

**RECORD OF EMERGENCY MEETING
ELLSWORTH CITY COUNCIL
Teleconference only via Zoom Conferencing technology**

DATE: April 02, 2020

TIME: 6:30 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BLANCHETTE, GRINDLE, HAMILTON,
KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JANNA RICHARDS, DWIGHT TILTON, JASON INGALLS, GLENN MOSHIER,
AND HEIDI GRINDLE.**

Call to Order.

Chair Hamilton called the emergency meeting of the Ellsworth City Council to order at 6:30 PM.

Roll Call of members present.

Chair Hamilton called the roll of members present: Miller, Kaplan, Blanchette, Moore, Grindle, Phillips, and Hamilton.

Hamilton explained to the public watching this meeting on the website or Facebook, this meeting has been set up so that members of the public wishing to make a comment can send an email to dhamilton@ellsworthmaine.gov. Hamilton will be monitoring his email and trying to add the public's input to the meeting as appropriate. The goal is to include the public given the unique nature of this meeting.

Council Order #040000, possible action on adoption of an Emergency Ordinance limiting hotel, motel and short term rentals to those deemed essential workers, General Assistance clients, and those taking care of family members.

David Cole, City Manager explained Councilor Kaplan created a document addressing the concern with an influx of non-resident visitors to Maine during this health crisis. It has been on the local and national news since Ellsworth, Hancock County and many communities throughout Maine are seeing a large number of out of state license plates. The Governor has also addressed this concern as recently as her press conference announcing the Stay at Home Order. Based on Kaplan's write up and at the request of Hamilton, Cole created a draft Resolution for consideration this evening. This Resolution contained the facts as Kaplan submitted them as well as included what is actually happening on a local and federal level. Monday evening, March 30, 2020 the Bar Harbor Council met and voted by a 4 to 3 margin to approve restrictions on short-term rentals to local caregivers and needs only. Short-term rentals included hotels, motels, air B&B, and other types of rentals meeting this definition. This type of Resolution/ Temporary Ordinance has also been passed in Portland. At the time Cole was writing one for the City, Portland

Call to Order.

Roll Call.

**Approved -
Temporary
ordinance for the
City of Ellsworth
regarding short term
rentals and non-
resident visitors
during this outbreak
that was received
today by email. This
will expire at the end
of April and wording
will be added to state
there will be
discretion in terms of
the local authorities
making exceptions**

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was only proposing theirs as a recommendation. Later in the week, Cole thought it might be necessary to offer a Temporary Ordinance as second type of document to consider for Council approval. The difference is the Ordinance would contain fines and be enforceable; whereas, a Resolution would just be a recommendation. Cole explained one is not being pushed over the other; this is just to provide two different options to the Council for consideration. Cole further explained the Council could decide to adopt the Resolution, Ordinance, make revisions to one or the other, or not approve either and thus do nothing at all. Given the events that have been taking place over the last few weeks, Cole at least wanted to offer that as an option. See attachment #1 for the complete draft Emergency Ordinance and draft Resolution. Dwight Tilton (Code Enforcement Officer) and Glenn Moshier (Police Chief) were on the teleconference tonight as they would be the City staff responsible for any enforcement action. Councilor Kaplan stated she has specifically asked out of state patients in both Bangor and MDI what is bringing them to Maine this time of year. Their specific answer is they are escaping COVID; that is extremely concerning and not acceptable. These visitors are not even self-quarantining for the recommended 14 days. The medical professionals are advising those visitors to put masks on and remain at home for at least 14 days; this is more than just a recommendation it is a necessity. Kaplan felt the goal of making strong recommendations is to influence this curve in a positive direction. The virus is already in Maine; however, the fewer infected people that come here the better. The transmittal rate for each person that does come here infected is they will expose 2.6 other people to the virus. Councilor Blanchette inquired how this would be enforced. Kaplan explained there is a CDC action that was taken during the Ebola crisis in addition to the Governor's Order which states penalties. This can be enforced through the CDC if they suspect there is a person carrying a disease under the specific Order for Quarantine Under Section 361 of the Public Health Service Act 42 Code of Federal Regulations Part 70 (Interstate) and Part 71 (Foreign) of 2016. The Order gives the CDC the lawful power to quarantine residents suspected of carrying a virus or disease. Under Governor Mills' Order, it states a person not following the recommendations of the State such as the Stay at Home Order is punishable by a \$1,000 fine and/or up to 6 months in jail. There is a little bit of teeth in the Ordinance and Orders currently being passed and recommended. The finer details on how it will be enforced are not completely known yet. Blanchette noted from his understanding there are many exceptions such as if you are traveling to work, a pharmacy, grocery store, childcare, to care for a sick relative, as well as a few others. He felt there were too many loopholes; therefore, he did not see any

based on common sense.

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way this could be enforced. Blanchette acknowledged the virus was here, didn't see where passing this type of request would stop it, as well as there is no accountability for non-residents to check in once they cross the bridge in Kittery. Kaplan recognized the City or even the State could not stop non-residents from coming over the state border; however, the question is can the City or State require them to self-quarantine for the recommended 14 days. Under the Public Health Services Act in 2016 during the Ebola Crisis there was a case where a nurse was mandated to be quarantined for a certain amount of time. This type of mandated quarantine is enforceable by the CDC, as determined by the US Supreme Court as well as State's have the right to enforce those quarantine powers. The Public Health Services Act was thought to be dormant; however, it has been revisited as early as 2017. Chair Hamilton clarified under this request the City is not saying they would have any authority to quarantine. He explained what Kaplan is speaking about is the CDC and the State have the authority to do that; this Resolution or Ordinance does not give the City the authority to require people be quarantined. Blanchette questioned why this concept was being discussed by the Council if they do not have any authority; he felt this was a State issue and not an Ellsworth issue. This week when the Governor issued the Stay at Home Order with the provisions in it; it started to address some of the concerns that have been discussed within the Community concerning stopping the spread of the virus. It has been determined by scientific facts that this virus is impacted by social distancing; initially when the Resolution and Ordinance were being developed it was prior to the Governor's Order. Hamilton explained the Resolution whether it can be enforced or not provides the positive element of being able to convey a message to the Community that this is important and the local government is looking at it. The Resolution also serves as a way to offer recommendations about how everyone should be responding within the Community to address this public health threat. Hamilton was not personally sure an Ordinance was the right direction; he was leaning more toward the Resolution with an end of April 30, 2020. The need for the Council to be clear about the timeframe was based on a discussion Hamilton had with a seasonal business owner who was concerned if the Council got to far ahead of the cycle for this situation it could jeopardize the seasonal businesses as well. Staying consistent with what the Governor has stated conveys a strong message to the Community of how serious this crisis is. The City wants to take every precaution to ensure the residents are safe while trying to ensure the pandemic does not spike to the level where the local hospitals are able to care for the people who are ill. For Hamilton this is a step of informing the Community and making a strong statement. Blanchette was

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concerned the City was basing this Ordinance on certain license plates and lodging reservations to determine the people who should not be here; he gave some examples of situations where residents may be using those services and should not be viewed as non-residents and challenged. Hamilton felt those concerns may be related to the next agenda item #040001 Resolution regarding Non-Resident Visitors; this agenda item deals with hotels and short-term rentals. Kaplan explained the CDC Nationwide is asking people to stay where you are and self-quarantine for 14 days. The Order is to stay where you are, not where you want to be because we are in the middle of a global pandemic. Staying where you are will limit the ability for the virus to be transmitted. Kaplan noted when this is all over, we will welcome everybody. Councilor Miller agreed it was perfectly okay to ask people to stay where they are right now; if they must come here right now then they need to self-quarantine for 14 days. Cole noted the Resolution sends a message locally as well as to Augusta and Washington; however, is important to note it would not be enforceable. The Ordinance is a restriction on short-term rentals which contains exceptions when it is necessary to quarantine somewhere other than your home, an essential worker, contractor with essential business, general assistance clients, or some other practical reasons that support ongoing essential activities. The Ordinance would involve potential fines of \$100 up to \$2,500 as the Attorneys have structured it, if a business is renting to anyone outside of those restricted areas. Cole was not suggesting this would be enforced by identifying out of state license plates because recently the news reported local residents are using rental cars for business and safety purposes which may have out of state plates on them. Police Chief Glenn Moshier stated his advice on how to enforce the Ordinance would be to take an education avenue first. The Officers are currently discussing the Ordinance requirements and the Governor's Stay at Home Order with the offending parties first. The components within the documents are very good; however, the enforcement piece is much more difficult. Moshier is hearing across the State that Police Departments are handling the enforcement piece in the same manner he is. They are maintaining a visual presence so that the public is aware the Police are present and watching for activity that has been placed on hold during the Stay at Home Order. The Police Department is also working with the businesses to ensure they have plans in regards to conforming to the number of people allowed within the buildings at one time. They have been assisting with helping them create areas while consumers wait to enter the business. Moshier felt if the City approves moving forward with the Ordinance they would continue to take the educational and working as a team approach first. They would expand

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their discussions to the hotels, motels, air B&B market, and any other short-term rental parties and explain the Ordinance to them. They will also discuss the principles behind the intent of the Ordinance just to ensure everyone is aware of the temporary requirements. Moshier is hoping to continue to receive voluntary compliance from businesses. In the event they are contacted with a potential violation of the Ordinance they would seek out and investigate the possible violations. If they were determined after the investigation to have willfully violated the Ordinance then it would be handled appropriately as stated in the Ordinance. The approach will remain the same as it is for the Governor's Order. Which is not to seek out the violators; however, when they are presented with information that someone is blatantly violating the Governor's Order or the City's Temporary Ordinance then his department will conduct an investigation and take the appropriate course of action based on what they are able to uncover through the investigation. Hamilton noted the intention is not to impose restrictions on businesses that are going to cause problems; however, at this point we are in a situation where many businesses are already shutdown. Not only is there a significant health issue the City is at the beginning of the curve. Hamilton feels there are still several weeks ahead of the City in dealing with this issue and the sooner the City and ultimately the State can flatten the curve the faster the businesses can start operating again. The purpose behind the Resolution is to provide some direction and guidance to the lodging businesses to help the City and the Country to deal with this situation in a way that takes the Communities health into account. The enforcement will be difficult; however, it will be beneficial to coincide this Ordinance with the Governor's Order which extends through the end of April. The impact on businesses will not be tremendous at this point because that has already taken place by the Governor's current Order and the City will have an opportunity to see where the situation stands as we get closer to the end of the month. Hamilton felt to do nothing or say nothing as a Council would be the wrong direction to take; he feels they need to send a message that they want to support and protect the health of their citizens. This type of Resolution/Ordinance satisfies that type of statement. He feels it should be limited; however, accomplish all the principles as well as support businesses in starting back up operations. Hamilton stated the Council wants to welcome all visitors to this area this summer and it will be a great place to be this summer; however, at this point through the month of April it is not the place to be. People should stay home and shelter wherever you live. Kaplan provided some statistics from the health experts concerning if people did nothing to protect themselves from the COVID-19 virus. Kaplan noted it is

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critical Americans follow the recommendations of the CDC because there are limited hospital beds, medical equipment, and medical personnel to care for the potential number of people that could get ill. Councilor Phillips felt everyone was in agreement that they are trying to send a message and the only question tonight is whether to pass an Ordinance or Resolution. Phillips felt the Council wanted to relay either through a Resolution or Ordinance the message of please stay home as well as be socially responsible by trying not to invite non-residents to come to Maine right now. There was a draft copy of the Resolution sent prior to the Council meeting as part of the email that contained the draft Ordinance, see attachment #1 for the proposed copy. There was a discussion concerning the draft Resolution that will be heard next compared to the draft Resolution and Temporary Ordinance being heard as part of this agenda item. They both contain similar elements; however, are separated out by the short-term rentals piece. Cole clarified the Resolution is a statement and the Temporary Ordinance adds the enforcement piece. Councilor Grindle clarified the Temporary Ordinance has a term of 60 days. Cole stated that was correct; however, Hamilton had suggested changing that language earlier in the meeting. This could be amended to coincide with the Governor's Order of April 30, 2020. Hamilton questioned how this Temporary Ordinance/Resolution would be lifted if an exact timeframe is not added. He would definitely prefer a timeline be added to the Ordinance/Resolution so it will have a beginning point and clearly state when it expires. Cole stated in regards to the Resolution since it is only a statement it would not require an expiration date. Phillips indicated the Temporary Ordinance has a beginning date of immediately upon passage by Council and the expiration date is when the Governor terminates the current state of emergency. Cole explained the 60 days comes from the definition of what a short-term rental refers to. Hamilton would like the draft Ordinance amended to make it only valid until the end of April to coincide with the Governor's Order. If can be revisited at a later if there is a need. Hamilton asked for consideration in cases where an individual whose permanent residency is a weekly rental. Some individuals rent week to week and will require some type of variance to the Temporary Ordinance so that they have the ability to remain at that short-term rental unit and not lose their housing. Kaplan did not object as long as that is where their mailing address is, voting address is, or where they register their car. Phillips inquired about the construction workers that have arrived in Ellsworth and have been living here in short-term rentals during their contracted project such as the new medical building and whether this would be classified as an essential worker, therefore except from the Temporary Ordinance language. It was agreed

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they would be considered essential. Phillips felt the enforcement will fall back onto community policing and then passed on to the Code Enforcement Officer or the Police Department to ultimately investigate and resolve while using common sense. Councilor Moore agreed with Hamilton this Temporary Ordinance should go through the month of April and then revisit it at that time. He also recognized the need may come up to amend this document after it is passed in an effort to make some clarifications. Cole suggested adding a clause that empowers the City Manager to make other exceptions as not every case can be foreseen. Blanchette agreed there will be many things the Council is not thinking about if this gets passed as an Ordinance rather than a Resolution. Blanchette was still very concerned that this situation has come down to asking fellow Americans to stay out of Ellsworth, because if that is the message, he is uncomfortable with it. He was concerned months down the road when there is a big blizzard and we need some out of state power crews to help, they may not be willing to come to Maine and offer help. Given we just asked them to stay away during April. Kaplan stated her opinion on that topic is, we are just asking them to stay where they are right now, it is not stay out of Ellsworth; it is just stay where you are right now. Please do not plan to come here in the next 21 days or so. The topic of a potential second wave was discussed. Moore stated the Ellsworth City Council is not the only group debating this issue right now; likely all 50 States are having similar conversations. He believes most people understand if they want to travel from one state to another right now they understand what the ramifications will be. Moore did not feel the Council should worry about the people that are being told they cannot come to Maine right now not coming back to work here or visit here when it is safe to do so. This is a World-wide problem right now. Hamilton stated the intent is not to send a message that we do not want people here it is the exact opposite. The City of Ellsworth wants to get past this so people can come to Maine and more particularly Ellsworth. Most States are adopting the Stay in Place Order and similar Temporary Ordinances. Hamilton noted the Ellsworth Community has done an excellent job in taking the recommendations seriously and following the social distancing guidelines. This Temporary Ordinance is just the supporting document to say thank you to our residents, thank you for doing what is right, to the businesses that have closed their doors thank you for doing that, and the City Council is going to help you get back open and operating as quickly as possible. This approval will help move things along quicker while keeping people safe. Kaplan stated even with all the medical equipment possible the City still would not have enough qualified professionals to operate them or the hospital space to hold everyone that could

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potentially get sick. The key is to limit the exposure rate.

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

RESOLVED to approve the temporary ordinance for the City of Ellsworth regarding short term rentals and non-resident visitors during this outbreak that was received today by email. This will expire at the end of April and wording will be added to state there will be discretion in terms of the local authorities making exceptions based on common sense.

Before a vote was taken Cole addressed a message received from the head of the hospital who wondered if this covers health care workers. Yes, the temporary Ordinance will exempt health care workers or health care support. Hamilton asked to entertain a friendly amendment that we will change the language which would have this expire at the end of April and that would recognize that there is discretion in terms of the local authorities making those exceptions on those things that will come up based on common sense. Kaplan stated it would be beneficial to go with whatever the Governor decides because the potential for a second wave is unknown at this time. Phillips stated if that becomes an issue, this temporary Ordinance can be revisited. This at least offers a sunset date and if anything needs to be changed it can take place at a later date.

Phillips approved the friendly amendment; Grindle seconded the amendment.

Blanchette inquired if the motion seeks to pass this as an Ordinance. Phillips stated that was correct. Blanchette was concerned about #3, Council recommendations; he read them into the record. He was concerned the reference to strongly encouraged is more the language of a Resolution not an Ordinance. Phillips felt this was a typical style document that has been passed many times in the past; there will be bits and pieces that not everybody agrees with. The Ordinance is in front of the Council right now and appears to work. Blanchette did not feel it works if the Council is passing an Ordinance as a local law but yet it contains Council recommendations that use the language strongly encourage. Blanchette felt it could not be handled both ways, it is either an Ordinance to be enforced or just strongly encouraged to be looked at with a wink and a nod. Cole felt the recommendation portion pertains to the short-term rentals restrictions, some of the sentiments from the Resolution is mixed in with the Ordinance language. Miller felt the strong

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recommendations apply to citizens that have houses in Ellsworth. Phillips stated this Ordinance was vetted by the City's legal counsel and that language being included was accepted by them. He was confident in the City's legal counsel's knowledge of what should be included within the Ordinance to be enforceable and applicable. Phillips is in agreement with what is in front of the Council this evening. Cole noted the Ordinance was actually written by the attorney. The Resolution was written by Cole with Kaplan's support; the attorney reviewed the Resolution and amended a few items. The Ordinance was written entirely by the City's legal counsel. Blanchette confirmed if this is being presented as an Ordinance would #3 remain within the document as the motion reads. Moore explained his understanding of #3, the body of the Ordinance specifically says the City wants people to Stay Home as much as possible. Item #3 just backs this up by the Council strongly recommending certain things. The body of the Ordinance covers what the Governor has asked for and a few other items. Moore will be supporting it with the understanding that at some point the Council may need to take another look to see if it needs amendments. Hamilton noted #2 provides for the enforcement component, Hamilton reiterated this can be revisited if needed. There is another element of enforcement through the CDC if needed.

A final roll call vote was taken with 6 members voting in favor (Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips) and 1 member voting in opposition (Blanchette).

Council Order #040001, possible action on adopting Resolution of the Ellsworth City Council Regarding Non-Resident Visitors During Coronavirus (COVID-19) Outbreak to protect public health and safety.

See attachment #2 for the complete draft Resolution language. There was no discussion prior a motion being made.

On a motion by Kaplan, seconded by Moore, it was

RESOLVED to approve Council Order #040001, adopting a Resolution of the Ellsworth City Council Regarding Non-Resident Visitors During Coronavirus (COVID-19) Outbreak to protect public health and safety.

Before a vote was taken Councilor Blanchette inquired if this was similar to the

Approved - Council Order #040001, adopting a Resolution of the Ellsworth City Council Regarding Non-Resident Visitors During Coronavirus (COVID-19) Outbreak to protect public health and safety.

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Ordinance that just passed and more of the same information. Chair Hamilton highlighted this item for the purpose of the public by stating the Resolution encourages non-residents to stay in place and not travel. The previous agenda item accomplishes this through the restrictions on rentals. The Resolution also recommends visitors that have arrived in Maine submit to a 14 day self-quarantine period. The Resolution also recommends that for the duration of this crisis, persons not advertise or encourage the use of short-term rentals. The Resolution also strongly encourages Governor Mills to continue to do all within her powers to discourage visitors to the State of Maine during the COVID-19 crisis, particularly from high risk states such as New York and New Jersey, and encourage recent arrivals to self-quarantine for a 14 day period. The Resolution does incorporate parts of the Ordinance and it also offers additional encouragement for people who travel here to adhere to the 14 day self-quarantine period.

**A final roll call vote was taken with all members (7) voting in favor
(Blanchette, Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips).**

Council Order #040002, Request to suspend the Pay as You Throw solid waste program through April 30, 2020.

Tammy Mote, Deputy City Manager stated as the City moves through this pandemic they would like to help the residents through these unprecedented times and hardships associated with the COVID-19 pandemic. She is requesting the Council consider suspending the Pay as You Throw program. This is the solid waste program which requires residents to purchase \$3 trash stickers to be placed on each 50# bag of trash; this request would eliminate the need for the residents to go to multiple locations to purchase the stickers. Going into different stores currently puts people at risk. Mote emailed Jim Dunning with Casella Waste and learned there are other municipalities that are also suspending the need for stickers or specific trash bags right now. For example, Old Town and Brewer are both suspending their requirements right now. Mote believes it will cost the City significantly more money; Casella has already seen more people cleaning out their basements and attics as well as just purging unnecessary items. There are likely ways limitations could be placed on this process, such as limiting the weight, limit the number of bags per week, or any other ideas the Council may have. See attachment #3 for the complete request. Councilor Kaplan inquired how would the city track the number of bags per week. Mote stated based on their residence they

**Approved - Council
Order #040002,
suspend the Pay as
You Throw solid
waste program
through April 30,
2020 and recommend
residents use the
curbside trash
pickup.**

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would place the bags of trash at the curbside and only a certain number of those bags would be picked up without the stickers. Any remaining bags would need a sticker. The City would like to recommend residents use the curbside program in order to eliminate the need to go to the Transfer Station. In the event residents use the Transfer Station there is staff at that location that could monitor the number of bags dropped off by the residents. Stickers are available for purchase at the Transfer Station. Councilor Moore inquired if the stickers would still be used or would the bags be picked up without the stickers. Mote confirmed the bags would be picked up without the stickers. Moore stated the City would need to be very careful concerning potential abuse of this generosity. If this is passed as is, it may need to be revisited possibly more than once; Mote was recommending this requirement be waived until April 30, 2020. Kaplan agreed anything that would make it easier for people who are without a job currently. On the surface it does not seem like a lot of money for the \$3 stickers; however, in light of the current situation the amount once spent on stickers may be the difference between feeding your family or not. Mote was considering a bag limit of 4 large bags (contractor size) of trash a week; however, was open to suggestions by the Council. Kaplan noted many people over fill the contractor bags when using curbside pickup and often exceed the 50# limit by placing so many individual household bags within the one contractor bag. Kaplan suggested looking at this topic for the long term as well; she suggested having an annual fee similar to many other towns. She was also concerned about the staff at Casella Waste picking up the trash and potentially exposing themselves to the virus given the longer than once thought time period the virus can survive on certain surfaces. Moore explained when the Ordinance was first established it was recommended to use a large bag similar to a contractor bag and that the limit would be 50 pounds. Kaplan wondered how that is weighed at the curbside. Moore recognized a family of 4-6 members could potentially generate a couple of contractor bags of a trash a week. The contractor bags don't always weigh 50 pounds each that are placed at the curb. Moore believed this plan would need to be consistent with the initial Ordinance in regards to the allowable weight per bag. Kaplan was concerned if people came from away to open their summer homes and generated 3 bags of trash weighing 50 pounds each they would be potentially exposing the trash collectors to the virus. She felt people should be encouraged to take the bags of trash directly to the Transfer Station because the non-resident would have literally just touched the contents as well as the bag and the virus can live on surfaces for many hours up to days. There would be less risk of exposure if fewer people handle the trash bags. Councilor Phillips stated there

**RECORD OF EMERGENCY MEETING
ELLSWORTH CITY COUNCIL
Teleconference only via Zoom Conferencing technology**

DATE: April 02, 2020

TIME: 6:30 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BLANCHETTE, GRINDLE, HAMILTON,
KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JANNA RICHARDS, DWIGHT TILTON, JASON INGALLS, GLENN MOSHIER,
AND HEIDI GRINDLE.**

was a lot of concern when the Ordinance was first approved; however, since that time the trash contractors have reported to the City the majority of the time the contractor sized trash bags do not exceed the 50# limit. The trash collector does not weigh the bag at the curbside; however, will take whatever is on the curb. Phillips figured based on the limited number of items that can be recycled now it will contribute to more trash being disposed of weekly. Phillips felt for the 4 pickups that will be covered during this time the City should just allow the residents to place whatever amount of trash is needed to be disposed of by the curbside and then readdress this topic at that a later date. Chair Hamilton agreed with Phillips. This request is primarily to keep residents from leaving their homes trying to purchase stickers and this is one way to reduce a little bit of cost to the residents. Hamilton feels it is the right thing to do at this time for a 30 day period and then it can be revisited. He would like to see it passed on the basis it supports the residents, keeps them from traveling, and gives them a little break on expenses for a month. Phillips agreed this is one simple thing the City can do to reduce costs for residents and take care of the citizens; there are many things the City cannot do but this is one thing to help. Moore reminded the public the Ordinance calls for household trash and that does not include items such as construction debris and appliances. Councilor Blanchette confirmed items will need to be in bags. Mote stated this is only for residents; it does not include businesses. Kaplan noted businesses generally have dumpsters or a dumpster service. Blanchette questioned how the City would differentiated between resident and non-resident if trash can be delivered to the Transfer Station as well. Ellsworth does not currently use a windshield sticker to indicate residency. Mote suggested the Transfer Station staff can verify residency by seeing a car registration, property bill, or license. Residents are not entering the Transfer Station office; however, can show that information through the window before they dump. Phillips noted this will cause undue exposure to the Transfer Station staff. He felt this process should be tried as proposed and reassess it once problems start to show up, if they do.

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

RESOLVED to approve Council Order #040002, suspend the Pay as You Throw solid waste program through April 30, 2020 and recommend residents use the curbside trash pickup.

Before a vote was taken Blanchette inquired if any language would be added to

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KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

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

state everything must be in bags. He wants to avoid seeing old equipment and other items tossed by the roadside expecting it will be picked up under this provision. Blanchette was in favor of this request; however, would be happier if the language requiring the trash to be in a garbage bag was added. Moore asked Mote if Casella Waste had the authority to refuse to pick up items such as a swing set beside the road. Mote stated they do have the authority; however, when they pick up the trash at curbside it must be in bags. Mote questioned if the motion as stated placed a limit on the number of bags or would it be unlimited. Kaplan noted the situation with private roads bringing their trash to the main road would make it impossible to tell how many bags were left by each resident. Moore would support it as the motion was stated; Kaplan was also in favor of supporting the motion as stated without a limit. Phillips was in favor of no limit. Miller was in favor of no limit; if there is a problem it can be revisited.

**A final roll call vote was taken with all members (7) voting in favor
(Blanchette, Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips).**

Council Order #040003, Request to waive interest on any unpaid taxes, water, and sewer through April 30, 2020.

See attachment #4 for the complete request. There was no discussion prior to a motion being made.

On a motion by Kaplan, seconded by Miller, it was

RESOLVED to approve Council Order #040003, Request to waive interest on any unpaid taxes, water, and sewer through April 30, 2020.

Before a vote was taken Councilor Blanchette inquired if this item only referred to the second installment of the real estate taxes. Tammy Mote, Deputy City Manager stated this would apply to any current taxes that were due on March 12, 2020, or current water or sewer bills. The interest would only be waived through April 30, 2020. Blanchette clarified if a resident did not pay the real estate tax that was due last September would the interest on that portion still be accruing. Mote explained that interest would be accrued up until the meeting that was held in March (March 15, 2020) when it was decided to waive interest through March 31, 2020. It is intended to waive all interest. Blanchette just wanted to be sure it would not waive

**Approved - Council
Order #040003,
Request to waive
interest on any
unpaid taxes, water,
and sewer through
April 30, 2020.**

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**CITY COUNCIL PRESENT: BLANCHETTE, GRINDLE, HAMILTON,
KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JANNA RICHARDS, DWIGHT TILTON, JASON INGALLS, GLENN MOSHIER,
AND HEIDI GRINDLE.**

interest that was due on an outstanding obligation from two years back. All of a sudden there would be no interest due at all on those any past due amounts. Mote stated those situations is not what this waiver is intended for.

A final roll call vote was taken with all members (7) voting in favor (Blanchette, Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips).

Council Order #040004, Request to have the City continue to absorb all credit card fees associated with electronic payments until April 30, 2020.

See attachment #5 for the complete request. There was no discussion prior to a motion being made.

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

RESOLVED to approve Council Order #040004, Request to have the City continue to absorb all credit card fees associated with electronic payments until April 30, 2020.

A final roll call vote was taken with all members (7) voting in favor (Blanchette, Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips).

Council Order #040005, Request to waive foreclosure on unpaid sewer liens expiring on April 16, 2020.

Tammy Mote, Deputy City Manager explained when the Pandemic started there were approximately 10 foreclosure notices that were mailed out. The majority have been paid. See attachment #6 for the complete request that was sent to the Councilors prior to the meeting this evening. There were 3 remaining liens within the information that was sent to the Councilors; one of those has since paid the lien off. At this time there are only 2 sewer liens remaining unpaid in the total amount of \$1,035.86. This request will not remove the debit that is owed; this would just waive the foreclosure. Approval on this item would give the named parties longer to pay that bill. Councilor Phillips questioned if the lien being sent to Skowhegan was for a former resident. Mote believed this was for an apartment building rental property in Ellsworth; this would be on an income bearing property in Ellsworth.

Approved - Council Order #040004, Request to have the City continue to absorb all credit card fees associated with electronic payments until April 30, 2020.

Approved - denying Council Order #040005, Request to waive foreclosure on unpaid sewer liens per the attached lien documents (attachment #6).

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**CITY COUNCIL PRESENT: BLANCHETTE, GRINDLE, HAMILTON,
KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JANNA RICHARDS, DWIGHT TILTON, JASON INGALLS, GLENN MOSHIER,
AND HEIDI GRINDLE.**

Councilor Kaplan indicated if it was an individual resident she would be in favor of paying it for them; however, in light of this being a situation where they are receiving rent and possibly even Section 8 funds she was reconsidering the offer. Phillips noted these are liens from 2017 or 2018. It could not be determined if this landlord receives TIFF funds or Section 8 funds from their tenants. Kaplan reasoned the tenants must be paying their rent on time or else they would have been evicted and with the possibility of receiving government funds or even just rent dollars, this person is obligated to maintain water and sewer. Kaplan thought if this was just an individual living paycheck to paycheck it could be supported. Councilor Moore was not in support of waiving the sewer lien on this particular request because the intent was to protect Ellsworth residents and this is an apartment building. Moore, Phillips, and Kaplan all agreed they could not support this portion of the request. Mote explained both remaining sewer liens have been placed on apartment buildings; more specifically Acct #11243 has the Skowhegan mailing address and Acct #11196 with an Ellsworth mailing address. Phillips confirmed both owners have received notification of the pending liens and he read into the record the important piece of the notice that states "Do not disregard this notice. You will lose your property unless you pay your 2017 sewer charges, interest, and costs". Mote confirmed they had received the letter and additionally they are repeats on this list year after year. Kaplan also noted the owners have had since 2017 to pay these charges and the global pandemic only started in early November/December 2019 in China; the obligation was due way before the pandemic was a concern. The only lien, Phillips was in support of waiving had already been satisfied prior to the meeting.

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

RESOLVED to approve denying Council Order #040005, Request to waive foreclosure on unpaid sewer liens per the attached lien documents (attachment #6).

A roll call vote was taken with all members (7) voting in favor (Blanchette, Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips).

Before the Council adjourned, Chair Hamilton thanked the City staff for working diligently to compile and make important COVID-19 resources available to the public. There has been an effort by the City to pull together resources within the

**Update on
Community
Resources.**

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PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BLANCHETTE, GRINDLE, HAMILTON,
KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

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AND HEIDI GRINDLE.**

community so that there is coordination and communication available before the community faces a more critical situation. David Cole, City Manager explained today a series of weekly briefings with Northern Light Maine Coast Hospital, Northern Light Medical Transport Service, Hancock County Emergency Management, and a representative from the Maine CDC have been scheduled. The most significant piece that came out of the meeting was an inventory of City facilities in the event they are needed for overflow by the medical/health community. They have already cancelled most of the elective surgery appointments and reserved a wing of the hospital for this crisis. The most valuable avenue the City is taking in this process is to get the information out into the community. Tammy Mote, Deputy City Manager has a list of resources that were mentioned as part of the discussion this morning and those can be sent out on the Facebook page as well as posted on the website. Janna Richards, Economic Development Services Director was present on the teleconference this evening; she is heading up the staff team that is putting the information on the City's website and Facebook page. Cole wanted members of the public to realize there is already a wealth of information on the City's website and Facebook page and it is being added to daily. The site has been available for almost 3 weeks and can be reached by going to: www.ellsworthmaine.gov/covid. This site contains information that would be beneficial to the community as a whole and then there is specific information on this site for the business community, employers, and employees as well. During the Council meeting, Richards received information that the Maine Small Business Development Center posted two more resources that will be helpful to the community. Richards stated the Community Bulletin Board was just published today. This will include community resources that are available from organizations in the community that are offering services and programs specifically in response to COVID-19. Richards asked the public to go to the bulletin board and if you are an organization or business and have a service or program you can contact the City using the website. The contact page has a form, if you go to ellsworthmaine.gov/contacts and fill out the form within the subject line just put COVID resources it will be received by Richards, Cole, or a representative of the City. Richards will add new information and resources as they are received. This is designed to highlight the different types of resources available for the various populations throughout the community that are looking for help. This site already has information from the YMCA and the Ellsworth Public Library and others who are offering programs as well as educational opportunities and different venues to keep children busy while at home. Friends and Actions has information geared

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toward the populations that might be at higher risk and cannot leave their homes. The Boy Scout Troops are helping by volunteering with different tasks. There have been columns added to the bulletin board to organize the different organizations that are looking for volunteers and donations. If you are listed on the bulletin board and are looking for volunteers and donations it should have a yes in those columns if it does not and you are looking for those things, please reach out to Richards and she will correct that. This is a tool that is being used to engage the community and get the help they need to the right venues and resources. Cole noted on the hospitals website there is a page called "How Can I Help", the link will also be added to the City's website. Richards noted there is currently an overwhelming amount of resources and that is not a bad thing it is a very good thing; it is the City's job to stay on top of it and try to get those resources out in an informative way to the public. The website has been designed to be a one-stop shop where the community can go to and find help with whatever concern they are facing. There are currently six unemployment programs that have been developed in the past week or so. Richards explained the different programs that have come out and those that will shortly. There is also a place on the city website to receive emails concerning City alerts. Councilor Kaplan personally thanked David Cole and Tammy Mote for all of their hard work. This has not been an easy time but more importantly she thanked the people of Ellsworth. The people of Ellsworth know how important this is and Kaplan congratulated Maine people for being tough and following the directions and recommendations. Cole noted the entire staff has been amazing and displayed great teamwork. Councilor Blanchette explained the concerns being felt by some small businesses in regards to the loans that are available and he has tried to let them know that some of those convert to grants. Richards further explained how pieces of the loans are forgivable and portions of them up to \$10,000 whether you qualify for the loan or not you could still qualify for the grant piece of it. Many of the programs were briefly explained as well as the benefits of at least applying for the different resources. Hamilton encouraged the viewing public to reach out to Richards and the City with any questions or concerns, they are connected to the right resources. He further assured the public after the health crisis is addressed and we are past it, as the City moves forward into the next phase the focus and commitment is going to be on doing what the Council was elected to do and that is to support all of the residents and businesses.

Adjournment.

**Approved -
Adjournment at 8:10
PM.**

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KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
JANNA RICHARDS, DWIGHT TILTON, JASON INGALLS, GLENN MOSHIER,
AND HEIDI GRINDLE.**

On a motion by Miller, seconded by Kaplan, it was unanimously

RESOLVED to approve adjournment at 8:10 PM.

**A roll call vote was taken with all members (7) voting in favor (Blanchette,
Grindle, Hamilton, Kaplan, Miller, Moore, and Phillips).**

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**