

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JANUARY 14, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: FORTIER, GRINDLE, HAMILTON, HUDSON,
MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT: BLANCHETTE

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JENNIFER MERCHANT, MIKE HANGGE, TROY BIRES, RICHARD TUPPER,
GARY SAUNDERS, AND HEIDI GRINDLE.**

Call to Order.

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

Councilor Fortier asked for confirmation that the remaining members of the Council wanted him to serve as Chairman pro tem this evening.

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

RESOLVED to approve electing Councilor Fortier as Chairman pro tem for the evening.

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, 2018 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:

- 11/19/2018 Regular Council Meeting.
- 12/17/2018 Regular Council Meeting.

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

RESOLVED to approve the minutes from the November 19, 2018 and the December 17, 2018 Regular Council meeting as presented this evening.

Call to Order.

**Approved –
Councilor Fortier as
Chairman pro tem
for the evening.**

Pledge of Allegiance.

Rules of Order.

**Approved - Minutes
from the November
19, 2018 and the
December 17, 2018
Regular Council
meeting as presented
this evening.**

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City Manager's Report.

David Cole, City Manager stated on February 1, 2019 the changes with the City's recycling program will take place. The Public Works Department has created a brochure and video to explain the changes. Cole advised the public to view the video that can be found on the City's website. The video is the most comprehensive explanation of what the changes will include. Cole explained Ellsworth like many other communities have been forced by the marketplace to limit certain recyclables. On February 1, 2019 the new rules will go into place; residents are encouraged to view the website or call City Hall with any questions. Cole announced Winter Carnival will be held on Saturday, February 9 and Sunday, February 10. More details will be provided during the Recreation Commission report this evening. Cole also deferred to the Harbor Commission report this evening for the new details concerning the Trail Extension Project.

Committee Reports.

➤ *Recreation Commission:* Councilors Hamilton and Grindle attended the Recreation Commission meeting this past month. The Downeast Family YMCA basketball season is well underway and is heading into the tournament season for the older players. The recreational basketball season just started and has 54 teams this year. The ice rink is currently open with times posted on the Facebook page (Ellsworth Ice Rink), there are times listed for regular skating and different times for pond hockey. Hamilton also listed all of the events for Winter Carnival. The activities start on Friday, February 8 with a movie night (6 PM - 7:30 PM) at the Moore Community Center beginning with a family dinner at 5:15 PM. The events for Saturday, February 9, 2019 will be held at Woodlawn with a food vendor on site. The ice rink will be open all day. The activities on Saturday begin at 7:30 AM with the registration for the snowshoe race, the race will begin at 8 AM. The race is a 2 mile event. Snowmobile rides start at 9 AM and end around noon. Registration for the cardboard sled race will begin at 9 AM; the race will begin at 10 AM. From 4 PM – 6:30 PM there will be open swim at the YMCA families and individuals of all ages are invited to attend. The fireworks will be held at the High School starting at 7 PM. Open microphone at the Grand starts at 8 PM. On Sunday, February 10 there will be an ice fishing derby (taking place all weekend) with the weigh-ins taking place later that day. At 9 AM the return of the Clam Boot Classic Pond Hockey tournament will begin (where no skates are allowed).

**City Manager's
Report.**

Committee Reports.

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➤ *Harbor Commission:* On January 9, 2019, Councilors Moore and Phillips attended the Harbor Commission meeting. David Cole, City Manager updated the Commission on the status of the Harbor Trail Extension Project. A letter was received from the Agricultural Conservation Forestry Extension explaining funds may be available if the Commission could finalize a design. The big project at the Harbor currently involves changing out the gas tanks. Andrew McCullough, Engineer created a new design that involves installing a longer but narrower tank in diameter to allow it to be placed under the parking lot. Depending on the soil type it may not be necessary to place it as deep as would be required for a shorter tank. The Harbor Commission is very excited about this project because they feel selling both diesel and gas will bring a lot more boaters into the Harbor to purchase fuel. The anticipated additional profits should show up in the revenue reports next year. The Harbormaster provided a report at the Harbor Commission meeting announcing the Army Corps of Engineers would be wrapping up the survey of the Harbor. The City has been dealing with the silt filling in the channel near buoy number 4 for a while now. The Harbor Commission was encouraged that it appeared the Army Corps of Engineers was beginning to take an active interest in assisting within the Harbor. They are considering looking at the possibility of moving the channel slightly to the left so that it may not fill in as quickly. There has been some interest by members of the Community to develop a symbol for the Harbor to be used as a logo for events that are taking place. The ice eaters have not been used very much yet this season which is a positive thing as it relates to the electricity expense. The few times they have been used this season was very successful. The total fees collected during the past season was \$28,585.

Citizens' Comments.

Gordon Workman, Ellsworth resident reminded the Council that he has an issue with a neighbor deliberately pouring water onto his property. This is not a water runoff situation, the water did not create the pipes, or the avenue for it to run, it did not jump into the pipes from the gutters, or the downspout to the pipes, it did not get covered by tar; it was all created by a person, according to Workman. He has had three Councilors, a City Manager, and the Code Enforcement Officer at his property who have all said it is runoff. He does not understand, this is definitely a problem and now he has found evidence that it may be ruining his garage. He has submitted a complaint and identified there is a problem, as is confirmed in State Law. There is a Property Ordinance although it does not pertain to his situation because it belongs to a different group of properties, which also states this is a

Citizens' Comments.

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problem. Chairman pro tem stated for the record the three Councilors were not on the property at the same time; it did not constitute an illegal meeting.

Presentation of Awards.

There were no presentations to award this evening.

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

Chairman pro tem Fortier explained there was a request from the Harbor Commission Chair to remove item #11 from the Consent Agenda this evening. The Commission would like to review the appointment and bring this request back at the February or March meeting. Fortier asked for a motion to remove the following:

*Council Order #011902, Request of the Harbor Commission to appoint F. Mark Whittaker from an alternate Harbor Commission member to a full Harbor Commission member with the City of Ellsworth Harbor Commission, term to expire on June 30, 2021. **

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

RESOLVED to approve removing Council Order #011902, Request of the Harbor Commission to appoint F. Mark Whittaker from an alternate Harbor Commission member to a full Harbor Commission member with the City of Ellsworth Harbor Commission, term to expire on June 30, 2021, from the consent agenda this evening and bring it back to the February or March Council meeting.

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*

Presentation of Awards.

Unfinished Business.

Approved - Removing Council Order #011902, Request of the Harbor Commission to appoint F. Mark Whittaker from an alternate Harbor Commission member to a full Harbor Commission member with the City of Ellsworth Harbor Commission, term to expire on June 30, 2021, from the consent agenda this evening and bring it back to the February or March Council meeting.

Consent Agenda.

Approved - Consent agenda as presented.

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removed from the Consent Agenda and considered in its normal sequence on the Agenda.

*Council Order #011900, Request of the Deputy Treasurer/Tax Collector for approval of a Real Estate Purchase Installment Contract (REPIC) between the City of Ellsworth and Peter Cabanillas. **

See attachment #1 for the complete explanation including the Land Installment Contract.

*Council Order #011901, Request of the Harbor Commission to accept a resignation letter from Arthur G. Corliss, Jr. with a term to expire on June 30, 2021. **

(Council Order #011902, see above for vote to remove from the Consent Agenda.)

*Council Order #011903, Appointment of Melissa Garland as the Ellsworth representative on the Frenchman Bay Regional Shellfish Committee. **

*Council Order #011904, Request of the Recreation Commission to accept a resignation letter from Morgan Sarro with a term to expire on June 30, 2019. **

*Council Order #011905, Request of the Housing Authority to appoint Jefferson Clark to the City of Ellsworth Housing Authority Board, term to expire on January 01, 2024. **

Approved – Council Order #011900, REPIC between City and Peter Cabanillas.

Approved – Council Order #011901, resignation from A. Corliss Jr. Harbor Commission.

Removed earlier in the evening.

Approved – Council Order #011903, Melissa Garland to Frenchman Bay Shellfish Committee.

Approved – Council Order #011904, resignation from M. Sarro, Recreation Commission.

Approved – Council Order #011905, appoint J. Clark to Housing Authority.

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GARY SAUNDERS, AND HEIDI GRINDLE.**

*Council Order #011906, Request of the Housing Authority to appoint Eleanor Jones to the City of Ellsworth Housing Authority Board, term to expire January 01, 2024. **

Approved – Council Order #011906, appoint E. Jones to Housing Authority.

*Council Order #011907, Request of the Housing Authority to appoint Raymond Williams to the City of Ellsworth Housing Authority Board, term to expire January 01, 2024. **

Approved – Council Order #011907, appoint R. Williams to Housing Authority.

*Council Order #011908, Request of the Deputy Treasurer/Tax Collector to accept payments on properties redeemed during the 30 Day Redemption Period and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds. **

Approved – Council Order #011908, accept payments redeemed during the 30 day redemption period and authorize City Manager to issue Quit-Claim deeds.

See attachment #2 for the complete list of properties to be redeemed.

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

RESOLVED to approve the consent agenda as presented.

NEW BUSINESS

New Business.

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

Jeff & Diane Kelly-Lokocz D/B/A 86This!, 125 Main Street, to upgrade from a City Class C (Victualer and Liquor) License to a City Class B (Victualer, Liquor, and Amusement) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

Approved - Jeff & Diane Kelly-Lokocz D/B/A 86This!, 125 Main Street, to upgrade from a City Class C (Victualer and Liquor) License to a City Class B (Victualer, Liquor, and Amusement) and renewal of a

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses and that no delinquent tax or utility bills exist.

Public hearing was opened.

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There were no public comments. Chairman pro tem explained he inquired prior to the meeting about the upgrade status. It was determined the applicants were not required to be present because they are adding amusement which does not impact the liquor license itself. The liquor license portion is not new for this business therefore it is not handled like a new license would be. An amusement only license does not require a public hearing or Council action; that is the only new permission this evening.

Public hearing was closed.

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

RESOLVED to approve the request of Jeff & Diane Kelly-Lokocz D/B/A 86This!, 125 Main Street, to upgrade from a City Class C (Victualer and Liquor) License to a City Class B (Victualer, Liquor, and Amusement) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

GC Pizza Hut, LLC d/b/a Pizza Hut, 211 High Street, for renewal of a City Class C (Victualer and Liquor) License and renewal of a State Restaurant (Class IV) Malt 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 Grindle, it was unanimously

RESOLVED to approve the request of GC Pizza Hut, LLC d/b/a Pizza Hut, 211 High Street, for renewal of a City Class C (Victualer and Liquor) License and renewal of a State Restaurant (Class IV) Malt Liquor License.

**State Restaurant
(Class III & IV)
Malt and Vinous
Liquor License.**

**Approved - GC
Pizza Hut, LLC
d/b/a Pizza Hut, 211
High Street, for
renewal of a City
Class C (Victualer
and Liquor) License
and renewal of a
State Restaurant
(Class IV) Malt
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GARY SAUNDERS, AND HEIDI GRINDLE.**

Susan Scherbel d/b/a Dyon's, 35 Eastward Lane, for renewal of a City Class C (Victualer and Liquor) License and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

Chairman pro tem Fortier explained there was a request from the Code Enforcement Officer and the Fire Inspector to not renew this license. The request is to extend the current license for 90 days to allow the applicant to get a plan of correction filed on the issues they have. This would allow the applicants to remain open and functioning; however, provides incentive for those to be completed. A representative from the business was present at the meeting in case Councilors had questions. This plan for the business has been discussed at the Finance Committee level as a way to positively handle the situation and allow the business to remain open. This is very similar to the process used in the past for a motel a few years ago and it worked very well. Fortier explained for the record, the 90 day extension will begin on March 1 and expire May 31. As was done with the previous situation, once the inspection is completed, the City will absorb the cost of the second public hearing fee, and a hearing will be scheduled for the renewal to be heard by the City Council on the next available agenda. This process will allow them to keep working.

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

RESOLVED to approve the 90 day extension to the City licenses requested by Susan Scherbel d/b/a Dyon's, 35 Eastward Lane (City Class C (Victualer and Liquor) License).

The Grand, 165 Main Street, for renewal of a City Class B License (Victualer, Liquor, and Amusement) and renewal of a State Other (Auditorium/Theatre) 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.

Approved - 90 day extension to the City licenses requested by Susan Scherbel d/b/a Dyon's, 35 Eastward Lane (City Class C (Victualer and Liquor) License).

Approved - The Grand, 165 Main Street, for renewal of a City Class B License (Victualer, Liquor, and Amusement) and

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GARY SAUNDERS, AND HEIDI GRINDLE.**

Public hearing was opened.

There were no public comments.

Public hearing was closed.

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

RESOLVED to approve the request of The Grand, 165 Main Street, for renewal of a City Class B License (Victualer, Liquor, and Amusement) and renewal of a State Other (Auditorium/Theatre) Class III and IV Malt and Vinous Liquor License.

Sidelines Sports Bar, 367 State Street Unit A, for a new City Class B License (Victualer, Liquor, and Amusement) and a new State Restaurant/Lounge (Class XI) Malt, Vinous, Spirituous Liquor License.

Jennifer and Daniel Barker, the new owners were present, as it was required by the Licensing Ordinance in regards to new businesses.

Chairman pro tem Fortier welcomed and thanked the new owners for choosing Ellsworth to establish their new business in. This new business will be located where Fuddruckers used to be.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses. There are a few issues with the new sprinkler system; however, the license can be authorized. The Occupancy Permit will not be issued until the sprinkler system and any associated requirements are completed. The business license cannot be used until the Occupancy Permit is issued.

Public hearing was opened.

There were no public comments.

Public hearing was closed.

renewal of a State
Other
(Auditorium/Theatre)
Class III and IV Malt
and Vinous Liquor
License.

Approved - Sidelines
Sports Bar, 367 State
Street Unit A, for a
new City Class B
License (Victualer,
Liquor, and
Amusement) and a
new State
Restaurant/Lounge
(Class XI) Malt,
Vinous, Spirituous
Liquor License.

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GARY SAUNDERS, AND HEIDI GRINDLE.**

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

RESOLVED to approve the request of Sidelines Sports Bar, 367 State Street Unit A, for a new City Class B License (Victualer, Liquor, and Amusement) and a new State Restaurant/Lounge (Class XI) Malt, Vinous, Spirituous Liquor License.

Council Order #011909, Request of the Police Chief to approve the Regional Communication Center Third Shift Dispatch Services Agreement between the Hancock County Commissioners and the City of Ellsworth.

David Cole, City Manager explained this request is for the renewal of an existing agreement that was formed approximately two years ago. See attachment #3 for the complete request, agreement and Hancock County Addendum A. The agreement as attached includes a 3% increase as set by the County Commissioners and that is the only substantial change from the previous agreement. Troy Bires, Ellsworth Police Captain confirmed this is a yearly agreement, billed monthly to the City and this year includes a 3% increase. Cole confirmed with Glenn Mosier, Police Chief that this agreement is working well and he is very much in favor of moving forward with this agreement for another year. Moshier could not be at the meeting tonight because he is currently attending the FBI Academy.

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

RESOLVED to approve Council Order #011909, the agreement between the City of Ellsworth, Maine and the Hancock County Commissioners for the Regional Communication Center Third Shift Dispatching Services as presented in attachment #3.

Council Order #011910, Request of the Fire Chief to approve a lease for twenty-six (26) Scott X3Pro Self Contained Breathing Apparatus (SCBA) units and a Scott Revolve Air Fill Station, and authorize the City Manager to sign all necessary agreements.

Richard Tupper, Fire Chief explained the Department has a program in place currently that replaces the air packs on a rotational basis. Last year, while Tupper was preparing the Fiscal Year 2019 budget for this purchase a vendor/manufacturer of the air packs used by the Department approached him with a promotional deal that would put the Department in much newer air packs. This request would

Approved - Council Order #011909, the agreement between the City of Ellsworth, Maine and the Hancock County Commissioners for the Regional Communication Center Third Shift Dispatching Services as presented in attachment #3.

Approved - Council Order #011910, Request of the Fire Chief to lease-purchase twenty-six (26) Scott X3Pro Self Contained Breathing Apparatus (SCBA) units from Fire Tech & Safety and a Scott

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GARY SAUNDERS, AND HEIDI GRINDLE.**

replace the entire fleet of air packs and then sell the air packs currently being used by the Department. See attachment #4 for the complete request, SCBA Replacement Proposal Cost Comparison, SCBA Replacement Proposal, Official Order Authorizing Lease-Purchase Financing, and the Municipal Lease Purchase Proposal from Gorham Leasing Group. Tupper explained the new product has several safety features included. For example, the straps that hold the air pack to the firefighter's body can be removed, allowing the straps to then be laundered. This is an issue Tupper has been trying to battle within all areas of the profession, finding ways to remove contaminants particularly carcinogens that become attached to the clothing and equipment in the line of duty. Currently, the Department has a dedicated washing machine for the turnout gear; this will also be used for washing the straps/harnesses from the air packs. Tupper identified the other key safety components within the proposal submitted (attachment #4) one of which is a pack tracker system. This system would allow the Department to monitor from the outside of the building each pack as they are being used. This also helps keep track of the air management. If an excessive amount of air is being used, a signal can be sent to that firefighter requiring them to leave the building, particularly if they are not personally monitoring the level close enough. If it is believed the structure may clasp, the tracker allows each individual user of the air pack to be alerted to evacuate the structure. Currently, the air horns are sounded on the trucks to notify firefighters to evacuate a structure; that sound may or may not be heard from inside the building depending on the individual circumstances of the emergency. Chairman pro tem Fortier asked Tupper to give an overview of some of the numbers provided within the 10 year SCBA Replacement Program for the public's benefit. He was particularly interested in the existing costs compared to the new expenses associated with this new program which includes a 10 year full warranty. Fortier stated this would be a net savings proposal. Tupper explained the current replacement program over a ten year span factoring in a slight cost increase for each of the packs over the term, including an estimated maintenance and repair plan on the existing packs would cost \$323,500. The proposed replacement program for the lease-purchase of 26 air packs and an air fill station totals \$236,399. This has a potential decrease of \$87,101 in appropriations over the ten year period; not including the revenues gained from the sale of the existing packs. There has already been some interest from an agency in purchasing 15 of those units; leaving an additional 20 packs that could still be sold. Those monies would also be used to offset this purchase. Councilor Moore recognized this purchase is a lot of money; however, the Council realizes how important this equipment is. He asked Tupper to express for the public's benefit why the air packs are important to the profession.

Revolve Air Fill Station from IPS in the amount of \$236,399, and to authorize the City Manager to enter into a municipal lease-purchase agreement with Gorham Leasing Group with annual installment payments of \$52,100.41 for five years, and also authorize Council Order #011910 per the attached written order (attachment #4).

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Tupper stated the air packs are the lifeline for a firefighter while fighting fires. The air packs bring fresh air to the firefighters as they enter into a burning structure where that atmosphere is immediately dangerous to life and health. If a person were in a burning building breathing in the smoke and contaminates, it would kill them without these air packs. The air packs allow the firefighter to do their job and leave the scene alive. Fortier noted this purchase allows the Department to standardize all the air packs to one type, one model, provide a warranty on the electronics, and offers a display unit for the firefighter in their immediate vision. A few years ago this process was used for the masks. Fortier explained the benefits of providing a standardized mask which flowed over to the same benefits of standardizing the air packs within the Department. Fortier felt this program was a win-win for the City due to the monetary savings recognized including those savings from the sale of half of the current units. Tupper noted the final key component in regards to the financial piece of this program was currently there are 38 existing air cylinders that will be at their life expectancy this calendar year. This requires the cylinders to be disposed of and new ones purchased. This expense alone is \$33,250; rather than investing in those cylinders for the current program those monies could be better spent on newer technology. It was noted the Order Number within the suggested motion and notated on the Order Authorizing Lease Financing of Up To \$236,399 to Finance the Acquisition of Fire Safety Equipment was incorrectly referred to as Council Order #011909 and should have been referenced as Council Order #011910 to match the agenda item. This will be corrected on the official Order that is filed and attached to the minutes, as well as the motion being made this evening.

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

RESOLVED to approve Council Order #011910, Request of the Fire Chief to lease-purchase twenty-six (26) Scott X3Pro Self Contained Breathing Apparatus (SCBA) units from Fire Tech & Safety and a Scott Revolve Air Fill Station from IPS in the amount of \$236,399, and to authorize the City Manager to enter into a municipal lease-purchase agreement with Gorham Leasing Group with annual installment payments of \$52,100.41 for five years, and also authorize Council Order #011910 per the attached written order (attachment #4).

Council Order #011911, Request of the Deputy City Manager to award a \$3,055,400 General Obligation Bond (GOB) for various projects that were previously financed through bond anticipation notes.

**Approved - Council
Order #011911,
award the General**

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JANUARY 14, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: FORTIER, GRINDLE, HAMILTON, HUDSON,
MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT: BLANCHETTE

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JENNIFER MERCHANT, MIKE HANGGE, TROY BIRES, RICHARD TUPPER,
GARY SAUNDERS, AND HEIDI GRINDLE.**

Tammy Mote, Deputy City Manager explained back in 2016 the City of Ellsworth authorized an issuance of \$1,955,400 of general obligation bonds. This included the new fire engine, new compactors and balers at the Ellsworth Transfer Station and Recycling Center, reconstruction of a portion of State Street, including sewer improvements, sidewalk upgrades, and installation of an intersection at State Street and Forrest Avenue, as well as construction of Forrest Avenue Extension (now referred to Lejok Street) and upgrades to Forrest Avenue. In 2018, the City Council authorized an issuance of general obligation bonds in the amount of \$1,100,000 to finance reconstruction, repairs, and upgrades for drainage located on State Street and Forrest Avenue, reconstruction, repairs, and upgrades to a portion of Bayside Road, replacement of fuel tanks at the Ellsworth Harbor, and reconstruction, repairs, and upgrades to the Water Street parking lot. Each of these issuances were borrowed from local banking institutions in the form of a bond anticipation note (BAN) while the projects were being completed. These BAN's are now reaching maturity and the City needs to consolidate them in the form of permanent financing under a 10 year program. Mote explained a request was sent out to 7 local banking institutions with 6 proposals being received back. See attachment #5 for the complete request and bid information submitted from the low bidder of Key Bank. The lowest interest rate was received from Key Bank at 3.061%. Mote noted this does not require a formal public hearing as it has already been authorized by the City Council at the time of the initial borrowing. Councilor Hamilton asked Mote to explain for the public's benefit the difference between a BAN and permanent financing, as well as the reasons the City enters into a BAN and then proceeds to permanent financing such as a General Obligation Bond (GOB). Mote explained the City borrows an anticipation note, while the project is being worked on, as only an estimate is available for how much the project will ultimately cost. Once the project is completed, there are better/real numbers which allows for the permanent financing to take place. The anticipation notes are borrowed on a short term basis and the maximum the City has in its Charter is a three year term. At that point the financing would need to be converted to a permanent form of financing which is generally for a longer term. Gordon Workman, Ellsworth resident inquired about the funds that were set aside to install compactors at the Transfer Station. He questioned whether that project was completed. Fortier explained that project has been approved, measurements taken, there is a contractor assigned to the project and the compactors will be installed at the end of February. Workman inquired about the additional funds that were requested to complete this project during an earlier Council meeting. Fortier explained the contract was awarded at that

**Obligation Bond
(GOB) low bidder to
Key Bank at an
interest rate of 3.061
percent for a
\$3,055,400 General
Obligation Bond
(GOB) as presented
in attachment #5.**

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JANUARY 14, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: FORTIER, GRINDLE, HAMILTON, HUDSON,
MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT: BLANCHETTE

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JENNIFER MERCHANT, MIKE HANGGE, TROY BIRES, RICHARD TUPPER,
GARY SAUNDERS, AND HEIDI GRINDLE.**

meeting, and likely the motion at that time stated funds to come from future borrowing. Mote explained there were some funds set aside each budget year over the past few years for this project and now the additional funds are needed for replacing the compactor and baler at this time.

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

RESOLVED to approve Council Order #011911, award the General Obligation Bond (GOB) low bidder to Key Bank at an interest rate of 3.061 percent for a \$3,055,400 General Obligation Bond (GOB) as presented in attachment #5.

Council Order #011912, Request of the Finance Director to withdraw \$32,000 from the Capital Reserve Account to reimburse costs of an officer's training at the Police Academy.

Troy Bires, Ellsworth Police Captain explained this request helps the Department reach adequate staffing levels. The Department would like to hire Levi Soper from the Southwest Harbor Police Department. Soper is an Academy graduate, graduating approximately 1.5 years ago, and was a previous Ellsworth Parking Enforcement Officer. He is knowledgeable with the City of Ellsworth and the Ellsworth Police Department computer system as Southwest Harbor Police Department uses the same system. See attachment #6 for the complete request. The monetary request this evening is the prorated reimbursement figure payable to the Southwest Harbor Police Department for Soper's time at the Police Academy. Chairman pro tem Fortier stated this is required by State Statutes. Fortier noted this is less costly than sending a new hire to the Academy including all the associated costs. Bires confirmed as Soper is already trained he should be ready for patrol shortly and that will cut down on overtime costs. David Cole, City Manager noted this is a good value for the taxpayers of Ellsworth.

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

RESOLVED to approve Council Order #011911, Request of the Finance Director to withdraw \$32,000 from the Capital Reserve Account to reimburse costs of an officer's training at the Police Academy.

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

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

Approved - Council Order #011911, Request of the Finance Director to withdraw \$32,000 from the Capital Reserve Account to reimburse costs of an officer's training at the Police Academy.

Approved - Entering executive session at 7:40 PM for the purpose of discussing

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JANUARY 14, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: FORTIER, GRINDLE, HAMILTON, HUDSON,
MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT: BLANCHETTE

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JENNIFER MERCHANT, MIKE HANGGE, TROY BIRES, RICHARD TUPPER,
GARY SAUNDERS, AND HEIDI GRINDLE.**

RESOLVED to approve entering executive session at 7:40 PM for the purpose of discussing labor contracts in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.

No action will follow except to adjourn the meeting. Tammy Mote, Deputy City Manager remained in the Executive Session.

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

RESOLVED to approve adjournment from the executive session at 8:13 PM.

Adjournment.

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

RESOLVED to approve adjournment at 8:14 PM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

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

**Approved -
Adjournment from the executive session at 8:13 PM.**

**Approved -
Adjournment at 8:14 PM.**