

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 15, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BLANCHETTE, FORTIER, HUDSON, MOORE
(arrived at approximately 7:15 PM), AND PHILLIPS.**

CITY COUNCIL ABSENT: GRINDLE AND HAMILTON.

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
KELLY HERRICK, MICHAEL HANGGE, STEVE FULLER, CHAD WILMOT,
SHAWN MERCHANT, JEFF HALL, LISA SEKULICH, GARY SAUNDERS,
DUSTIN LEYENDECKER, 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 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:

March 18, 2019 Regular Meeting.

March 29, 2019 Special Meeting.

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

RESOLVED to approve adoption of the Ellsworth City Council minutes from the March 18, 2019 Regular Meeting and March 29, 2019 Special Meeting as presented this evening.

City Manager's Report.

David Cole, City Manager thanked the public for their patience as this is a difficult time of the year for the roads. He also thanked the Public Work's crew for managing the roads that makeup the City of Ellsworth and the problems with the roads are being addressed as quickly as possible. Cole appreciated everyone being patient.

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of the Ellsworth City Council minutes from the March 18, 2019 Regular Meeting and March 29, 2019 Special Meeting as presented this evening.

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Committee Reports.

➤ *Harbor Commission.* Councilor Phillips reported on the April 10, 2019 Harbor Commission meeting. The mooring applications have been mailed out and are in the process of being returned. The pre-bid meetings were held for the fuel tank project on April 11, 2019. The goal was that three companies would bid on this project. There was a discussion on how to extend the walkway from the existing gazebo to the second one and beyond; the discussions included whether to use cement or hot-top material. The final decision was cement would be the preferred material. Phillips reported there was no ice damage reported following the winter season. City Manager David Cole and Phillips both agreed the ice-eaters used at the Harbor worked very well.

➤ *HR Committee.* Councilor Fortier reported that the HR Committee met along with City Manager David Cole and reviewed the qualifications of two candidates for the open City Planner position as well as four people were interviewed for the vacant alternate member positions on the Planning Board. A recommendation has been made to Cole for the Planning Board membership and it is Cole's appointment for the Planner position. Fortier reported there were some good applicants and he looks forward to working with the successful candidates.

Citizens' Comments.

Rosamond Rea, resident of Ellsworth and a member of the Ellsworth Green Action Team reminded the public of some of the activities being accomplished by the Green Action Team this spring. The Team thanked the City Council for accepting a draft ordinance on eliminating single use plastic bags in Ellsworth. The Committee stands ready to participate in a workshop on the topic whenever the City Council feels the staff and the City Council or ready to have one. They are mindful this is budget season and that the City Officials are busy with that time sensitive task; however, the plastic problem will not be going away and many citizens and businesses are eager for the City Council to pass this ordinance. Rea thanked the City of Ellsworth for co-sponsoring two spring cleanup events and encouraged members of the public to participate in one or both opportunities. The first event will be the annual Card Brook Cleanup, which is a joint effort by the City and the Frenchman Bay Conservancy scheduled for April 27, 2019 from 9:30 AM to 11:30

Committee Reports.

Citizens' Comments.

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AM. Volunteers for this event are asked to meet in the Hannaford parking lot. The second event is the weeklong effort by the City of Ellsworth and the Ellsworth Green Action Team to conduct a spring cleanup of local roadsides. The event starts on May 4 when many volunteers are expected to pick up the special yellow trash bags from Ellsworth City Hall before heading out to clean up the different roadsides throughout the City. Rea thanked the City Council for allowing citizens to pick up the special yellow trash bags at City Hall, Monday through Friday from 8:00 AM until 5:00 PM in the week preceding the May 4, 2019 cleanup as well as allowing the City Public Works Department to pick up the full trash bags as they are left on the roadside. Hundreds of pounds of waste have been collected in past years through these two cleanup events. Rea noted the Green Action Team was hopeful that the City Council is staying informed about the ever changing issues of recycling. She explained several Maine communities have found ways to keep more kinds waste flowing into the recycling stream compared to what Ellsworth recycles. The Green Action Team encouraged the City Council to continually review the recycling situation and remain flexible to making changes.

Martha Dickinson resident of Ellsworth discussed the possibility of solar power in Ellsworth. Dickinson noted she is also a member of the Ellsworth Green Action Team and the concept of solar power is a high priority for this group. There will be more details on this initiative soon. Dickinson noted it saves municipalities money by installing solar panels to generate enough power used by their municipality as well as reduces the fossil fuels being burned. There a few sites within Ellsworth being considered for solar panels such as the old landfill and possibly a few others. Dickinson noted three particular areas: 1) municipal solar, which has already been explored by communities such as Bar Harbor and Belfast. 2) A program called Solarize Ellsworth would be similar to the recent Weatherize Ellsworth project. This would be a group buying plan where the City picks an installer and then cost savings are passed on to businesses and individuals to install solar at their homes and businesses. This project does not cost the City money it only takes some organization by the City. 3) Community Solar Farms, which has also been done by other municipalities. This would be a way for residents who do not really have solar possibilities on their houses to buy solar panels and then lease a site from the City or other designated source. This should not cost the City money, it would just require organization on the City's part and could result in revenue to the City. Dickinson recapped there are at least three ways the City could take advantage of

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the inexpensive solar panels, this saves money as well as is the responsible and right thing to be doing for the environment.

Presentation of Awards.

Glenn Moshier, for fifteen years of service with the Ellsworth Police Department.

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

Richard Tupper, for thirty years of service with the Ellsworth Fire Department.

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

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

CONSENT AGENDA

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

*Council Order #041900, Request of the City Clerk for appointment of Wardens and Ward Clerks for the four voting districts within the City of Ellsworth for the June 11, 2019 City of Ellsworth School Budget Validation Special Municipal Referendum Election. **

See attachment #1 for a complete list of the Wardens and Ward Clerks for the City of Ellsworth School Budget Validation Special Municipal Referendum Election.

Presentation of Awards.

Glenn Moshier – 15 years with Police Department.

Richard Tupper – 30 years with Fire Department.

Unfinished Business.

Consent Agenda.

Approved - Consent agenda items as presented this evening.

Approved – CO #041900, appointment of Wardens and Ward Clerks for 06/11/2019 Election.

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*Council Order #041901, Request of the City Clerk for approval on setting the polling places opening time as 8 AM for the June 11, 2019 City of Ellsworth School Budget Validation Special Municipal Referendum Election. **

*Council Order #041902, Request of the Deputy Treasurer/Tax Collector to accept payments on tax-acquired timeshare units per the attached spreadsheet and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds. **

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

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

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

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

RESOLVED to approve suspending the rules to move item #19 up to the next item discussed by the City Council.

Council Order #041906, Discussion and authorization on accepting recyclable materials from commercial businesses that were previously delivered to Coastal Recycling Corporation in Hancock.

David Cole, City Manager explained he has been working with the Solid Waste Committee and particularly Chairman Blanchette and Councilor Fortier in regards to Coastal Recycling in Hancock ceasing operations and the impact that is having on commercial operations conducting business in Ellsworth. Discussions and brainstorming sessions on the different options for Ellsworth have been taking place between Cole, Tammy Mote (Deputy City Manager), Lisa Sekulich (Public Works Director), and members of the Solid Waste Committee as well as what role the Ellsworth Recycling Center can play in this situation. Kathy Cook from the Ellsworth American's business office was present at the meeting tonight. There have been discussions with the Ellsworth American in regards to potentially

Approved – CO #041901, 8:00 AM opening time for 06/11/2019 Election. Approved – CO #041902, accept payments on tax-acquired timeshare units and release properties through quit-claim deeds.

Approved - Suspending the rules to move item #19 up to the next item discussed by the City Council.

Approved - Council Order #041906, Authorize the City Manager to execute an interim recycling agreement, up to 90 days, with the Ellsworth American to accept recyclable newsprint materials at a rate of \$40 per ton.

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entering into an ongoing agreement to accept their recyclable material (newsprint). They produce approximately 80 tons a year of newsprint. This material has been going to Hancock and now they need to find a new location to take this material; it has started to pile up as the Hancock location is no longer accepting it. See attachment #8 for a copy of the complete request. The request this evening is for the City to enter into an interim agreement with the Ellsworth American to accept recyclable materials; they have been working toward developing an ongoing agreement to bring to the Solid Waste Committee and the City Council. In the meantime, rather than have this material go to a landfill through regular disposal means which is both expensive and not the best option for the environment; it is being proposed that the City Council allow the City Manager to craft and execute an interim agreement of up to 90 days with the Ellsworth American. This would allow the Ellsworth Recycling Center to accept recyclable materials at a rate of \$40 per ton which is consistent with what they were paying in Hancock. The Ellsworth American would provide the specialized baskets to move the material around in, currently they do not have to provide those in Hancock. They have agreed to this accommodation in addition to being very flexible as to when they bring the materials based on the needs of the Ellsworth Recycling Center. The Public Works Director feels this is a very manageable situation within the interim period. Based on the experiences during the interim period the terms of a longer agreement can be finalized. Even though the motion says 90 days the intention is to bring the long term agreement back to the Council at the next regular Council meeting or shortly after. Cole noted there may be other groups interested in bringing their recyclable materials to Ellsworth so there may be other proposals coming before the Council over the next few months. Cole explained from an economic development standpoint the Ellsworth American is a manufacturing company, they bring in work from outside of Ellsworth, and employ local people. Councilor Fortier was very supportive of this request and believes the hierarchy of solid waste in the State of Maine is out of alignment and that nothing should go into a landfill unless it is burned following the process of making electricity. He also felt this would allow time to see if the interim agreement is working and to make adjustments within the final agreement. Councilor Moore endorsed this request and inquired how this would impact the finances of the City of Ellsworth. Cole explained this would be incremental revenue, consistent with the rate they were paying in Hancock, and it is believed to be beneficial to both parties.

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

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RESOLVED to approve Council Order #041906, Authorize the City Manager to execute an interim recycling agreement, up to 90 days, with the Ellsworth American to accept recyclable newsprint materials at a rate of \$40 per ton.

NEW BUSINESS

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

Driftwood, LLC d/b/a Chummies 59 Franklin Street Unit 2B for renewal of a City Class B License (Amusement, Liquor, and Victualer) and renewal of a State Class X, Class A Lounge Malt, Spirituous, and Vinous Liquor License.

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

RESOLVED to approve the request of Driftwood, LLC d/b/a Chummies 59 Franklin Street Unit 2B for renewal of a City Class B License (Amusement, Liquor, and Victualer) and renewal of a State Class X, Class A Lounge Malt, Spirituous, and Vinous Liquor License.

Ellsworth Moose Lodge #2698, 47 Foster Street, renewal of a City Class B License (Amusement/pool tables, Liquor, and Victualer) and renewal of a State Class V, Club w/o Catering Malt, Spirituous, and Vinous Liquor License.

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

Public hearing was opened.

New Business.

**Approved -
Driftwood, LLC
d/b/a Chummies 59
Franklin Street Unit
2B for renewal of a
City Class B License
(Amusement, Liquor,
and Victualer) and
renewal of a State
Class X, Class A
Lounge Malt,
Spirituous, and
Vinous Liquor
License.**

**Approved -
Ellsworth Moose
Lodge #2698, 47
Foster Street,
renewal of a City
Class B License
(Amusement/pool
tables, Liquor, and**

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There were no comments.

Public hearing was closed.

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

RESOLVED to approve the request of Ellsworth Moose Lodge #2698, 47 Foster Street, renewal of a City Class B License (Amusement/pool tables, Liquor, and Victualer) and renewal of a State Class V, Club w/o Catering Malt, Spirituous, and Vinous Liquor License.

Asset Management Inc. d/b/a Riverside Café, 151 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

RESOLVED to approve the request of Asset Management Inc. d/b/a Riverside Café, 151 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.

The Eagles Lodge Inc. 278 High Street for renewal of a City Lodging License.

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

Victualer) and renewal of a State Class V, Club w/o Catering Malt, Spirituous, and Vinous Liquor License.

Approved - Asset Management Inc. d/b/a Riverside Café, 151 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous, and Vinous Liquor License.

Approved - The Eagles Lodge Inc. 278 High Street for renewal of a City Lodging License.

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Public hearing was opened.

There were no comments.

Public hearing was closed.

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

***RESOLVED to approve the request of The Eagles Lodge Inc. 278 High Street for
renewal of a City Lodging License.***

*Public hearing and action on amendments to the City of Ellsworth Code of
Ordinances, Chapter 10, Ordinance for the Maintenance, Administration and
Disposition of Tax Acquired Property.*

Kelly Herrick, Deputy Treasurer/Tax Collector explained every year the City requests sealed bids on properties that have foreclosed due to non-payment of real estate taxes. This year two of the sealed bids received were the high bids on two separate properties; both of the high bidders than rescinded their offers once the bids were opened. Herrick spoke with legal counsel, it was recommended that the Ordinance be amended by adding language that would allow the City to retain the highest bid price deposit if the bidder rescinds their offer for any reason. See attachment #3 for a copy of the complete request and proposed language to be added. In short, the additional language would read, “should the bidder fail to pay the balance within 30 days or should the successful bidder choose not to complete the purchase for any reason the City shall retain the bid price deposit and title to the property”. Councilor Fortier noted this was an action item the Finance Committee suggested staff consult the City Attorney on because the Committee felt if earnest money is not kept than you can never get the true bid to be accepted.

Public hearing opened.

There were no public comments.

Public hearing closed.

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

**Approved - Request
of Tax
Collector/Deputy
Treasurer to amend
the City of Ellsworth
Code of Ordinance
Chapter 10
Maintenance,
Administration and
Disposition of Tax
Acquired Property as
presented in
attachment #3,
effective
immediately.**

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RESOLVED to approve the request of Tax Collector/Deputy Treasurer to amend the City of Ellsworth Code of Ordinance Chapter 10 Maintenance, Administration and Disposition of Tax Acquired Property as presented in attachment #3, effective immediately.

Council Order #041903, Request of the Deputy Treasurer/Tax Collector to write off uncollectible solid waste account balances, per spreadsheet available in the City Clerk's Department.

Kelly Herrick, Deputy Treasurer/Tax Collector explained the Tax Office has been in the process of cleaning up past due trash accounts. See attachment #4 for a copy of the complete request and the list of delinquent closed accounts which date from 2004 to 2013. The City has made multiple attempts to collect the past due charges, most of the fees are interest charges which have accrued over the years. The total amount to be written off in fees is \$1,533.42, the total outstanding interest fees is \$11,850.22 resulting in a total of \$13,383.64 to be written off.

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

RESOLVED to approve Council Order #041903, Request of the Finance Director to write off \$13,383.64 in past due closed trash accounts per attachment #4. The owners of the accounts listed within attachment #4 will not be allowed to have another account or ever charge at the Transfer Station again.

Before a vote was taken, Councilor Fortier clarified the owners of the accounts being written off are not allowed to have another account, they will not be allowed to ever charge at the Transfer Station again. Chairman Blanchette agreed and inquired if Fortier would like that requirement within his motion. Fortier confirmed that restriction should be included within the motion. Councilor Moore inquired if that would apply to the individual or if that could also be the family. Fortier felt only the individual could be blamed.

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

Approved - Council Order #041903, Request of the Finance Director to write off \$13,383.64 in past due closed trash accounts per attachment #4. The owners of the accounts listed within attachment #4 will not be allowed to have another account or ever charge at the Transfer Station again.

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Council Order #041904, Request of the Public Works Director to approve a lease agreement on an excavator for a term of up to 6 months at an estimated cost of \$4,500 per month.

Lisa Sekulich, Public Works Director explained the request is to rent for approximately 6 months an excavator equivalent in size to the 2007 Komatsu excavator previously owned by the City and sold at auction last year. This was sold due to the costly repairs it required. Three price quotes were obtained for renting this type of equipment. See attachment #5 for a copy of the complete request and rental quotes. Last year, the successful quote was received from Eagle Rental, they submitted the lowest quote again this year as well. Sekulich reviewed the quotes as received from the three different companies on comparable equipment. The request tonight is to rent the equipment from Maine Equipment Rental because they are proposing newer equipment (virtually brand new) and some downtime was experienced last year on the equipment rented from Eagle Rental. There were at least three different times the piece of equipment was down last year for a couple days at a time. The reason for the request is hopefully if newer equipment is rented maybe the downtime will not be experienced this year. Councilor Phillips inquired if the Case was a newer machine, Sekulich believes the business just started last year so it will be a 2018 or newer. It was also determined that the 145 is comparable to the 135, that is just the model description; the weight and tonnage is basically the same. They both come with the digging bucket, thumb, and cleanout bucket. Councilor Fortier noted this process was used last year and he felt it worked very well even though there were a few breakdowns. The department will have a machine to complete the work and once finished it is returned. Sekulich noted there was no maintenance cost involved and even when the breakdowns were experienced the City did not have to pay for the repairs, they were just out of service for a couple of days. To purchase a new excavator would cost approximately \$250,000; this equipment could be rented for approximately 10 years before the cost of a new one would be realized.

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

RESOLVED to approve Council Order #041904, Request go into a rental agreement with Maine Equipment Rentals, for a 145 Case excavator and attachments at a cost of \$4,500 a month, for a duration of approximately 6 months to be paid for through the Highway General Fund Account.

Approved - Council Order #041904, Request go into a rental agreement with Maine Equipment Rentals, for a 145 Case excavator and attachments at a cost of \$4,500 a month, for a duration of approximately 6 months to be paid for through the Highway General Fund Account.

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DUSTIN LEYENDECKER, AND HEIDI GRINDLE.**

Council Order #041905, Request of the Public Works Director to approve a rent to purchase agreement on a sweeper for a term of 3 months at an estimated cost of \$9,500 per month.

Lisa Sekulich, Public Works Director focused the Council's attention on attachment #6 for a copy of the complete request, rental agreement, and specifications for the sweeper. There is an option to purchase the sweeper should it be approved within the Fiscal Year 2020 Municipal Budget. If this happens, 70% of the monthly rental fee would be applied toward the purchase price. The rental of this item is requested based on the age and condition of the current sweeper and the costs required to get the sweeper to a condition that it could be used this season. The sweeper has been delivered to the Public Works Garage already. Chairman Blanchette inquired about the extended warranty. Sekulich believed the extended warranty covers almost everything. Councilor Fortier agreed he would like that information at the point the Council votes to purchase the sweeper; however, the vote tonight only covers leasing the sweeper. Blanchette was pleased to know that an extended warranty is available and will explore the finer details at the appropriate time if need be. David Cole, City Manager noted the City is covered during the lease period and the warranty would only apply if the City purchases the sweeper. Sekulich noted it will come with a 2 year warranty and additional years can be purchased past that. Councilor Moore noted the City will be getting a better piece of equipment this way and one that is capable of doing a much better job while cleaning up the streets. This piece of equipment has a vacuum, the ability to pick up leaves, and to clean out some of the catch basins which the City has not been able to complete in the past. This piece of equipment meets all the dust requirements, has an enclosed cab and uses sprayers with a vacuum instead of just brooms.

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

RESOLVED to approve Council Order #041905, going into a 3-month rental agreement with Northland Industrial Truck Co (Nitco) for a Ravo 15 sweeper to be paid with funds from the Highway Capital Improvement account (9090900-59004).

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

Approved - Council Order #041905, going into a 3-month rental agreement with Northland Industrial Truck Co (Nitco) for a Ravo 15 sweeper to be paid with funds from the Highway Capital Improvement account (9090900-59004).

Approved - Amendments to the

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 15, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BLANCHETTE, FORTIER, HUDSON, MOORE
(arrived at approximately 7:15 PM), AND PHILLIPS.**

CITY COUNCIL ABSENT: GRINDLE AND HAMILTON.

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
KELLY HERRICK, MICHAEL HANGGE, STEVE FULLER, CHAD WILMOT,
SHAWN MERCHANT, JEFF HALL, LISA SEKULICH, GARY SAUNDERS,
DUSTIN LEYENDECKER, AND HEIDI GRINDLE.**

Steve Fuller, Assistant City Planner explained the proposed amendment to the guidelines for the Housing Rehabilitation Program would allow non-profits to qualify. See attachment #7 for the complete request as well as the page from the guidelines addressing this amendment. Fuller reminded the Council that approximately two weeks ago they approved an amendment to allow quasi-municipal entities to qualify for funding. That amendment was primarily made with the Ellsworth Housing Authority and Union River Estates in mind and this amendment will specifically allow Families First Community Center to receive funding. Earlier in the process it was apparently discussed and decided to allow Families First Community Center to receive funding; however, when the guidelines were reviewed it did not allow non-profits to qualify under single family homes. The amendment this evening will allow for non-profits to qualify for funding under the guidelines. If this amendment is approved, Families First would qualify for \$30,000 in funding for the sprinkler system at their new facility on North Street. David Cole, City Manager noted this fits in between single family housing and multi-family housing units because it is transitional housing. This was a category that was not anticipated earlier in the process. Councilor Fortier stated it was important to note that the Director of the office that provided the City with the funding supports this change because it meets the intent of the program. This amendment is supported in the same manner as the previous amendment was because it helps spend the remaining funds on worthy projects that meet the intent of the program after the rules are amended slightly. The remaining funds need to be spent by June 30, 2019 or they will be lost. After the elevator and sprinkler system projects are completed the funding will be very close to exhausted.

Public hearing opened.

There were no comments.

Public hearing closed.

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

RESOLVED to approve the amendments to the Ellsworth CDBG Housing Rehabilitation Guidelines as presented in the attachment (attachment #7), effective immediately.

**Ellsworth CDBG
Housing
Rehabilitation
Guidelines as
presented in the
attachment
(attachment #7),
effective
immediately.**

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SHAWN MERCHANT, JEFF HALL, LISA SEKULICH, GARY SAUNDERS,
DUSTIN LEYENDECKER, AND HEIDI GRINDLE.**

Presentation and discussion on the City of Ellsworth and Emergency Medical Services partnership.

Richard Tupper, Fire Chief explained it has been approximately six months since the City Council entered into a housing agreement with Northern Lights Medical Transport. Overall this has been a very good working relationship between the two departments. Almost all aspects of the partnership have been in a positive light. The crews are working very well together both in the station and out. The structure fire on Oak Street was a great example, both ambulances were there as well as a third one was sent down from Bangor to back up the two at the scene and to assist the Fire Department with many of the support roles needed at the scene. There have been a few learning curves and adjustments. It is a little crowded downstairs, the morning shift change has been discussed often because that requires 16 people to be in the club room at once. Those are easy hurdles to overcome and positive problems to have. There has only been a very few personality conflicts, those have been handled in house very quickly and efficiently. Tupper only had one concern and that was regarding moving forward and being able to help fill the gaps when both ambulances are busy on a call and there may be a third call. The Fire Department would like to be a solution to that situation. Tupper suggested moving forward with this housing agreement that is in place and to work on training the firefighters to be licensed to the EMT basic level, so that they can help in times of need for the citizens. Ed Moorshead, Director of Northern Light Medical Transport echoed the thoughts of Tupper as far as how well this pilot has been going and regarding the tight quarters in the basement. Based on the limited space available he had reservations; however, this has gone much better than initially believed it would. Most of the ambulance crew lives in this area which contributed to large buy in to this partnership. There have been many discussions about the training and together with Atlantic Partners EMS a grant has been secured. The grant is for the basic EMT tuition, the class would be held at City Hall, and will save approximately \$895 per student. This would also save money by eliminating the travel time. An instructor would be provided and the City of Ellsworth would be responsible for the books and the background checks. This would be a huge savings to the City and this type of opportunity does not come around often, especially in Ellsworth. The classes are generally held in Bangor. An agreement has been reached with Atlantic Partners and approved for this fall, now Tupper will complete the leg work on this opportunity. David Cole, City Manager noted they are in the process of finalizing

This was a presentation only tonight, there was no formal action taken or required this evening.

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**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
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DUSTIN LEYENDECKER, AND HEIDI GRINDLE.**

the Manager's budget and the training funds have been adjusted to allow for the grant. This not only reduces the per pupil cost down to the cost of the books but the travel time is eliminated compared to commuting to Bangor for a similar class. Councilor Fortier noted it reduces the risk of having employees on the road late at night. Fortier felt this was a great opportunity. This will save \$895 per student and there can be up to 17 students in the class. The City Police Department cannot conduct the background checks. Fortier spoke in agreement with comments made by Tupper concerning the positive aspects of this pilot program. He believes everyone involved is there for the right reasons. Fortier thanked the EMTs for all their assistance at the Oak Street fire. Councilor Phillips stated it sounds like a good working relationship and would like to see it continue. He is happy this has been a positive program and wished them luck with the training.

This was a presentation only tonight, there was no formal action taken or required this evening.

Executive Session to discuss labor negotiations between the City of Ellsworth and: the Ellsworth Highway Department Unit, Local #327, Massachusetts and Northern New England Labors' District Council; the International Association of Firefighters AFL-CIO, Local 3402, in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.

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

RESOLVED to approve entering executive session at 7:50 PM for the purpose of discussing labor negotiations between the City of Ellsworth and the Ellsworth Highway Department Unit, Local #327, Massachusetts and Northern New England Labors' District Council; and the International Association of Firefighters AFL-CIO, Local 3402, in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D.

Tammy Mote, Deputy City Manager attended the Executive Session.

Approved - Entering executive session at 7:50 PM for the purpose of discussing labor negotiations between the City of Ellsworth and the Ellsworth Highway Department Unit, Local #327, Massachusetts and Northern New England Labors' District Council; and the International Association of Firefighters AFL-CIO, Local 3402, in accordance with MRSA Title 1,

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 15, 2019

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(arrived at approximately 7:15 PM), AND PHILLIPS.**

CITY COUNCIL ABSENT: GRINDLE AND HAMILTON.

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
KELLY HERRICK, MICHAEL HANGGE, STEVE FULLER, CHAD WILMOT,
SHAWN MERCHANT, JEFF HALL, LISA SEKULICH, GARY SAUNDERS,
DUSTIN LEYENDECKER, AND HEIDI GRINDLE.**

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

RESOLVED to approve adjournment from the executive session at 8:02 PM.

Council Order #041907, Action on proposed contract between the City of Ellsworth and the Ellsworth Highway Department Unit, Local #327, Massachusetts and Northern New England Labors' District Council.

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 #041907, the contract between the City of Ellsworth and the Ellsworth Highway Department Unit, Local #327, Massachusetts and Northern New England Labors' District Council as presented this evening in attachment #9.

Council Order #041908, Action on proposed contract between the City of Ellsworth and the International Association of Firefighters AFL-CIO, Local 3402.

There was no discussion prior to a motion being made.

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

RESOLVED to approve Council Order #041908, the contract between the City of Ellsworth and the International Association of Firefighters AFL-CIO, Local 3402 as presented this evening in attachment #10.

Chapter 13, Section 405, Paragraph 6D.

Approved - Adjournment from the executive session at 8:02 PM.

Approved - Council Order #041907, Contract between the City of Ellsworth and the Ellsworth Highway Department Unit, Local #327, Massachusetts and Northern New England Labors' District Council as presented this evening in attachment #9.

Approved - Council Order #041908, Contract between the City of Ellsworth and the International Association of Firefighters AFL-CIO, Local 3402 as presented this evening in attachment #10.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: APRIL 15, 2019

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BLANCHETTE, FORTIER, HUDSON, MOORE
(arrived at approximately 7:15 PM), AND PHILLIPS.**

CITY COUNCIL ABSENT: GRINDLE AND HAMILTON.

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
KELLY HERRICK, MICHAEL HANGGE, STEVE FULLER, CHAD WILMOT,
SHAWN MERCHANT, JEFF HALL, LISA SEKULICH, GARY SAUNDERS,
DUSTIN LEYENDECKER, AND HEIDI GRINDLE.**

Council Order #041909, Request to approve a sidebar agreement between the City of Ellsworth and The Ellsworth Police Benevolent Association and the Maine Association of Police to amend the Overtime Distribution Agreement.

Glenn Moshier, Police Chief explained there are several new officers with limited experience in the Department. It was quickly realized based on the current rules regarding overtime distribution there was no way to guarantee that if a supervisor had the night off that shift would be filled with someone who had supervisory experience or at least a minimum of three years' experience. See attachment #11 for the complete request as well as the proposed sidebar language. Moshier reached out to the Union once he realized this was a potential problem. The Union was receptive and the membership was in agreement concerning the resolution which was to amend the wording within the distribution rules to state if a supervisor shift is vacated, first priority for filling the shift will go to another supervisor, second priority to officers with a minimum of three years patrol experience, and if still not filled it can be filled with any member of the unit. The sidebar agreement was drafted by the Union as they were in agreement with the priority listing to fill a vacant supervisor shift. Councilor Fortier felt this was a good catch, he was pleased Moshier saw a potential issue and brought a solution to the Council.

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

RESOLVED to approve Council Order #041909, authorize the City Manager to sign the sidebar agreement between the City of Ellsworth and the Ellsworth Police Benevolent Association and the Maine Association of Police as presented this evening in attachment #11.

Adjournment.

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

RESOLVED to approve adjournment at 8:08 PM.

A TRUE COPY

ATTEST: _____

HEIDI-NOËL GRINDLE

Approved - Council Order #041909, authorize the City Manager to sign the sidebar agreement between the City of Ellsworth and the Ellsworth Police Benevolent Association and the Maine Association of Police as presented this evening in attachment #11.

Approved - Adjournment at 8:08 PM.