

**RECORD OF REGULAR MEETING  
ELLSWORTH CITY COUNCIL**

**DATE: MAY 15, 2017**

**TIME: 7:00 PM**

**PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS**

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

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

*Call to Order.*

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

Councilor Fortier called for nominations for a Chairman pro tem to run the May 15, 2017 Regular Council Meeting. Councilor Moore nominated Fortier and Councilor Crosthwaite seconded the nomination. Crosthwaite moved nominations cease and Councilor Beathem seconded it. A vote was taken with Fortier being unanimously elected Chairman pro tem for the May 15, 2017 Regular meeting.

*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:*

*April 17, 2017 Regular Meeting.*

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

**RESOLVED to approve tabling the adoption of the Ellsworth City Council minutes from the April 17, 2017 Council meeting.**

*May 01, 2017 Special Meeting.*

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

**Call to Order.**

**Pledge of Allegiance.**

**Rules of Order.**

**Approved - Tabling the adoption of the Ellsworth City Council minutes from the April 17, 2017 Council meeting.**

**Approved - Adoption of the Ellsworth City Council minutes**

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MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

**RESOLVED to approve the adoption of the Ellsworth City Council minutes  
from the May 01, 2017 Special Council meeting as presented this evening.**

**A vote was taken on the above motion with 4 members voting to approve  
(Blanchette, Crosthwaite, Fortier, and Hudson) and 2 abstentions (Beathem  
and Moore).**

*City Manager's Report.*

David Cole, City Manager noted Harbor Park opened on May 15, 2017. The splash pad will be opening at Knowlton Park on Memorial Day. Cole thanked the sponsors and approximately 25 volunteers that helped make the Card Brook Cleanup event on Saturday successful; this event had been rescheduled from the previous Saturday. There will be a free disposal cleanup week for residents to take their demo waste to DMJ Disposal Facility from May 22, 2017 through May 27, 2017. Chairman pro tem Fortier clarified the free cleanup week is for residential non-commercial accounts. Proof of residency will need to be provided when dropping off materials. More information on this event is available at the City's website or Facebook page. There will also be a Branch Lake Forrest Cleanup Day on Saturday June 3, 2017. This event is being planned by the City in conjunction with the Frenchman Bay Conservancy. Cole provided the contact information at Frenchman Bay Conservancy if anyone was interested in volunteering with the cleanup.

*Committee Reports.*

No reports this month.

*Citizens' Comments.*

Mary Blackstone, a member of the Ellsworth Garden Club spoke on an initiative the Club has undertaken on developing a Green Plan for the City of Ellsworth. See attachment #1 for more details. The most recent plan was created in 1980. In January a public forum was held to launch the newest Green Planning process. This was very well attended and there was a lot of interest in the process. A steering committee has been setup since the public forum. The Club has a number

from the May 01,  
2017 Special Council  
meeting as presented  
this evening.

**City Manager's  
Report.**

**Committee Reports.**

**Citizens' Comments.**

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**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
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GRINDLE.**

of partners with this process, which is different than how the Club traditionally operates. Members of the committee include Councilor Fortier, City Planner Michele Gagnon, members from the Frenchman Conservancy, Cara Romano from the Heart of Ellsworth, members of the Downeast Salmon Federation, members from other organizations, as well as a few individuals with expertise in the field. A very clear mandate was received from the initial meeting. There appeared to be a lot of interest in making Ellsworth a model green community. There are six major areas that will be reviewed through this planning process throughout the next 18 months. The Committee will be reviewing the City Tree Ordinance passed by the City Council in 1991; this review process may involve action by the current Council.

*Presentation of Awards.*

No awards or recognitions this month.

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

CONSENT AGENDA

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

*Council Order #051700, 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. \**

See attachment #2 for a complete list of timeshare units that were sold during the course of the last month.

*Council Order #051701, Acceptance of Jonathan Mahon's resignation from the*

**Presentation of Awards.**

**Unfinished Business.**

**Consent Agenda.**

**Approved - Consent Agenda items #9 - #11 as presented this evening.**

**Approved – Council Order #051700, payments on timeshare units and issue quit-claim deeds.**

**Approved – CO#**

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GRINDLE.**

*Recreation Commission, with a term to expire on June 30, 2018. \**

*Council Order #051701.1, Request of the Human Resources Committee to appoint  
John DeLeo as an Alternate (1) Planning Board member with a term to expire  
06/30/2017. \**

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

**RESOLVED to approve Consent Agenda items #9 - #11 as presented this  
evening.**

**NEW BUSINESS**

*Public hearing and action on the applications for issuance for the following  
licenses:*

*Finn's Irish Pub, Inc d/b/a Finn's Irish Pub, 156 Main Street, for renewal of a City  
Class B License (Amusement, Victualer and Liquor) and renewal of a State  
Restaurant (Class I, II, III, IV) Malt, Spirituous, 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.

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

**RESOLVED to approve the request of Finn's Irish Pub, Inc. d/b/a Finn's Irish  
Pub, 156 Main Street, for renewal of a City Class B License (Amusement,  
Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV)  
Malt, Spirituous, and Vinous Liquor License.**

**051701, J. Mahon  
resignation.**

**Approved – CO#  
051701.1, appoint J.  
DeLeo alt. Planning  
Board member.**

**New Business.**

**Approved - Finn's  
Irish Pub, Inc. d/b/a  
Finn's Irish Pub, 156  
Main Street, for  
renewal of a City  
Class B License  
(Amusement,  
Victualer and  
Liquor) and renewal  
of a State Restaurant  
(Class I, II, III, IV)  
Malt, Spirituous,  
Vinous Liquor  
License.**

**Approved - The Mex**

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RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

*The Mex Inc. d/b/a The Mex, 191 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous 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.

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

**RESOLVED to approve the request of The Mex Inc. d/b/a The Mex, 191 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.**

*Ellsworth No. 1, LLC, d/b/a Hampton Inn – Ellsworth, 6 Downeast Highway, for renewal of a City Lodging License.*

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

**RESOLVED to approve the request of Ellsworth No. 1, LLC, d/b/a Hampton Inn – Ellsworth, 6 Downeast Highway, for renewal of a City Lodging License.**

**Inc. d/b/a The Mex, 191 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.**

**Approved - Ellsworth No. 1, LLC, d/b/a Hampton Inn – Ellsworth, 6 Downeast Highway, for renewal of a City Lodging License.**

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**CITY COUNCIL ABSENT: PHILLIPS.**

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MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

*Ellsworth RI, LLC, d/b/a Ellsworth Ramada, 215 High Street, for renewal of a City Lodging License.*

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

***RESOLVED to approve the request of Ellsworth RI, LLC, d/b/a Ellsworth Ramada, 215 High Street, for renewal of a City Lodging License.***

*Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous 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.

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

***RESOLVED to approve the request of Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.***

**Approve the request of Ellsworth RI, LLC, d/b/a Ellsworth Ramada, 215 High Street, for renewal of a City Lodging License.**

**Approved - Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.**

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**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER, RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI GRINDLE.**

*Cresswell Investments, LLC d/b/a Airline Brewing Company, 173 Main Street, for upgrading the current City Class C License (Victualer and Liquor) to a City Class B License (Victualer, Liquor, and Amusement) 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.

A representative was not present for this request because the public hearing is required on the liquor portion only of the license which is a renewal. The upgrade pertains to the amusement portion of the license which is normally approved by City staff without a public hearing. When a license is upgraded it means the business is experiencing success and adding services.

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

***RESOLVED to approve the request of Cresswell Investments, LLC d/b/a Airline Brewing Company, 173 Main Street, for upgrading the current City Class C License (Victualer and Liquor) to a City Class B License (Victualer, Liquor, and Amusement) and renewal of a 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 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.

**Approved - Cresswell Investments, LLC d/b/a Airline Brewing Company, 173 Main Street, for upgrading the current City Class C License (Victualer and Liquor) to a City Class B License (Victualer, Liquor, and Amusement) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.**

**Approved - Dana Cassidy d/b/a Colonial Inn, 321 High Street, for renewal of a City Lodging License.**

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FORTIER, HUDSON, AND MOORE.**

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

Public hearing was closed.

Chairman pro tem Fortier reminded the Council that three months ago this license was heard and approved with a shorter expiration date. The request tonight is to extend the current license for the remaining 9 months.

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

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

*Shinbashi Inc. d/b/a Shinbashi Restaurant, 139 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous 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.

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

***RESOLVED to approve the request of Shinbashi Inc. d/b/a Shinbashi Restaurant, 139 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.***

*Primavera Restaurant, 186 High Street for a new City Class C License (Victualer and Liquor) and a new State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.*

Virginia Moscato was present, as it was required by the Licensing Ordinance in

**Approved -  
Shinbashi Inc. d/b/a  
Shinbashi  
Restaurant, 139 High  
Street, for renewal of  
a City Class C  
License (Victualer  
and Liquor) and  
renewal of a State  
Restaurant (Class I,  
II, III, IV) Malt,  
Spirituous and  
Vinous Liquor  
License.**

**Approved -  
Primavera  
Restaurant, 186 High  
Street for a new City  
Class C License**



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FORTIER, HUDSON, AND MOORE.**

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

regards to new businesses.

Councilor Moore inquired when the new restaurant would be opening. Moscato stated the goal is open for Memorial Day weekend. Moore noted the new façade of the building is a nice addition to High Street. Chairman pro tem Fortier noted the inside of the building is not ready for the Certificate of Occupancy Permit to be issued as of tonight; traditionally in this type of situation the business license will be approved and the establishment will receive the business license with their Certificate of Occupancy Permit.

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

**RESOLVED to approve the request of Primavera Restaurant, 186 High Street for a new City Class C License (Victualer and Liquor) and a new State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.**

*Public hearing and action on proposed amendments to the Ellsworth Code of Ordinances, Chapter 8 Taxicab Ordinance.*

Glenn Moshier, Police Chief explained the minor amendments being proposed to the Taxicab Ordinance. The motivation behind the amendments stem from the extremely difficult time the Police Department experienced last year getting the taxicab services to comply with the inspection requirements. The inspections are done in addition to the State of Maine inspections, mechanical issues are not being looked at through the City inspection process. The City inspection is based on appearance of the vehicle, whether the windows and doors work and other similar components that ensure the safety of the passengers. See attachment #3 for all the

**(Victualer and Liquor) and a new State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.**

**Approved - Amendments to the City of Ellsworth Code of Ordinances, Chapter 8 Taxicab Ordinance as presented this evening in attachment #3 with an effective date of May 15, 2017 and to notify all taxi**

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FORTIER, HUDSON, AND MOORE.**

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
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GRINDLE.**

amendments including a timeframe for the inspections to occur as well as the fines associated with non-compliance. This Ordinance applies only to taxicabs licensed by the City of Ellsworth.

Public hearing opened.

There were no comments.

Public hearing closed.

Councilor Crosthwaite confirmed the amendments being proposed are the exact ones that were discussed at an earlier Finance Committee meeting. The only change since the Finance Committee meeting was the addition of wording to ensure a new taxicab being added to an existing license or a new taxicab company starting a business in Ellsworth has the vehicles inspected prior to a license being issued. In addition to the amended language an inspection is required by Ordinance “whenever the Police Chief or his designee so requires.” Moshier explained during the amendments approved last year a compliance check list was added to the Ordinance to ensure any Officer could perform the inspections consistently. If a vehicle does not pass it is expected the vehicle will be taken out of service, the deficiency will be corrected, and the vehicle will be brought back to ensure the vehicle passes the compliance report. There are approximately three taxi companies licensed; two are very small with one vehicle each and one company with approximately 8 vehicles in their fleet. There is no additional fee required for the inspection, it is all covered under the City business license fee.

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

***RESOLVED to approve amendments to the City of Ellsworth Code of Ordinances, Chapter 8 Taxicab Ordinance as presented this evening in attachment #3 with an effective date of May 15, 2017 and to notify all taxi operators in a timely fashion.***

*Public hearing and action on Council Order #051702, the Ellsworth School Budget Resolutions for FY 2018.*

Chairman pro tem Fortier noted that the School Budget was discussed in detail at a

**operators in a timely fashion.**

**Approved - Council Order #051702, the Ellsworth School**

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GRINDLE.**

Budget Workshop meeting earlier in the month. Another discussion was held on the proposed budget with Ellsworth Schools Superintendent Dan Higgins at the Finance Committee meeting last Friday morning. The articles being voted on this evening have been provided to the Council prior to the meeting and are contained within the minutes as attachment #4.

**Budget Resolution  
for FY 2018 as  
proposed in  
attachment #4 (5  
pages).**

Public hearing was opened.

There were no public comments. Fortier noted the end result of the budget as proposed this evening will be a 3.15% increase of local appropriations after Adult Education on a total budget that increases overall in-terms of expenditures by 1.57%.

Public hearing was closed.

There was a discussion on which option the Council would accept if excess funds are received from the State of Maine. Last year the Council required the excess funds be used to offset taxation. This year the School Department through Superintendent Higgins has requested authorization to spend those funds on items they cut out of the proposed budget. Higgins clarified the request is to give consideration to using one of three options or any combination thereof. One option is to expend any additional State Subsidy funds on items the School would like to include in this budget proposal. The second option would be use the additional funds to reduce the local appropriations. The third option would be to place those funds into a Council approved Reserve Account. Since funds are already being considered for transfer into the Reserve Account; the School would prefer consideration be placed on adding items back into their budget and using some of the additional funds to reduce the local allocation to taxpayers. Councilor Hudson was in favor of considering sharing any additional funds received between the School Department and a reduction to taxpayers. A decision was not made on the amount of the split at this time. A decision can be made on the percentage of split once the amount of additional funds are determined if at all. The intention is for the School Board and Council to meet and discuss the additional funds if they become available. Councilor Beatham noted if any monies are distributed from the State of Maine they will be with the earmark for tax reduction; he just wanted it noted the Council will potentially be giving some of those funds back to the school for additional spending. The monies received from the State will be labeled

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**CITY COUNCIL ABSENT: PHILLIPS.**

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GRINDLE.**

monies to reduce taxation; however, local government bodies are given choices on how to spend those monies. Beatham felt a 1.57% increase was very reasonable considering all the unfunded mandates handed down from the State and Federal governments. Councilor Blanchette agreed with Beatham the proposed budget is very responsible.

*On a motion by Hudson, seconded by Blanchette, it was*

**RESOLVED to approve Council Order #051702, the Ellsworth School Budget Resolution for FY 2018 as proposed in attachment #4 (5 pages).**

A friendly amendment was added by Councilor Crosthwaite to add the provision for the additional funds. Higgins noted that provision is included within Council Order #051702 and the way it is written provides for the authority of the Council to exercise any or all of the three options. Crosthwaite was fine with the way it was written; just wanted to ensure an additional item would not be required at a future Council meeting.

**A vote was taken on the above motion as stated; all members voted unanimously in favor.**

Higgins stated with the Council's approval of the proposed budget the next step is a public vote on the budget referendum item. The vote will be held on June 13, 2017.

*Council Order #051703, Request of IT Systems Administrator to modify the terms for Dobbs Productions use of PEG Channel 2.*

Jason Ingalls, IT Systems Administrator stated the original agreement with Dobbs Production to use the PEG Channel 2 was contingent on Dobbs receiving a lease with Spectrum Cable. The lease is only required in order to broadcast commercial content which was the Acadia Channel portion. Dobbs would still like to provide the public access piece of his proposal at this time. Currently, it does not appear Spectrum will allow the lease; however, Dobbs is still working on obtaining one. The approval tonight will allow Dobbs to move forward with the public access portion and the Acadia Channel can be reconsidered once he obtains a lease agreement. David Cole, City Manager noted this approval will not be at a cost to

**Approved - Council Order #051703, the Request of IT Systems Administrator to modify the terms for Dobbs Productions to utilize PEG Channel 2, allowing Dobbs Productions to use PEG Channel 2 for non-commercial**

**RECORD OF REGULAR MEETING  
ELLSWORTH CITY COUNCIL**

**DATE: MAY 15, 2017**

**TIME: 7:00 PM**

**PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS**

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

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

the City. Ingalls believes the equipment being used to broadcast Channel 5 currently will be repurposed to broadcast Channel 2. The material being displayed is a mirror image of what is currently broadcast on Channel 7. Equipment will not need to be purchased to bring on Channel 2. Chairman pro tem Fortier noted all Councilors received an email today from a citizen who is unhappy with this agreement.

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

**RESOLVED to approve Council Order #051703, the Request of IT Systems Administrator to modify the terms for Dobbs Productions to utilize PEG Channel 2, allowing Dobbs Productions to use PEG Channel 2 for non-commercial public access content effective immediately. Commercial content will continue to be contingent upon Dobbs Productions securing a lease with Spectrum Cable. All other aspects of the original approval from March 2017 are unchanged.**

*Council Order #051704, Request of the IT Systems Administrator to adopt a new Cable TV Public Access Policy.*

Jason Ingalls, IT Systems Administrator stated the proposed policy will govern the content and the operations of the PEG Channel 2. The policy being considered tonight is very close to the same policy the Town of Bar Harbor currently uses and has used for several years; Ingalls made some very minor changes to that policy. See attachment #5 for the policy as reviewed by the City's attorney. Chairman pro tem Fortier inquired if Ingalls was comfortable being designated as the person to review the technical properties and quality of the content, or should a Cable Television Commission be recommissioned. Ingalls believes the City should wait and see what the future demand and volume is before making a decision. Bar Harbor has seen very little demand over the past few years. This policy will not have a cost to the City.

*On a motion by Crosthwaite, seconded by Hudson, it was unanimously*

**RESOLVED to approve Council Order #051704, the Request of IT Systems Administrator to adopt the Cable TV Public Access Policy and associated forms as found in attachment #5.**

**public access content effective immediately. Commercial content will continue to be contingent upon Dobbs Productions securing a lease with Spectrum Cable. All other aspects of the original approval from March 2017 are unchanged.**

**Approved - Council Order #051704, the Request of IT Systems Administrator to adopt the Cable TV Public Access Policy and associated forms as found in attachment #5.**

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

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

*Council Order #051705, Request of the City Manager to approve naming the new entrance road to the Ellsworth High School as Lejok Street.*

David Cole, City Manager explained the City is in the process of constructing a new entrance road to the Ellsworth High School. That road should be open shortly after July 4, 2017. Looking ahead the street will need a name and a sign should be ordered and placed before the road opens. Lejok Street is being considered tonight upon recommendation of Councilor Moore, a former history teacher at the Ellsworth High School. Cole noted Lejok Street was the name of the road to the former Ellsworth High School as well. Moore shared the history on Lejok and his contributions to the City of Ellsworth. The proposed road name has been checked for and meets with compliance according to the City Assessor/911 Coordinator and the Fire Chief. Councilor Blanchette was disappointed this street naming project was not placed on the City website or Facebook page for public input regarding suggestions on a street name. He felt this could have been a fun event for the public.

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

**RESOLVED to approve Council Order #051705, Request of the City Manager to approve the new entrance road to the Ellsworth High School as Lejok Street.**

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

*Council Order #051706, Request of the City Manager to pave Bridgetwin Road at an estimated cost of \$39,000.*

David Cole, City Manager stated he is requesting the Council authorize the use of available Local Roads Program monies for the paving of Bridgetwin Road. Cole provided the background information on this request as well as stated the developer of the road is currently before the Planning Board proposing a second phase to the subdivision. At the time the first phase of the subdivision was finished and the base coat was applied to the road monies were deposited into an escrow account for a three year period. The purpose of the escrow account was for the City to apply the finish coat; however, the finish coat was never applied and the money

**Approved - Council Order #051705, Request of the City Manager to approve the new entrance road to the Ellsworth High School as Lejok Street.**

**Approved - Council Order #051706, Authorize the use of approximately \$19,000 from the Local Roads Program as the City's portion of finish paving for the Bridgetwin Road, subject to receipt of a**

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

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

reverted back to the developer after the three year period expired. After 10 years a second phase of the subdivision is being considered. Due to the heavy equipment that will be traveling over the road, Phase One should be brought up to the City Standards with the finish coat being applied. The Developer/Owner of Bridgetwin Estates has offered to contribute the original \$20,000 toward the cost which has increased over time to \$39,000. Cole is requesting approval of approximately \$19,000 to come out of the Local Roads Account to be matched with the \$20,000 to apply the final coat at an estimated cost of \$39,000. Cole would like to extend the existing spring paving agreement with Lane Construction to include this project. This will allow the road to be completed in a timely manner and allow the Developer to complete their project on schedule. Councilor Crosthwaite confirmed the funds will come out of the current fiscal year Local Roads budget line item. The heavy equipment will not be allowed on this road until after the finish coat is applied as a condition of Planning Board approval for the new subdivision. If the heavy equipment must travel on the road prior to the finish coat being applied a Surety Bond will be required to protect the road. After the road is brought up to City Standards it would be handled like any other public road in regards to heavy equipment traveling on them. Cole noted a standard road should be able to hold up to construction equipment traveling over it without any added liability. There was a lengthy discussion on not requiring anything additional from this Developer than would be expected from any other construction company traveling over standard roads. The current paving on this road is sub-standard and with the addition of the finish coat will be capable of handling the weight of construction equipment without damage to the road. This request is contingent on receiving the \$20,000 from the Developer; the project cannot move forward until the finish coat is applied without a surety bond being placed on the project.

**\$20,000 contribution from Bridgetwin LLC, and increase the City's paving agreement with Lane Construction from an amount not to exceed \$300,000 to \$339,000 to accommodate the project.**

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

***RESOLVED to approve Council Order #051706, Authorize the use of approximately \$19,000 from the Local Roads Program as the City's portion of finish paving for the Bridgetwin Road, subject to receipt of a \$20,000 contribution from Bridgetwin LLC, and increase the City's paving agreement with Lane Construction from an amount not to exceed \$300,000 to \$339,000 to accommodate the project.***

*Council Order #051707, Request of the City Manager to negotiate heating fuel and*

**Approved - Council**

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

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER, RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI GRINDLE.**

*propane prices and to execute necessary agreements on behalf of the City Council.*

David Cole, City Manager explained together with Tammy Mote, Deputy City Manager/Finance Director they have been monitoring heating fuel prices. The City's energy advisor has advised them the optimal time to lock in a contract is fast approaching. Based on the fact prices fluctuate quickly and the lock-in period is generally within 24 hours; Cole is requesting authorization to negotiate a price and execute an agreement that will take advantage of optimal pricing. The negotiations and approvals will be in-line with discussions from the Finance Committee and Council Chair. The current year prices were provided and the goal is to remain very close to those if not slightly less. Generally, the contract is for a one year period, in the recent past the rate may have been extended for an additional year. The School Department is included within the contract.

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

***RESOLVED to approve Council Order #051707, Request of the City Manager to negotiate heating fuel and propane prices and to execute necessary agreements on behalf of the City Council.***

*Council Order #051708, Request of the Deputy City Manager/Finance Director to award a contract for Lawn Treatment Services.*

Tammy Mote, Deputy City Manager/ Finance Director explained recently there have been multiple concerns expressed by residents regarding the chemical applications on the lawns of City properties. For many years the City has contracted with Green Thumb. The City Council recently requested proposals for environmentally safe and friendly lawn treatment services that would also provide for an aesthetically pleasing landscape. A Request for Proposals was sent to four area vendors. Two proposals were received back; one from Green Thumb and the other from Natural Lawn Care. See attachment #6 for the invitation to bid, bid sheets and company information, per application pricing comparison, and total costs of services. There was a price difference; however, did not seem significant. Councilor Hudson was in favor of trying the non-chemical approach for a couple of years. The proposal indicated it is a process to obtain the desired results and could take a few years. Mote confirmed it could take two to three years to get a good quality lawn. Hudson felt the cost difference was not that great and she has heard

**Order #051707,  
Request of the City  
Manager to negotiate  
heating fuel and  
propane prices and  
to execute necessary  
agreements on behalf  
of the City Council.**

**Approved - Council  
Order #051708,  
Request of the  
Deputy City  
Manager/Finance  
Director to award  
Lawn Treatment  
Services contract to  
Goodall Landscaping  
NaturaLawn of  
America's per  
attachment #6 which  
reflects the per  
unit/application  
pricing.**



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

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

from many residents who are concerned with the chemicals on the lawns and ball fields. The Green Thumb proposal is approximately \$8,300 and Natural Lawn Care was approximately \$11,600 which is an estimated \$3,300 price difference. Councilor Beathem stated economically it makes sense to go with Green Thumb; however, he feels too much pesticide and fertilizer is being used and is in favor of anything that reduces chemicals. Beathem will support the request to try a more natural approach to handling the green spaces. Chairman pro tem Fortier was in support of trying a more natural approach. The proposal from Natural Lawn Care was for a one year period with up to four one year extensions. This request will come back to the Council next year if the desire of the City Council is to continue with the services from Natural Lawn Care. It was not clear how the pricing would be impacted with each extension; Mote would present the pricing each year when the extension is considered. The locations covered under the contract were listed; Councilor Blanchette inquired if the Bike/Pedestrian Path was also included under the contract. Mote did not include the Path as it requires a different type of treatment. There was a lengthy discussion on extending the contract to cover this Path, the end result was Mote would ask Natural Lawn Care to consider adding it to the proposal. Mote's understanding was the Path was treated once or twice last year for weed control. David Cole, City Manager noted that there may be more weeds with the application of less chemicals and it will take a few years for the new system to work. He believes there will be a trade-off. Blanchette did not feel the cost difference was minimal; he could support Natural Lawn Care this year. He would like to see the Bike/Pedestrian Path included. Mote noted Natural Lawn Care would need to visit the site to evaluate the area and determine a price. They perform soil testing in order to determine the best course of treatment. Fortier suggested the best way to handle the request is to allow this process to proceed; the concerns have been heard and the addition of the trail should not exceed \$10,000. If it is under \$10,000 and Natural Lawn Care is capable of performing the work then the City Manager can approve the work as a separate agreement.

*On a motion by Hudson, seconded by Beathem, it was*

**RESOLVED to approve Council Order #051708, Request of the Deputy City Manager/Finance Director to award Lawn Treatment Services contract to Goodall Landscaping NaturaLawn of America's per attachment #6 which reflects the per unit/application pricing.**

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FORTIER, HUDSON, AND MOORE.**

**CITY COUNCIL ABSENT: PHILLIPS.**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHAEL HANGGE, BERNIE HUSSEY, JEN MADORE, GLENN MOSHIER,  
RICHARD TUPPER, GARY SAUNDERS, AIMEE TORREY, AND HEIDI  
GRINDLE.**

Before a vote was taken, Councilor Crosthwaite noted he agreed with the motion; however, wanted to be sure Blanchette's request is recognized and the staff has heard what the Council would like in that regard.

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

*Adjournment.*

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

**RESOLVED to approve adjournment at 8:12 PM.**

**A TRUE COPY**

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

**Approved -  
Adjournment at 8:12  
PM.**