOLVED to approve Council Order #021707, Request of the City Manager to purchase an Aldis Gridsmart camera system from Electric Light Company in the amount of \$20,900 to be reimbursed by The Jackson Lab and to send a thank you to Jackson Lab.

Council Order #021708, Request of the City Manager to approve and execute an agreement between the City of Ellsworth and the Maine Department of Transportation for Project No. NHPP-2199(800) and Project No. STP-2205 (200) - Ultra Thin Bonded Wearing Surface and authorize the City Manager to sign the City of Ellsworth's Heavy Loads Exemption Permit.

There was no discussion on this agenda items prior to a motion being made.

See attachment #8 for the complete request including the proposed MaineDOT agreement with the City of Ellsworth to allow oversized loads on municipal roads related to upcoming paving projects on Routes 1 and 1A.

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

RESOLVED to approve Council Order #021708, Approve and execute agreement with MaineDOT to issue an Overlimit Permit to contractor on MaineDOT project (NHPP-2199(800) & STP-2205 (200), including bonding provisions as needed to protect the municipal roads from damage, and further authorize the City Manager to execute a Heavy Loads Exemption Permit to carry out the intent of this agreement.

Adjournment.

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

RESOLVED to approve adjournment at 9:10 AM.

A TRUE COPY
ATTEST: _____
HEIDI-NOËL GRINDLE

Approved - Council Order #021708, agreement with MaineDOT to issue an Overlimit Permit to contractor on MaineDOT project (NHPP-2199(800) & STP-2205 (200), including bonding provisions as needed to protect the municipal roads from damage, and further authorize the City Manager to execute a Heavy Loads Exemption Permit.

Approved - Adjournment at 9:10 AM.