

**RECORD OF REGULAR MEETING  
ELLSWORTH CITY COUNCIL**

**DATE: AUGUST 20, 2018**

**TIME: 7:00 PM**

**PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS**

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

**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER, MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER, TONY RYAN, FRED EHRLNBACH, ANDREW WEATHERBEE, AMIE TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND HEIDI GRINDLE.**

*Call to Order.*

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

*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 13, 2017 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 Beathem, seconded by Fortier, it was unanimously*

**RESOLVED to approve adding agenda item #28B to the agenda this evening; 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.**

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

*05/21/2018 Regular Monthly Meeting. (Tabled from the 06/18/2018 Regular Council Meeting).*

*06/18/2018 Regular Monthly Meeting.*

*07/16/2018 Regular Monthly Meeting.*

*08/03/2018 Special Meeting.*

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

**Call to Order.**

**Pledge of Allegiance.**

**Rules of Order.**

**Approved - Adding agenda item #28B. Executive Session MRSA Title 1, Chapter 13, Section 405, Paragraph 6C.**

**Approved - Adoption of minutes from the following meetings: 05/21/2018 Regular Monthly Meeting (tabled from the 06/18/2018 Regular Council Meeting), 06/18/2018 Regular Monthly Meeting,**

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**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER, MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER, TONY RYAN, FRED EHRLNBACH, ANDREW WEATHERBEE, AMIE TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND HEIDI GRINDLE.**

**RESOLVED to approve adoption of minutes from the following meetings: 05/21/2018 Regular Monthly Meeting (tabled from the 06/18/2018 Regular Council Meeting), 06/18/2018 Regular Monthly Meeting, 07/16/2018 Regular Monthly Meeting, and 08/03/2018 Special Meeting as presented this evening.**

**07/16/2018 Regular Monthly Meeting, and 08/03/2018 Special Meeting as presented this evening.**

*City Manager's Report.*

**City Manager's Report.**

David Cole, City Manager stated the City Clerk is searching for interested election officials. There will be a Municipal and State Election on November 6, 2018. This is predicted to have a higher voter turnout, with State referendum questions and candidate races including the Governor. The City is in need of interested people to fill half day and full day shifts. Interested registered voters should contact Heidi Grindle, City Clerk at 667-2563 x 129. Cole announced on Saturday, August 25, 2018 there will be a Household Hazardous Waste and Universal Waste Collection Day at the Ellsworth High School. To participate in this event, which is sponsored by the Hancock County Planning Commission residents must contact their individual towns to find out the registration details. Cole read a list of items that would be accepted at this collection event. Questions should be directed to Sherrie Walsh at the Hancock County Planning Commission (667-7131). Ellsworth residents must pre-register at Ellsworth City Hall. Cole reminded the public that Autumn Gold will be here shortly; it is scheduled for the weekend of September 20 - September 23. Tax bills will be mailed out shortly and should be received in the next few days. They are approximately a week behind due to a software glitch in the Munis software system; the information is currently available on the City website or by calling City Hall.

*Committee Reports.*

**Committee Reports.**

➤ *Harbor Commission.* Councilor Moore attended the Harbor Commission meeting. The request for bids on the new tanks have been sent out; the September Council meeting agenda should include the acceptance of a bid for this project. Gas sales for July were very good, in fact gas had to be ordered twice during the month.

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**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER, MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER, TONY RYAN, FRED EHRLNBACH, ANDREW WEATHERBEE, AMIE TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND HEIDI GRINDLE.**

2,515 gallons was sold during the month, which included ethanol free gas. The goal is to offer diesel fuel at the Harbor next season. The Rotary Club has been given permission to plant some trees and shrubs near the Wastewater Pump Station; the trees will act as a visual barrier from this equipment. Adam Wilson, Harbormaster reported at the Harbor Commission meeting that 8 transient boaters used the Harbor facility last month. The Beth C. Wright Foundation held a successful fundraiser at the Harbor Park on July 30. Nearly all the new rails have been installed in the gazebo. The rails needed to be replaced due to the widespread aging of the current ones. Councilor Fortier noted a band scheduled to perform in Bangor was practicing in the City gazebo located at the Harbor Park, today. The atmosphere provided by the park helped them prepare for the festival they were scheduled to play at, in Bangor. Fortier noted they sounded very good.

➤ *Penobscot Downeast Cable Television Consortium.* Councilor Fortier noted they have not held a meeting; however, Jason Ingalls, Technology Coordinator and Fortier have been notified that this fall Spectrum will be converting completely to digital service. The viewing public will be required to have the digital adaptor box that Spectrum rents for placement between the cable and the television set. This is taking place all over the Country to free up space on their system. Spectrum will be notifying their customers and advertising this change shortly.

*Citizens' Comments.*

There were no citizens' comments this month.

*Presentation of Awards.*

Amie Torrey, for ten years of service with the Ellsworth Police Department.

Amie Torrey was present to accept her service award from Chairman Blanchette on behalf of the Ellsworth citizens.

Andrew Weatherbee, for ten years of service with the Ellsworth Police Department.

**Citizens' Comments.**

**Presentation of Awards.**

**Amie Torrey – 10 years of service with the Ellsworth Police Department.**

**Andrew Weatherbee – 10 years of service**

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Andrew Weatherbee was present to accept his service award from Chairman Blanchette on behalf of the Ellsworth citizens.

**with the Ellsworth Police Department.**

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 Agenda.

**Approved - Consent agenda as presented this evening.**

*Council Order #081802, Request of the Tax Collector/Deputy Treasurer to initiate civil actions in the name of the City of Ellsworth for the purpose of collecting delinquent personal property taxes. \**

**Approved – Council Order #081802, initiate civil actions for collecting delinquent personal property taxes.**

See attachment #1 for the complete request.

*Council Order #081803, Request of the Ellsworth Historic Preservation Commission to accept the resignation of Mark Honey, term to expire 06/30/2020. \**

**Accepted - Mark Honey resignation.**

*Council Order #081804, Request of the Ellsworth Historic Preservation Commission to appoint Catherine Fox to the City of Ellsworth Historic Preservation Commission as a regular member, term to expire 06/30/2020. \**

**Approved – Catherine Fox, term to expire 6/30/2020.**

*Council Order #081805, Request of the Ellsworth Historic Preservation Commission to appoint William Fogle to the City of Ellsworth Historic Preservation Commission as a regular member, term to expire 06/30/2021. \**

**Approved – William Fogle, term to expire 6/30/2021.**

*Council Order #081806, Request of the Ellsworth Appeals Board to accept the*

**Accepted – Michelle**

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FORTIER, HAMILTON, HUDSON, AND MOORE.**

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MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE  
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TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND  
HEIDI GRINDLE.**

*resignation of Michelle Begin, term to expire 06/30/2022. \**

**Begin resignation.**

*Council Order #081807, Request of the Ellsworth Appeals Board to appoint Jarad Wilbur to the City of Ellsworth Appeals Board as a regular board member, term to expire 06/30/2022. \**

**Approved – Jarad Wilbur, term to expire 6/30/2022.**

*Council Order #081808, Request of the Ellsworth Recreation Commission to accept the resignation of Tammy Mote, term to expire 06/30/2019. \**

**Accepted – Tammy Mote resignation.**

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

***RESOLVED to approve the consent agenda as presented this evening.***

**NEW BUSINESS**

**New Business.**

*Public hearing and action on the application for the following licenses:*

*Daniel C. Potts d/b/a Lakeside Cedar Cabins, 397 Mariaville Road, for renewal of a City Lodging License.*

**Approved - Daniel C. Potts d/b/a Lakeside Cedar Cabins, 397 Mariaville Road, 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 Fortier, seconded by Crosthwaite, it was unanimously*

***RESOLVED to approve the request of Daniel C. Potts d/b/a Lakeside Cedar Cabins, 397 Mariaville Road, for renewal of a City Lodging License.***

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*Barb & Kevin Buza d/b/a Silver Saints Sanctuary, 33 Birch Avenue, 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 Hamilton, seconded by Moore, it was unanimously*

**RESOLVED to approve the request of Barb & Kevin Buza d/b/a Silver Saints Sanctuary, 33 Birch Avenue, for renewal of a City Lodging License.**

*Council Order #081809, Request of the Public Works Director to award the hot mix asphalt contract for maintenance paving, and authorize the City Manager to sign all necessary agreements.*

Lisa Sekulich, Public Works Director stated on August 10, 2018 bids for the maintenance paving were accepted. Six companies were invited to bid with only four submitting pricing. See attachment #2 for the complete request, summary of bids received, actual bids received and the references for Wellman Paving. The low bid was from Wellman Paving at a price of \$310,314.75. The second lowest bid was received from Lane Construction Corp in the amount of \$310,619.75. Wellman Paving was the low bidder by \$305. References have been included in attachment #2, as Wellman Paving is a new contractor for the City of Ellsworth. The Council is familiar with Lane Construction, they have worked for the City of Ellsworth many times in the past. Councilor Moore noted the references were very positive in regards to the work performed by Wellman Paving at other municipalities. Chairman Blanchette mentioned the City has a lot of experience with Lane Construction and could not remember there ever being an issue. He

**Approved - Barb & Kevin Buza d/b/a Silver Saints Sanctuary, 33 Birch Avenue, for renewal of a City Lodging License.**

**Approved - Council Order #081809, Request of the Public Works Director to award the 2018 Maintenance paving contract to Wellman Paving, Inc. at a price of \$310,314.75, per attachment #2 pricing. The contract amount to be funded from the Local Roads Capital Improvement Account.**

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MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE  
HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER,  
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HEIDI GRINDLE.**

noted in the past, whenever the City has required anything outside of the paving realm they were the first to offer assistance; he felt this was worth something. Councilor Fortier inquired who helped measure the roads and create the tonnage figures. Sekulich noted she was the one who did the measuring and determined the necessary numbers. Fortier noted in years past Lane Construction has assisted in determining those figures; Sekulich confirmed she did it this year on her own. She did receive confirmation that her calculations were within a few tons. Fortier noted the partnership with Lane Construction has been one of the good ones formed over the years and he shared some of the occasions where Lane has assisted with projects outside of their contractual obligations. Fortier noted the references for Wellman Paving speak highly of their work. He was however concerned they will be hauling the asphalt from Bangor and wondered if they could maintain the proper temperature during the fall months. Fortier also questioned if they had enough trucks to maintain a hot seam until another truck arrived on scene with more material. Eric Martin an estimator for Wellman Paving explained the company has been in business since the 50's; the current owners are in their 15<sup>th</sup> year of owning the business. They generally lay 130,000 to 150,000 tons of hot top a year and they are based out of Winterport. In regards to the concern with maintaining the temperature late in the year the majority of their trucks have heated bodies so the temperature is not lost on the hot top. They perform a lot of MaineDOT work and they haul hot top to Jacksonville from Hermon. There are three different plants in Hermon. Martin was confident they have the experience, especially since they currently have 14 municipal contracts. They have bid on the City of Ellsworth's work in the past. This year they are the low bidder and would like to have the contract with the City of Ellsworth. Councilor Beatham noted a very strong relationship has been formed with Lane Construction over the years. They have assisted more than once with completing tasks beyond the contract, holding prices into the next year when the City wanted to complete more projects than originally bid and for a \$305 difference he was not willing to change companies.

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

*RESOLVED to approve Council Order #081809, Request of the Public Works Director to award the 2018 Maintenance paving contract to Lane Construction in*

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*the amount of \$310,619.75, per the scheduled prices on the tonnage.*

Before a vote was taken, Councilor Crosthwaite questioned why there is a bid process in place. There are times when the Council will sole source a bid and other times when the Council has good reasons from past experiences to stay away from certain vendors; however, he does not see those reasons in any of the paperwork that has been submitted. The municipal references are very favorable to Wellman Paving. Crosthwaite felt they bid in good faith and whether the difference in pricing was \$305 or \$5, they are the low bidder. He noted over the years, the Council has worked hard to maintain this low bid process. The bid request did not ask vendors if they have a good relationship with the City, worked for the City previously or whether they have partnered with the City in the past; therefore, if those factors were going to be considered during the award process they should have been advertised with the bid requirements. Based on Crosthwaite's comments he could not support the above motion.

**A final vote was taken on the above motion with 3 members voting in favor (Beathem, Blanchette, and Fortier) and 4 members voting in opposition (Crosthwaite, Hamilton, Hudson, and Moore). The motion failed to pass.**

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

***RESOLVED to approve Council Order #081809, Request of the Public Works Director to award the 2018 Maintenance paving contract to Wellman Paving, Inc. at a price of \$310,314.75, per attachment #2 pricing. The contract amount to be funded from the Local Roads Capital Improvement Account.***

*Council Order #081810, Request of the Public Works Director to award the bid for a new 2018 or 2019 ½ ton 4WD extended cab work truck, and authorize the City Manager to sign all necessary agreements.*

Lisa Sekulich, Public Works Director stated on July 10, 2018 the City held a bid opening for a new 2018 or 2019 ½ ton 4WD extended cab work truck. Four dealerships responded to the bid see attachment #3 for the results. The low bid was

**Approved - Council Order #081810, Award the purchase of a new 2019 Chevrolet Silverado 1500 ½ ton 4 wheel drive extended cab**



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received from Darling's Dodge; however, the condition that the truck be ordered by July 20 could not be met. Upon a request by Councilor Beatham to confirm whether Dodge would be willing to still honor that price, Sekulich discovered they were no longer able to offer that price. Although they could not match that price they were willing to offer a different truck in the amount of \$26,646 prior to the trade-in of \$5,500. This would result in a final price of \$21,146, which is less expensive than the Darling's Chevrolet truck. All the bids were received from Darling's; the question is whether the Council would like to purchase the Chevrolet or Dodge. One vehicle would come from the Chevy dealership and the other truck would come from the Auto Mall. Both vehicles would be purchased and serviced locally. The new Dodge would cost \$21,146 and the new Chevy would cost \$22,069.00. Beatham noted the 2019 Dodge was not on the original bid; therefore, would not qualify. He explained his reason for asking whether they would still honor the price was based on determining whether the inventory still existed to fulfill the pricing and bid requirements. As the truck they submitted a price on today was for a 2019 Dodge and the original bid was for a 2018 Dodge; this would be considered a post bid negotiation. Councilor Hamilton confirmed this purchase was approved within the budget process. This truck will be funded by three different departments. Sekulich noted the bids appear to have come from the Bangor location; however, that is just because the commercial offices are located in Bangor and that is where the pricing is developed. Service on the truck would be completed in Ellsworth. Fortier noted on the Chevrolet bid sheet the delivery date was crossed out and noted it would take 8 to 10 weeks to receive the truck. Sekulich noted all of the trucks will take approximately 8 to 10 weeks to receive.

**pickup as specified to the bidder, Darling's Chevrolet, at a final cost of \$22,069.00 after the trade in, to be paid for through the Water Department, Highway Department, and Wastewater Departments, Capital Improvement Account.**

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

**RESOLVED to approve Council Order #081810, Award the purchase of a new 2019 Chevrolet Silverado 1500 ½ ton 4 wheel drive extended cab pickup as specified to the bidder, Darling's Chevrolet, at a final cost of \$22,069.00 after the trade in, to be paid for through the Water Department, Highway Department, and Wastewater Department, Capital Improvement Accounts.**

**A final vote was taken on the above motion with 6 members voting in favor**

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**(Blanchette, Crosthwaite, Fortier, Hamilton, Hudson, and Moore) and 1 member abstaining (Beathem).**

*Council Order #081811, Request of the Water Department to approve a contract with Woodard and Curran to develop a Hydraulic Model for the Water Department at a cost of \$30,000 to be funded through the Maine Drinking Water Capacity Development Grant (\$15,000) and the Water Department Budget, and authorize the City Manager to sign all necessary agreements.*

Reggie Winslow, Water Department Superintendent explained he requested a hydraulic model of the system from Woodard and Curran; it was determined the system they have on file is outdated and can no longer be calibrated. Currently, they are working on a new model; this expense will be \$30,000. Half of the expense will be reimbursed through the State of Maine Revolving Fund (Maine Drinking Water Capacity Development Grant). See attachment #4 for the complete request, Capacity Development Grant approval letter, Grant Reimbursement Request form, and Hydraulic Model Update from Woodard and Curran. This project was last completed in 2001 or 2002. Once this is completed the Department should have a better idea of how to move water around town, check on the problem areas, and have the tanks keep up with the daily demands. Winslow gave a technical explanation of what a hydraulic model is. He further explained this would tell the department where there is high or low pressure, what areas of town have higher levels of water available and what areas of town do not have adequate water levels because the water mains are undersized. The Fire Department will also benefit from the information provided from the hydraulic model because the water hydrants can be color coded to indicate what level of pressure is available. This model would also be helpful when projects go through the Planning Board process. David Cole, City Manager noted the same principle would apply in regards to economic development. Fortier was concerned his copy had draft marked on it. Lisa Sekulich, Public Works Director noted that copy was just for review once a final decision is made by the Council it will be finalized.

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

**Approved - Council Order #081811, Request of the Water Department Superintendent to enter into a contract with Woodard and Curran to develop a hydraulic model at a cost not to exceed \$30,000. Funding to be from the Maine Drinking Water Capacity Development Grant (\$15,000) and the Water Department Budget, and authorize the City Manager to sign all necessary agreements.**

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**RESOLVED to approve Council Order #081811, Request of the Water Department Superintendent to enter into a contract with Woodard and Curran to develop a hydraulic model at a cost not to exceed \$30,000. Funding to be from the Maine Drinking Water Capacity Development Grant (\$15,000) and the Water Department Budget, and authorize the City Manager to sign all necessary agreements.**

Before a vote was taken, Councilor Beathem inquired if Woodard and Curran was sole sourced on this project because of their extensive knowledge of the system. Winslow confirmed that was the reason for sole sourcing; Cole noted it would not be practical or financially responsible to bring a different firm in and then educate them on the existing system. Councilor Crosthwaite noted it should be mentioned not necessarily in the motion but in the discussion that the Maine Drinking Water Capacity Development Grant of \$15,000 will be very helpful in completing this project.

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

*Council Order #081812, Request of the Water Department to award a bid for the Water Storage Tank Improvement project, and authorize the City Manager to sign all necessary agreements.*

Reggie Winslow, Water Department Superintendent explained part of this project involves installing a cathodic protection system inside of the tanks. Winslow explained the water that is produced attacks the metal and fiberglass inside the tank. The cathodic protection system will help prevent corrosion and add chlorination points and static mixers. The other portion of this project is the addition of chlorine and mixers at the two standpipes (one on State Street behind the high school and the other is on High Street). By adding chlorine, the dosage of chlorine added at the treatment plant can be reduced which will help to reduce the disinfection by-products and thus in-turn reduces the contact time the chlorine has with water. Winslow future explained the benefits that would be created and ultimately cause the Water Department to be in compliance with the State standard. The mixers

**Approved - Council Order #081812, a contract with Penta Construction for water storage tank improvements & upgrades, with funding to come from the DWSRF at an original bid price of \$760,500.**

**RECORD OF REGULAR MEETING  
ELLSWORTH CITY COUNCIL**

**DATE: AUGUST 20, 2018**

**TIME: 7:00 PM**

**PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS**

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

**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER, MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER, TONY RYAN, FRED EHRLNBACH, ANDREW WEATHERBEE, AMIE TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND HEIDI GRINDLE.**

would be installed to continuously mix the chlorine that will be added, and keep the water fresh in the tanks. See attachment #5 for the complete request, contract award letter of recommendation from Woodard & Curran, and bid documents from Penta Construction. There was a bid opening on August 15, 2018, the only bid was received from Penta Construction. The original estimate for the project cost was \$745,000; the bid came in at \$760,500. Although the bid exceeded the estimate it is still a very reasonable bid amount. David Cole, City Manager noted this project has been packaged in the same SRF bond from the State of Maine that included the utilities upgrades on State Street. That project came in under estimate; financially as a project package the City is still very comfortable. Councilor Fortier stated this project package started in 2016 and to be only \$15,000 over projection is very good. Fortier inquired if the City would be capable of providing adequate water to the JAX facility while the tank is being worked on. Winslow stated yes; Lisa Sekulich, Public Works Director noted only one tank would be taken down at a time. The cathodic protection will save maintenance on the tanks; Winslow added this protection will be added to all three of the storage tanks which also includes the Dollard Hill storage tank. Cole stated this part of the project was delayed for a year so that the Water Department could focus on building the pump station to support the JAX Laboratory. That was time well spent by the Water Department and great planning on their part which ultimately resulted in receiving a competitive bid price on this portion of the project.

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

**RESOLVED to approve Council Order #081812, a contract with Penta Construction for water storage tank improvements & upgrades, with funding to come from the DWSRF at an original bid price of \$760,500.**

*Council Order #081813, Request of the Police Chief to award a bid for (2) two new 2018 police cruisers, and authorize the City Manager to sign all necessary agreements.*

Glenn Moshier, Police Chief explained on July 6 bids were accepted on two 2018 Ford Police Interceptor Utility AWD cruisers. Two bids were received. See

**Approved - Council Order #081813, Request of the Chief of Police to award a bid to Quirk Ford of Augusta in the**

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attachment #6 for the complete bid results and request. The Darling's bid did not meet the bid specifications. Technically, the only bid received that met the specifications was from Quirk Ford. The total bid for the two cruisers after trade-in allowance was \$49,470. Councilor Hamilton inquired if this expense was a budgeted item. Moshier confirmed this was a budgeted purchase. Chairman Blanchette inquired if the AWD vehicles purchased over the past four to five years have held up well. Moshier stated they have and to prove how well he provided some maintenance figures from the previous calendar year. Those records indicated the maintenance costs were cut in half compared to the previous calendar year. This was primarily due to the newness of the fleet and by replacing the two oldest vehicles this year that trend should continue. One of the vehicles being traded in has 114,000 miles and the other has approximately 112,000. Moshier explained how important the AWD has been to the department compared to the rear wheel drive vehicles that were traditionally purchased. Councilor Moore inquired why one of the vehicles will remain completely black. Moshier explained the completely black vehicle will be used for the canine unit. The canine handler frequently goes to Southern Maine for training as well as responds to calls outside of Ellsworth, by having this vehicle remain completely black it will reduce the number of calls questioning why there is an Ellsworth police cruiser in other jurisdictions of Maine. He currently has a white vehicle, the decision was made to transition to a black vehicle. The understanding is the current dog has four or five years of service ability remaining. He will then be at an age where he will be forced to retire; the current vehicle will get through the life of this dog. If something should happen earlier to the dog and/or the canine program ends due to a lack of funding the understanding is the doors could be wrapped to make the cruiser look like the rest of the fleet.

**amount of \$49,470 for (2) two new 2018 police cruisers; to be funded from the Police Cruiser Capital Improvement Account (9090900-59007).**

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

**RESOLVED to approve Council Order #081813, Request of the Chief of Police to award a bid to Quirk Ford of Augusta in the amount of \$49,470 for (2) two new 2018 police cruisers; to be funded from the Police Cruiser Capital Improvement Account (9090900-59007).**

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*Council Order #081814, Request of the Heart of Ellsworth for permission to hold a Downtown Sidewalk Sale along Main Street on Saturday, September 22, 2018 as part of the Autumn Gold Festivities. (Sponsored by Chairman Blanchette)*

Cara Romano, Heart of Ellsworth Executive Director explained the Council had previously been given a handout (see attachment #7) explaining the event Heart of Ellsworth would like to host in support of the Autumn Gold celebration. The goal is to make this an annual event, if successful this year. This would be designed to support the downtown merchants and add to the Autumn Gold festivities already planned. The plan includes a sidewalk sale that would be held on Saturday, September 22, 2018 with the tentative hours of 9:00 AM to 5:00 PM. The timeframe may change depending on the needs of the approximately 10 to 20 participates. Romano would like to receive permission from the Council to have one 2'x4' table per business that would like to participate this year to ensure ADA regulations are met. They are aware that between the buildings and the wall there is supposed to be a pedestrian zone of 2' that is shy of the distance away from the building wall. Councilor Fortier was not sure he was in favor of locking a business into having one 2'x4' table for a store that might have 35' of sidewalk space; he could support the concept if that is what Heart of Ellsworth would like to require. Fortier would like to ensure this approval allows for activities to take place on State Street and Water Street as well because that area is also part of the Downtown area, although the request was only for Main Street. He would like to see blanket permission given to any business in the Downtown zone that would like to take part in the sidewalk sale. Fortier further suggested the Ordinance prohibits this activity except for July and August. At the time of making a motion language will need to be added to recognize although it is against the current Ordinance the Council would like to allow this activity one time to see how it works out. At a later date it might be best to change the Ordinance. Fortier thought this was a great idea to attract more people to the Downtown and provide more offerings, and therefore could support the request.

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

**RESOLVED to approve Council Order #081814, Request of the Heart of**

**Approved - Council Order #081814, Request of the Heart of Ellsworth for permission to hold a Downtown Sidewalk Sale along Main Street on Saturday, September 22, 2018 as part of the Autumn Gold Festivities including the connecting streets of State Street and Water Street also designated as part of the Downtown Zone; subject to the Code Enforcement Officer reviewing and approving the plan. Not with-standing the other language currently in the Ordinance.**

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*Ellsworth for permission to hold a Downtown Sidewalk Sale along Main Street on Saturday, September 22, 2018 as part of the Autumn Gold Festivities including the connecting streets of State Street and Water Street also designated as part of the Downtown Zone; subject to the Code Enforcement Officer reviewing and approving the plan. Not with-standing the other language currently in the Ordinance.*

Before a vote was taken Chairman Blanchette noted he felt the 2'x4' table requirement seemed too restrictive for the first year especially if the goal is to see how successful it will be. Fortier agreed with allowing larger tables; however, noted his only concern was meeting ADA regulations and maintaining the safety code of that requirement. He was in favor of removing the 2'x4' table request and allow them to use whatever size table they felt appropriate as long as they maintain ADA regulations. Councilor Hudson agreed that the Heart of Ellsworth and the business owners can figure out the finer details; if there are issues they can be addressed next year. Romano noted Heart of Ellsworth wanted to be sure they were in communication with the City and particularly the Code Enforcement Office. She has spoken with Dwight Tilton, Code Enforcement Officer and he is willing to help Romano layout the table formation to ensure the event stays in compliance. Her other concern is maintaining a consistent answer for the merchants as to why they only have a certain amount of space. The ultimate goal is to ensure this event can happen year after year and can grow each year. Cole suggested approving the event subject to the Code Enforcement Officer reviewing the plan.

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

*Council Order #081815, Discussion and possible action on Emergency Medical Services and educational opportunities for Ellsworth public safety personnel. (Sponsored by Chairman Blanchette)*

Chairman Blanchette recapped that there has been an ongoing discussion on future emergency medical services (EMS) in the City of Ellsworth. Some of the initial questions included: should we look at it and do we need to look at it. It was decided

**Approved - Tabling Council Order #081815, Discussion and possible action on Emergency Medical Services and educational**

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to look at the topic. Blanchette formally appointed a committee at the May Council Meeting. Prior to that point there had been informational discussions on the topic between Blanchette, Councilor Fortier, Councilor Beathem, Glenn Moshier (Police Chief) and Richard Tupper (Fire Chief). Fortier has been taking the minutes from the Committee meetings, scheduling the meetings, and prepared the write-up for the meeting tonight (see attachment #8). Fortier stated approximately a year and a half ago there was some discussion in-house at the rank and file level that they were starting to see some things on both the fire and police level that were concerning them pertaining to the outcomes on the scene. Fortier became part of the round table discussions which later became a working group to look at the concerns that were being noticed with the goal of finding a better model for offering EMS to the citizens of Ellsworth. After a number of meetings, gathering information and reviewing a fairly thick stack of research material this group spoke with local vendors as well as researched national and local sources for different types of delivery systems. Early on in the process there was a discussion on a model that housed a City owned Fire Department based EMS program. This might include housing a few units in the Fire Department along with the personnel to operate the units. Early on in the discussions it was felt that model may not be affordable for Ellsworth at this time. Another avenue that was explored was to consider an agreement with Capital Ambulance and the City of Brewer as well as other communities north of Bangor. The Fire Department researched housing options; they created some estimates and plans for accommodating extra staff. They were willing to create much smaller housing units while they tried working within this type of model for a couple of years. At the same time the EMS concept is being explored, the concept of building a new public safety building in Ellsworth is being researched. This type of EMS model would allow the City Departments to work with it for a little while to see if that is a proper place for an ambulance service. This would determine if a public safety building was a good fit for this type of service or whether it was best to allow private enterprise to take care of that role. A formal committee was appointed by Blanchette at the May Council Meeting because the working group was starting to look at associated costs with the model being considered and the City Council was finalizing the municipal budget figures. June 11, 2018 was the first formal Committee meeting at which point a schedule and ground rules were created. The Committee met on June 19, July 10, July 24,

**opportunities for  
Ellsworth public  
safety personnel.**



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and August 7. On July 31 a workshop was held with Scott Smith from Atlantic Partners at Eastern Maine Community College. All the minutes from the Committee meetings and handouts from those meetings have been filed with the City Clerk. The Committee members as well as David Cole (City Manager), John Partridge (County Ambulance), and Joe Kellner (Capital Ambulance) also received the minutes and handouts from the meetings if they were not at the meetings. Representatives from the ambulance companies have been at most of the meetings. At the last meeting the Committee voted unanimously to forward the Request for Proposals to the City Manager and legal counsel for comments. Cole requested this topic be considered by the City Council before spending money on the legal step. The request before the City Council tonight is to approve sending this document (attachment #8) to legal counsel and when it is returned then to send it out for public offering. The request is for housing up to two fully staffed by the vendor Paramedic level ambulances in the Ellsworth fire station. The City will supply housing and the vendor will take care of their expenses. The successful vendor will pay approximately \$8,000 to renovate a couple of bedrooms in the fire station to make them dual sleeping areas. The EMS side will be required to help the City meet their continuing education units, the two services will train together, and the EMS staff will be crossed trained to assist on fire grounds (not in the fire building, just the scene). There has also been a request by the Police Department to train together so that the Fire, EMS and Law Enforcement will all know what to do in certain emergency situations. The goal is to work as a cohesive unit and share resources that will make each department more successful. There are many positives to forming a partnership with an EMS vendor and working together. This initiative came from the employee level within the field who saw a need and wanted to create a solution; Fortier commended the Fire and Police Departments for contributing useful information throughout the process. Councilor Hamilton questioned the roles and responsibilities within the RFP for the City of Ellsworth staff and what costs are associated with this particular request. Hamilton wondered if the Committee identified specific costs the City will be responsible for or specific roles besides just housing the units at this location. He questioned what other roles and costs the City would be responsible for if this request for proposals is put out to the public. Fortier stated there would not be a cost to the City unless the decision is made to accept a proposal. He explained the reason for issuing an RFP is to

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identify what different companies would require from the City of Ellsworth. Fortier provided an example of a company submitting a proposal based on already having everything they need with the exception of housing. While a different company might submit a proposal indicating they require a lot more support from the City. The Committee was looking for an open approach which would allow the companies to tell Ellsworth what they can provide along with the associated costs and then those proposals would be reviewed based on a scoring rubrics. This request was just to send the RFP to legal counsel for their point of view before the Committee went any further. Blanchette explained the RFP as presented this evening in attachment #8 is not locked in stone, it can be negotiated and amended by the Council this evening. He felt there are items that need to be amended and it is not ready to be sent out right now; however, it is a starting point. Hamilton felt if the City was to put an RFP out for services that might cost the City any amount of money, the first discussion should be whether the City as a whole wants to incur any costs to support a private entity delivering a service in our City. Part of that discussion should include what the benefits are from this proposed model. At this point, Hamilton felt this was putting the cart before the horse because it puts a request out for something without knowing whether the City really wants to commit anything in supporting a co-located EMS system. The RFP does not have a lot of specific information around it; personally he is struggling to approve something that could have repercussions on the City and the taxes without really spelling the details out. He felt the City needs to be more specific on what is really wanted before an RFP is put out. Councilor Hudson was not opposed to exploring a partnership; however, still does not understand a lot about the concept and does not feel it is complete enough to take to legal counsel yet. She wondered if there was a reason the Committee wanted to take it to legal counsel before it has defined what the needs are, requirements are, and what the City wants. Fortier felt in his opinion the Committee felt if they left the requirements open enough they may receive more robust proposals from different organizations. The goals and requirements may be different per interested organization; rather than being overly detailed, only the essential requirements were itemized in the proposed RFP. Councilor Beatham stated as part of the Committee he noted this is not just an EMS issue, it is more complicated than that, it is far reaching, and the Committee identified some problems. One problem is if the Fire Department responds to an accident and they

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give first aid, the City is not covered liability wise. If a citizen was driving by and they stopped and gave first aid care they are covered by the good Samaritan Act. The Ellsworth Fire Department is not licensed to provide first aid or EMS of any type. There are members of the Department who are trained to perform this type of service; however, they legally cannot perform those acts because the Ellsworth Fire Department is not licensed to perform those acts. One of the items considered was what should be done with the Fire Department; does the City get them educated and licensed to a level, whether that level is EMS, EMR, or basic. A decision is needed on whether to license the Department to some degree in order to take away the liabilities. The second item that was identified was the communication traffic is becoming heavier and heavier all the time. By adding EMS, additional levels of fire calls, or increased police activity this service will be reaching a point where the City does not have adequate communication equipment. These were concerns that came out beyond the EMS part of the discussions and future planning. Those items need to be addressed at some point which might be this year, next year, or over a period of time as funding allows. The items brought forward at this time are the concerns the Committee believed needed to be addressed in the RFP. Beathem stated this document needed to come before the full Council so that members could provide input on it, staff should provide feedback on it, and the City Manager will also be contributing to the document because it will impact Ellsworth for a long time and needs to be completed correctly. At least the Committee has started the work correctly by reading and compiling the basics; Beathem was not expecting the request to be approved this evening. He feels there needs to be a lot of looking at the document as well as the concept from the staff and Council level and then adjust it to meet what they feel the needs are. This is an opportunity to house a couple of units in the fire station to see how this model would actually work, how complicated it would be to have them in that location, or whether they should be or should not be in there. Beathem noted most people on the street the Committee members have spoken with support EMS and want an ambulance to arrive when they call; however, no matter if it is housed in the fire station or private industry an ambulance will not always be available. A community cannot have enough ambulances to cover every situation that might happen; however, communities try to mitigate as much potential as you can so that it is reasonable. Beathem cautioned everyone to go slow on this process and make decisions while at the same time

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looking at the realities of what is being considered. The items that need to be addressed are communications, licensing and education; these items cost money and possibly finding a partnership to help with those costs would be a good direction to take. Blanchette noted he voted to bring this item to the full Council because there is only three Councilors on the Committee. They have reviewed some good ideas and have turned down some ideas; however he felt the remaining four Councilors could likely contribute more really good ideas. Blanchette felt to vote on this item tonight would give the wrong signal without getting the necessary input from the other four City Councilors. There may be other knowledgeable people that should be consulted on this proposal or other resources the remaining four City Councilors are aware of. Beatham noted when the Committee was started the goal was to bring this concept before the Council in July; that goal turned out not to be reasonable as the concept is much more complicated. Hamilton appreciated the comments on the work that has taken place to give a better perspective on the concept. For Hamilton this is not a vote on the future of EMS and a partnership with the City tonight at all. This is a vote on whether or not the City moves forward with a proposal that sits in front of them and it is that proposal that is lacking some very key elements to be able to move forward. He wanted to be clear there is a real difference between the discussion of EMS and what is being voted on tonight from his perspective. Hudson summarized what Hamilton was referring to as being the difference between a concept of something the Council may or may not be interested in exploring and the specific document the Council may or may not be interested in passing. Councilor Crosthwaite echoed Beatham's warning to move forward slowly; he suggested backing up. After reading through the proposal, Crosthwaite wondered if this was a solution looking for a problem. He was considering this topic from a broader perspective, and felt the Council needed to decide if it is the Council's responsibility to provide this service. Depending on that answer is the direction this concept will need to take. He mentioned concerns with subsidizing private business and the impact on the tax payer. Crosthwaite was also concerned with the insurance liability of housing a business within City Hall that is not part of the municipal government; particularly if the units leave this building and travel to locations within Hancock County outside the Ellsworth City limits. This may cause questions on who will be tracking that, paying for that, and where is the taxpayer going to come into that situation. Crosthwaite wondered where the concern of

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FORTIER, HAMILTON, HUDSON, AND MOORE.**

**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,  
MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE  
HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER,  
MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER,  
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HEIDI GRINDLE.**

being left in a void was coming from, there is already a new ambulance service in the region. This company has already announced their plan to service this area and Hancock County publicly and legally. Crosthwaite was not prepared to vote on the RFP this evening. Councilor Moore noted some very good comments have been heard this evening from both sides of the issue. He felt it was worth continuing to talk about, even if it is only to clarify and help the Council decide which way to go in the future. Fortier noted there is a second portion to the request this evening in regards to education. As a member of the Board of Director's for Maine Municipal Association (MMA), Fortier sits on the Property and Casualty Trust Board; he has been informed by staff that if the City of Ellsworth's fire service or police department goes out and initiates first aid on the dying on the side of the road, our liability insurance will not cover that because the City is not a licensed responding unit. Richard Tupper, Fire Chief spoke on behalf of the education portion of the agenda item. Before discussing the training aspect, Richard Tupper, Fire Chief added a few of his own comments concerning the previous discussion. When citizens visit the fire station, Tupper often asks what their expectations are for emergency services or what adults expect when they dial 9-1-1. They always reply they expect all of the fire apparatus and the roster of names in the hallway to respond to their emergency. Tupper stated generally he can only guarantee four firefighters and most likely two apparatus, depending on the incident that is happening. This answer usually shocks the citizens. Tupper feels the City has a responsibility to make sure citizens receive emergency services when they call. He also felt when a citizen dials 9-1-1 or calls into the emergency services department they expect an ambulance to show up in a reasonable time. Tupper provided an example of a situation that recently took place where there was a delay in receiving an ambulance on scene due to resources being over extended. This problem with shortages of available ambulances to address all the emergencies is a much larger issue than just in Ellsworth. Tupper believes it is the City's responsibility to provide emergency services which is why the City has a fire and police department and EMS is an emergency service. He doesn't feel it is responsible to assume that will happen and he would like to be part of the solution or find a fix for that issue. If the City entered into a partnership agreement with an ambulance company than the Ellsworth emergency services would know if those two ambulances were committed somewhere. If they were committed outside of Ellsworth, the hope

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**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER, MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER, TONY RYAN, FRED EHRLNBACH, ANDREW WEATHERBEE, AMIE TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND HEIDI GRINDLE.**

would be that one was on the way to cover the City. The goal is that another unit would be traveling toward the fire station to be on hand if an incident happened while the other two were out. If there is not another unit on its way than the Ellsworth emergency services would know that information as well. Tupper explained if the ambulance companies house in locations outside of Ellsworth fire station, without a partnership with the City, then the Ellsworth emergency services will have no idea if an ambulance is available, how many are in Ellsworth or if there are any in the City at any given time of day. Tupper recognized dispatching is a valid concern even without considering adding EMS. There are numerous times when there are fire incident calls happening when the Police Department are out on their own incident calls and with only one dispatcher listening to two radio frequencies, answering the telephone, conducting the computer work it is an overwhelming situation. This type of overextended services causes someone to be suffering in the field as they may not be getting a response as quickly as they need which could ultimately be life threatening depending on the situation. If EMS were to be added into the equation that would further burden the dispatch center. It is possible that EMS may continue to be dispatched out of Bangor, although depending on the arrangement it may cause additional responsibilities by the Ellsworth Dispatch Center. Tupper felt if there was a partnership with an ambulance company that would provide the ambulances, the staff, the training process could be started and the City could learn and understand those aspects before jumping completely into a new concept. This experience is mandatory before committing 100% to this new service on our own. Tupper did not feel this model was subsidizing private business because he felt private businesses sell wares or goods on the street or in a business; this is an emergency service that needs to happen when it is needed. Tupper reiterated that MMA is looking at this and telling them that if they go out and perform these services and the department makes a mistake they will not be covered liability wise. Tupper is very concerned about that determination. This puts the department in a difficult position when they assist an ambulance company, assist the public on the street, or visitors to Ellsworth. Tupper is nervous to continue any activity that relates to that liability concern and is leery to ask his staff to partake in any similar activity. Tupper felt this is very irresponsible as they know there is a problem, it is being acknowledged, yet if the activity continues he feels it is gross negligence and he does not want to do that. In

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order to find the solution, the department needs to take part in training. Tupper provided training requirements in attachment #8. The attachment contains financial figures that are costly; financially this training would be unbudgeted this fiscal year. This concept came to light as the budget cycle was wrapping up and hit the department after the fact. This is a two page report, the first page at the bottom provides numbers for emergency medical responder (EMR) also known as first responder. The numbers are based on 11 career staff members which do not already have training or licensure, this number also contains a few paid on call members. These numbers contain figures for tuition, associated overtime costs, and mandatory background checks. The second page describes EMT-B or the EMT basic level, which Tupper strongly recommended if the City were going to go this route. The third section discusses the paid on call firefighter costs. The very bottom of that document is a line item cost for equipment that would be needed, an annual service license and required immunizations. The majority of firefighters are already covered by the required immunizations; however, Tupper did add a number in just in the event he missed someone. When Scott Smith from Atlantic Partners and EMCC spoke with the Committee he recommended the best model for Ellsworth was to license as EMR and permit to EMT-basic and include all emergency service workers, just in case the Police Department happened to respond to a call first they would also be covered under that training and licensure. The numbers contained in the attachment are only for firefighters. Tupper explained if they train to the EMR level, all of the staff can perform the functions (a power point presentation has been provided as part of attachment #8) and by permitting to the basic level it allows the staff that are trained to the EMT-basic or higher level to perform their skills up to the basic level. There are some members of the staff that are seeking the basic level if given the option. Hamilton questioned whether this was an emerging issue that has just developed or was this something the City has not been aware of in the past. Tupper could not say he was not aware of it before; however, it is something that is becoming more known. MMA is very aware of it. MMA, the Bureau of labor and Maine EMS are all looking at this issue. They are specifically looking at fire departments that have kind of been sucked into this realm because they are trying to be helpful and never wanting to say no to anyone seeking help. It started out by helping in dire need and now it is happening on a routine basis. Hamilton was trying to figure out at what point the City is at as it relates to what direction needs to

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be taken in making the ultimate decision around training. He was wondering if the City was on the front end of this dilemma, or if there was still potential opportunities available to help defray some of the associated costs. Tupper explained if the department continues on the same path they have been in supporting EMS in the field they must complete EMR training and license to that level. The City must license to that level to protect themselves and the Fire Department members, or that practice must be stopped. Tupper mentioned if the City entered into a partnership it has been encouraged from many different directions to train to the EMT-basic level, so that the Department can assist even more. Hudson stated it sounded like this item should be tabled so that these discussions could be held during workshops. At that time look at addressing Tupper's concerns and getting some answers before moving forward. Blanchette asked if that was a motion. Hudson stated "perhaps this has gone beyond where we should go tonight with this, yes". Moore seconded. Blanchette stated there has been a motion and second to table.

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

**RESOLVED to approve tabling Council Order #081815, Discussion and possible action on Emergency Medical Services and educational opportunities for Ellsworth public safety personnel.**

**A final vote was taken with 6 members voting in favor (Beathem, Blanchette, Crosthwaite, Hamilton, Hudson and Moore) and 1 member voting in opposition (Fortier).**

*Public Hearing and consideration on amending the Ellsworth Housing Rehabilitation Program guidelines.*

Michele Gagnon, City Planner requested the Council consider expanding the project area for the CDBG Housing Grant already awarded to the City. Downeast Community Partners (DCP) is the contractor that is helping the City spend the funds. Mark Green, Director of Downeast Community Partners was present at this meeting. Gagnon explained a committee works on dispersing the funds, some of

**Approved - Amendments to the Ellsworth CDBG Housing Rehabilitation Guidelines as presented in attachment #9,**



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the committee members were in attendance this evening. Originally, there was \$300,000 for this project; currently approximately \$113,000 has been spent. There is a remaining balance to be dispersed of \$146,000. See attachment #9 for the complete request and Program Guidelines. The monies can only be expended within a small area (shown in the Appendix A of attachment #9). Basically, this includes the Downtown area, along Grant Street, and the Christian Ridge Road. Right now, DCP does not have any more candidates for the project within that specific area. There is a timeline for when the monies all need to be spent according to the grant; the State of Maine is definitely looking for the City to spend the remaining funds. The State of Maine has encouraged the City to consider expanding the area so that the monies can be spent. Gagnon mentioned it is very important to understand because the City of Ellsworth received a grant and DCP also had some CDBG monies they use for Washington and Hancock Counties; DCP is not able to spend any of their monies within the City of Ellsworth. This is because the City of Ellsworth received their own grant. Since the City of Ellsworth identified a certain project area for the disbursement of their grant funds anyone outside of this area cannot receive grant funds from the City of Ellsworth or from DCP to complete projects that may otherwise qualify under the guidelines. DCP is currently aware of other Ellsworth residents that would possibly be eligible to receive the grant funds for a housing project outside of the project area. Gagnon explained expanding the project area will result in less concentrated revitalization impact; however, if the City does not expand the area the City stands a chance of missing some residents that could benefit from those monies in addition to running the risk of not spending all of the monies. Gagnon is proposing the guidelines be amended to expand the project area to the whole City; however, if a project comes through within the original project area they will have priority over a proposed project outside the original project area. Councilor Fortier agreed this solution is well thought out and he will support the amendment. Councilor Hudson inquired who set the original guidelines for the program as it relates to the project area. Gagnon stated the City set the original project area. This was based on neighborhoods that were identified as potentially benefiting from having some houses fixed, areas where several houses had already been fixed by the owners, however still had a concentration of houses that could use some improvements mixed in. The original idea was to concentrate the monies in areas that could make

**effective  
immediately.**

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the most impact. David Cole, City Manager noted this is not unusual for projects similar to this, often filters are put on tighter than necessary. It was a great idea initially; however, the time has come to be more flexible. Councilor Hamilton noticed within the document it states funds are to be allocated by mid-September; he questioned whether that meant just assigned or does that refer to being allocated to specific identified projects. Gagnon explained that was second hand information received from CDBG and the idea is they would really like the project to move forward and more monies to be spent. Right now there is a concern because the project has been stagnant and the City does not want to return monies as this does not look good when applying in the future. Cole noted if the City can show movement, it is likely an extension will be granted. This was initially a neighborhood type of project to concentrate on improving housing units. The City has advertised this project well through various medias.

Public hearing opened.

There were no comments.

Public hearing closed.

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

**RESOLVED to approve the amendments to the Ellsworth CDBG Housing Rehabilitation Guidelines as presented in attachment #9, effective immediately.**

*Council Order #081816, Request of the IT Systems Administrator to approve a lease on the components to upgrade the Network Server Infrastructure, and authorize the City Manager to sign all necessary agreements.*

Jason Ingalls, IT Systems Administrator explained the time has come to refresh the servers. The last refresh of the servers occurred in 2012 with a storage update in 2015. Ingalls has performed research over the past several months, looked at a few different technologies and options including cloud hosting. Ingalls has determined the best path moving forward would be a hyper converged solution. See attachment

**Approved - Council Order #081816, Request of the IT Systems Administrator to lease purchase server network upgrades and Microsoft Server licenses from PCM-G**

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#10 for the complete request, lowest quote received from PCM-G, and the Gorham Leasing Group municipal lease purchase proposal. Ingalls explained what is meant by a hyper converged infrastructure. This generally means servers that include all of the components in one package (storage, processing, memory, etc.). Once this decision was made Ingalls researched the vendors that offer this solution, attended many demonstrations, and talked with other knowledgeable people about real life experiences with this structure. Ingalls determined the system he liked best was Scale Computing. The proposal from Scale Computing would provide the City with two server systems, two clusters, which would provide redundancy and additional capacity. The clusters will be placed in two separate locations so that in the case of a natural disaster or an event occurs in one of the locations business could continue as normal without any downtime. Currently, if something happens in this building, the City would be several days without a server. The data would not be lost as it is protected in multiple locations; however, that data could not be accessed until the server system was replaced. Ingalls looked at leasing options for this system as the cost is \$151,709.14. Tammy Mote, Deputy City Manager located a 3.7% rate from Gorham Leasing Group. This is a very good rate. Funding for this project has been budgeted for to cover the first year's payment within a couple of Capital Improvement Accounts designated for server related expenses. This purchase was not budgeted as a lease; however, if this was the path the Council would like to take the funds are available for the first year's lease payment. The current servers are approximately six years old and are a little past their ideal life span.

**in the amount of \$151,709.14, and to authorize the City Manager to enter into a municipal lease-purchase agreement with Gorham Leasing Group to fund the purchase with an annual payment not to exceed \$33,376.85. The first year's payment will be funded from \$1,246.56 from the MS Exchange Upgrade CIP, \$5,000 from the Spillman Server Upgrade CIP, and \$27,130.29 from the Server Replacement CIP.**

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

**RESOLVED to approve Council Order #081816, Request of the IT Systems Administrator to lease purchase server network upgrades and Microsoft Server licenses from PCM-G in the amount of \$151,709.14, and to authorize the City Manager to enter into a municipal lease-purchase agreement with Gorham Leasing Group to fund the purchase with an annual payment not to exceed \$33,376.85. The first year's payment will be funded from \$1,246.56 from the MS Exchange Upgrade CIP, \$5,000 from the Spillman Server Upgrade CIP, and \$27,130.29 from the Server Replacement CIP.**

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*Executive session to discuss personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.*

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

**RESOLVED to approve entering executive session at 9:00 PM for the purpose of discussing personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.**

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

**RESOLVED to approve adjournment from the executive session at 9:23 PM.**

*Council Order #081817, Discussion and action on the item from the executive session.*

There was no discussion prior to a motion being made.

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

**RESOLVED to approve Council Order #081817, the City Manager's new contract as amended this evening (see attachment #11).**

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

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

**RESOLVED to approve entering executive session at 9:32 PM for the purpose of discussing labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.**

**Approved - Entering executive session at 9:00 PM for the purpose of discussing personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.**

**Approved - Adjournment from the executive session at 9:23 PM.**

**Approved - Council Order #081817, the City Manager's new contract as amended this evening (see attachment #11).**

**Approved - Entering executive session at 9:32 PM for the purpose of discussing labor contracts in accordance with MRSA Title 1, Chapter 13, Section**

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**CITY COUNCIL ABSENT:**

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, MICHELE GAGNON, KELLY HERRICK, JENN MERCHANT, BERNIE HUSSEY, LISA SEKULICH, REGGIE WINSLOW, RICHARD TUPPER, MICHAEL HANGGE, MICKI SUMPTER, KELVIN MOTE, GLENN MOSHIER, TONY RYAN, FRED EHRLNBACH, ANDREW WEATHERBEE, AMIE TORREY, CHAD WILMOT, MANY PAID ON CALL FIREFIGHTERS, AND HEIDI GRINDLE.**

Tammy Mote, Deputy City Manager joined the executive session. There will not be any formal action following the executive session except to enter into the next executive session.

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

**RESOLVED to approve adjournment from the executive session at 9:43 PM.**

*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.*

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

**RESOLVED to approve entering executive session at 9:44 PM 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.**

Tammy Mote, Deputy City Manager joined the executive session. There will not be any formal action following the executive session except to adjourn the meeting.

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

**RESOLVED to approve adjournment from the executive session at 9:48 PM.**

*Adjournment.*

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

**RESOLVED to approve adjournment at 9:50 PM.**

**405, Paragraph 6D.**

**Approved -  
Adjournment from  
the executive session  
at 9:43 PM.**

**Approved - Entering  
executive session at  
9:44 PM 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.**

**Approved -  
Adjournment from  
the executive session  
at 9:48 PM.**

**Approved -  
Adjournment at 9:50  
PM.**

A TRUE COPY

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