

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: SEPTEMBER 21, 2020

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER GLENN MOSHIER,
TONI DYER, REGGIE WINSLOW, LISA SEKULICH, ADAM WILSON,
JENNIFER MERCHANT, RICHARD TUPPER, GARY SAUNDERS, DAVID
COLE, DARYL CLARK, MICHAEL HARRIS, MANY PAID ON CALL
FIREFIGHTERS, AND HEIDI GRINDLE.**

In accordance with An Act To implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency, as enacted to read: Sec G-1 1 MRSA §403-A Public proceedings through remote access during declaration of State of Emergency due to COVID-19, the meeting will be held live at 1 City Hall Plaza in the City Hall Council Chambers with only the allowable number of participants according to the Governor’s executive orders. Citizens may email questions and public comments on the public hearing agenda items as well as other items this evening to Chair Dale Hamilton at dhamilton@ellsworthmaine.gov prior to and throughout the duration of the meeting. The meeting will be broadcast live on the City of Ellsworth, Maine Facebook page and YouTube Page; as well as recorded and made available live on Spectrum Channel 1303.

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Call to Order.

Chair Hamilton 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.

Councilor Miller made a motion to remove Agenda Item 12 (Public Hearing and action authorizing City Manager to enter into 20 year Bill Credit Agreement under the Maine Commercial and Institutional Customer Net Energy Billing – Tariff Rate Credit Program which will enable the City to purchase Bill Credits associated with the generation of solar power from a distributed generation solar project located in the City of Ellsworth for purposes of offsetting and lowering the cost of electricity for the City of Ellsworth and its component units) due to ongoing contract negotiations.

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

Call to Order.

Pledge of Allegiance.

**Approved – Removal
of agenda item 12
due to ongoing
contract negotiations.**

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RESOLVED to remove Agenda Item 12, as described above, due to ongoing contract negotiations.

Rules of Order.

The meeting was conducted under Robert’s Rules of Order and other rules adopted at the November 13, 2019 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.

It was noted by Chair Hamilton that Council Meetings are once again open to the public with room capacity limitations and safety precautions due to the ongoing COVID-19 pandemic. If in person attendance exceeds room capacity, individuals will be allowed in and out of the room depending on which agenda item they wish to comment on. He further explained that those not comfortable attending meetings in person may still continue to email comment to him during the meetings at dhamilton@ellsworthmaine.gov.

Chair Hamilton, in discussing a point of clarification regarding Robert’s Rules of Order stated that he had researched a question that had arisen at a previous meeting which was: “Can a council member who does not have a conflict of interest (either financial or personal) choose to not vote on a given agenda item?” His research concluded that Roberts Rules of Order does allow for a member to not vote on a topic without a clear conflict of interest; however, upon consultation with the council on the matter concluded that there is a difference between what is allowed by the voting rules and what is intended by the membership and that while allowable it is not the ideal or preferred situation. He further explained that not voting effectively serves as a “no” vote and in a majority rule situation, not voting adds to the weight of the “no” vote count. Chair Hamilton noted that should the Council wish to debate the merits of making an official rule regarding no vote situations they would be able to do so at the next City Council Annual Organizational Meeting, which will be in November.

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

Rules of Order.

**Approved –
Adoption of the**

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FIREFIGHTERS, AND HEIDI GRINDLE.**

08/17/2020 Regular Council Meeting.

08/18/2020 Emergency Council Meeting.

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

***RESOLVED to approve the adoption of minutes from the September 17, 2020
Regular Council Meeting and September 18, 2020 Emergency Council Meetings
as presented.***

City Manager's Report.

As this was Glenn Moshier, Interim City Manager's first official day on the job there was nothing to report. Chair Hamilton took the opportunity to welcome Interim City Manager Glenn Moshier (the City's Chief of Police) and to express the Council's appreciation for his willingness to step in as Interim City Manager and bridge the gap while the search for a permanent City Manager is conducted.

Committee Reports.

Harbor Commission. Councilor Moore reported that the Harbor Commission met on September 9, 2020, that the sale of gasoline has increased, and that the availability of diesel fuel seems to be drawing new boaters. He reported that the transient slip had been rented for the previous month and that the Harbor would be closing down on October 15, 2020.

Citizens' Comments.

Chair Hamilton read a communication from Mary Blackstone on behalf of the Green Plan Committee regarding several desired qualities the group would like to see in the next City Manager and to also request to have more input into the decision making process for choosing the new manager.

Presentation of Awards.

Daryl Clark, for 20 years with the Ellsworth Fire Department. (March)

**minutes from
September 17, 2020
Regular Council
Meeting and
September 18, 2020
Emergency Council
Meeting as
presented.**

**City Manager
Report.**

Committee Reports.

Citizen Comments.

**Presentation of
Awards.
Daryl Clark – 20
years with the Fire**

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FIREFIGHTERS, AND HEIDI GRINDLE.**

Daryl Clark was present to accept his service award from Chair Hamilton on behalf of the Ellsworth citizens.

Department.

Peter Leighton, for 5 years with the Ellsworth Fire Department.

**Peter Leighton – 5
years with the Fire
Department.**

Peter Leighton was present to accept his service award from Chair Hamilton on behalf of the Ellsworth citizens.

Jane Metzler, for 5 years as the Administrative Assistant for the Ellsworth Fire Department.

**Jane Metzler – 5
years with the Fire
Department.**

Jane Metzler was absent from the meeting. The award will be given to her supervisor for presentation at a later date.

UNFINISHED BUSINESS

Unfinished Business.

There were no items under Unfinished Business this month.

CONSENT AGENDA

Consent Agenda.

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

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

*Council Order #092000, Request of the City Clerk for approval on the time polling places open for the November 3, 2020 State of Maine General Election and City of Ellsworth Municipal Election as 7:00 AM. **

**Approved – Council
Order #092000 to set
the time polling
places will open as
7:00AM on
11/3/2020.**

See attachment #1 for a complete explanation on the request.

Council Order #092001, Request of the City Clerk for appointment of Wardens and Ward Clerks for the four voting districts within the City of Ellsworth for the

**Approved – Council
Order #092001 to
authorize**

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*November 3, 2020 State of Maine General Election and City of Ellsworth
Municipal Election. **

See attachment #2 for a complete explanation on the request.

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

RESOLVED to approve the consent agenda as presented.

NEW BUSINESS

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

*Hane Yee, Inc., d/b/a China Hill Restaurant, 301 High Street, for renewal of a City
Class B License (Victualer, Liquor, and Amusement) and renewal of a State
Restaurant (Class I, II, III, IV) Malt, Spirituous, Vinous Liquor License.*

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

Public hearing was opened.

There were no comments.

Public hearing was closed.

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

***RESOLVED to approve the request of Hane Yee, Inc. d/b/a China Hill
Restaurant, 301 High Street, for renewal of a City Class B License (Victualer,
Liquor, and Amusement) and renewal of a State Restaurant (Class I, II, III, IV)
Malt, Spirituous, and Vinous Liquor License.***

*Maine Organic Therapy, 3 Myrick Street – Suite B, for renewal of a Medical
Marijuana Dispensary License including a City Victualer License.*

**appointment of
Wardens and Ward
clerks for 11/3/2020
polling places.**

New Business.

**Approved – Hane
Yee, Inc d/b/a China
Hill Restaurant
requests for City
Class B License and
State Restaurant
Class I, II, III, IV
License.**

**Approved – Maine
Organic Therapy
request for renewal**

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FIREFIGHTERS, AND HEIDI GRINDLE.**

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.

Councilor Kaplan brought up the question of whether Maine Organic Therapy used warning labels regarding the potential side effects of their products as part of their packaging process. Interim City Manager Moshier in his capacity as Police Chief noted that while he could not speak directly to warning labels he was aware that counseling and educational/informational services were available to all medical marijuana clients as part of their process and that the facility met all state requirements.

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

RESOLVED to approve the request of Maine Organic Therapy, 3 Myrick Street – Suite B, for renewal of a Medical Marijuana Dispensary License including a City Victualer License.

A vote was taken with 6 in favor (Blanchette, Grindle, Hamilton, Miller, Moore, and Phillips) and 1 vote in opposition (Kaplan).

Provender, LLC d/b/a Provender, 112 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 public comments.

**of Medical
Marijuana
Dispensary License
including City
Victualer License.**

**Approved –
Provender, LLC
d/b/a Provender, for
Renewal of Class C
License and renewal
of State Restaurant
Class I, II, III, IV
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COLE, DARYL CLARK, MICHAEL HARRIS, MANY PAID ON CALL
FIREFIGHTERS, AND HEIDI GRINDLE.**

Public hearing was closed.

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

RESOLVED to approve Provender, LLC d/b/a Provender, 112 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.

Acadia Bowling Lanes LLC d/b/a D’Amanda’s, 25 Eastward Lane, for a new City Class B License (Victualer, Liquor, and Arcade) and a new State Restaurant (Class III and IV) Malt Liquor (beer) and Wine Liquor License.

Owner Amanda Thurlow was present, as was required by the Licensing Ordinance in regards to new businesses.

Public hearing was opened.

There were no comments from the members of the public.

Public hearing was closed.

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

RESOLVED to approve the request of Acadia Bowling Lanes LLC d/b/a D’Amanda’s, 25 Eastward Lane, for a new City Class B License (Victualer, Liquor, and Arcade) and a new State Restaurant (Class III and IV) Malt Liquor (beer) and Wine Liquor License.

Public hearing and action on authorizing the City Manager to enter into a twenty-year Bill Credit Agreement under the Maine Commercial and Institutional Customer Net Energy Billing - Tariff Rate Credit Program which will enable the City to purchase Bill Credits associated with the generation of solar power from a distributed generation solar project located in the City of Ellsworth for purposes of offsetting and lowering the cost of electricity for the City of Ellsworth and its component units.

Approved – Acadia Bowling Lanes LLC d/b/a D’Amanda’s 25 Eastward lane for new City Class B License and a new State Restaurant Class III and IV License.

This item was removed from the Agenda by unanimous consent of the City Council at the beginning of the meeting due to

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Presentation and discussion by the Ellsworth Business Development Corporation (EBDC). (Sponsored by Chair Hamilton)

John Fitzpatrick, Senior Director of Facilities for Jackson Laboratory and the current chair of the Ellsworth Business Development Corporation (EBDC) introduced himself and proceeded to show a PowerPoint Presentation on the Council Chamber flat screen TV. The purpose of the presentation was to provide several of the new members of the Council with background information on EBDC, how it came to be, what its mission and purpose is and to give perspective on how they see the organization moving forward into the future. Fitzpatrick gave an overview of the concept and establishment of the Union River Center for Innovation (URCI) which is an incubator facility for new business enterprises in the Ellsworth area which was the product of collaboration between the City and EBDC. Fitzpatrick also discussed current initiatives that EBDC is involved with such as the Hancock County Technical College Feasibility Study. EBDC Board Member Rene Kelly (Assistant Vice president for Innovation and Development at the University of Maine) then discussed the benefits of having an independent Economic Development Corporation. Jake Taylor, also an EBDC Board Member and Vice President of Wallace Events, a local business spoke on the benefits of local participation and the importance of having the business sector perspective represented on the EBDC Board. Fitzpatrick, Kelly, and Taylor all expressed their strong desire to continue the productive collaboration between the City and the EBDC organization to help move Ellsworth forward into the future. Hamilton applauded EBDC's good work and also expressed a desire for future collaboration.

Public hearing and action on amendments to the City of Ellsworth Code of Ordinances, Chapter 34, Personnel Ordinance.

Toni Dyer, Human Resources Manager addressed the memo as well as the amended version of Chapter 34, Personnel Ordinance received by the Council prior to the Council meeting. This information is also attached to the minutes as attachment #3. Dyer noted there are several revisions that need to be made in the future; however, at this time, she is proposing two amendments. One amendment is located on page

ongoing contract negotiations.

This was a presentation only, no action was taken or required by the Council this evening.

Approved – Request of the HR Manager to amend City of Ellsworth Code of Ordinances, Chapter 34, Personnel Ordinance as presented this

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2, Chapter 5 regarding sick leave that was accumulated prior to the current benefit cafeteria plan implementation. The current wording requires 50% of the time remaining to be paid out in a cash disbursement only. Dyer would like to amend this wording to include the ability for the payout to be by contribution to an approved retirement plan or retirement health savings (RHS) account as well. The second amendment impacts Chapter 11. Upon advice of the City Attorney this chapter along with the three side letters should be repealed as it was written in the midst of a collective bargaining agreement with the Highway Department and is no longer applicable.

evening, see
attachment #3.

Councilor Blanchette confirmed if the payment method is extended to include the RHS or retirement plan options it will still remain at the 50% payout rate; Dyer confirmed it would remain at the 50% payout rate. Councilor Moore felt this was a good plan; he could not think of any reason not to approve the amendments as they were described this evening. Dyer explained this is in line with other Union Contracts, as well as benefit options provided by the City, and saves the City some payroll taxes if an employee chooses to deposit the payout in a RHS account or retirement plan compared to taking the cash payout option.

Public hearing opened.

There were no public comments.

Public hearing closed.

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

RESOLVED to approve the amendments as recommended by the Human Resources Manager to Chapter 34 of the City of Ellsworth Personnel Ordinance, Chapter 5, section 6, to read: “At the time of separation from service, employees that are immediately eligible for benefits under the Maine State Retirement System or other City adopted qualified Retirement Plan, shall receive a payment equal to the wage equivalent of 50% of their remaining sick leave accumulation in cash, contribution to a qualified City retirement plan or City RHS account”. And to repeal Chapter XI with 3 side letters as requested by the City HR department under advisement of the City’s attorney.

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Council Order #092002, Request of the Water Superintendent to purchase the Ignition SCADA System.

The City's Supervisory Control and Data Acquisition System (SCADA) is old and in need of upgrading. Water Superintendent Reggie Winslow explained what a SCADA system does and the discussed the need to replace the old system as it breaks down often and repairs are costly. See attachment #4 for the complete explanation of the request. Councilor Blanchette noted that the vendor is an out of state company and inquired about service and repair options. Winslow explained that the vendor offers 24/7 telephone Customer Service, backup services and that replacement parts can be purchased in Bangor. Winslow also pointed out that user fees will cover the cost of this upgrade and the price was under the \$30,000 that had been budgeted although some of the savings would be expended by the technical department in the upgrade/transition process.

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

RESOLVED to approve Council Order #092002, the purchase of Ignition SCADA system through Inductive Automation with a total cost of \$27,492.00.

Council Order #092003, Request of the Water Superintendent to award a bid for a water department meter-reading program.

Water Superintendent Reggie Winslow explained that currently meter reading is done home by home and takes up to two weeks to do on a monthly basis and that the benefits of the new meter-reading program would be that an entire route (a quarter of the city) could be collected by driving by the homes in an hours' time. See attachment #5 for the complete explanation of the request. After considerable discussion regarding the benefits of a drive by meter reading process that can be done in stages over 3 years versus a fully automated collector system, it was determined that the drive-by system was the best fit for the City. The collection time would be a fraction of the normal two-week monthly period while also allowing the water department crew the time to install the necessary new meters for the new system without hiring additional personnel or crippling the water department budget.

Approved - Council Order #092002, the purchase of Ignition SCADA system through Inductive Automation with a total cost of \$27,492.00.

Approved - Council Order #092003, the purchase of the Neptune meter reading system and associated meters from Ti-Sales not to exceed \$250,000. To be funded from the 2019 Bond proceeds with borrowing approval through the Maine Public Utilities Commission.

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

RESOLVED to approve Council Order #092003, the purchase of the Neptune meter reading system and associated meters from Ti-Sales not to exceed \$250,000. To be funded from the 2019 Bond proceeds with borrowing approval through the Maine Public Utilities Commission.

Council Order #092004, Request of the Public Works Director to award the bid for a 3/4 ton work truck.

Public Works Director Lisa Sekulich explained that a highway truck had been declared unusable and needed to be replaced; she further explained that currently a second truck has been parked due to frame issues. The highway crew is now down two vehicles going into winter and are in need of a reliable vehicle. She described both trucks as hand me downs from Water and Wastewater and that both were not in great shape when they were inherited by the Public Works Department. Three bids were received and although Darlings' Ford in Bangor was the least expensive it had a long delivery lead time (14 to 16 weeks) and therefore the department requested to go with the Varney GMC Bangor bid since they had the vehicle in stock and the department could have the vehicle in a matter of a few days. See attachment #6 for the complete explanation on the request. Lisa explained that waiting for the least expensive truck would put delivery into February and leave the department significantly shorthanded in the months leading up to delivery, making it difficult for the highway crew to tackle important jobs in a timely fashion. Councilor Blanchette noted on several occasions that the additional \$3,200 in price was a sticking point for him. It was noted that even with a price difference of a few thousand dollars, the vehicle price came in well below the \$50,000 that had been budgeted. Councilor Phillips inquired about whether the new truck would need to be fitted with a plow and was told that the new truck would utilize a V plow from one of the other unusable trucks.

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

RESOLVED to approve Council Order #092004, the request of the Public Works Director to award the purchase of a new 2020 GMC Sierra 2500 ¾ ton 4 wheel-

Approved - Council Order #092004, the request of the Public Works Director to award the purchase of a new 2020 GMC Sierra 2500 ¾ ton 4 wheel-drive Pickup as specified to, Varney GMC, at a cost of \$33,200.00 to be paid for through the Highway Department Capital Improvement Account.

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drive Pickup as specified to, Varney GMC, at a cost of \$33,200.00 to be paid for through the Highway Department Capital Improvement Account.

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

Council Order #092005, Request of the IT Systems Administrator to purchase server hardware.

Systems Administrator, Jason Ingalls explained that the City’s server infrastructure is “modular” in order to add additional resources as necessary. He explained that storage utilization for the City’s systems and backup processes has increased and is currently at 80% capacity and the City is at the point of needing an additional module to increase the amount of storage to meet the increasing demand. See attachment #7 for the complete explanation on the request.

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

RESOLVED to approve Council Order #092005, request of the IT Systems Administrator to purchase additional network storage from Insight Public Sector for \$28,085.00. Funding as follows: \$25,000 from the Network Storage CIP and \$3,085 from the Water Department CIP.

Council Order #092006, Request of the Finance Director to withdraw funds from the Training Site Improvement Reserve Account to purchase a replacement Fire Inspector/ Code Enforcement inspection vehicle.

Fire Chief Richard Tupper explained that the Fire Department would like to “purchase” one of two police cruisers that were slated to be traded in by the Police Department. This vehicle would replace an old inspection vehicle used by the Fire Inspector and the Code Enforcement Officers. This vehicle could also be utilized for firefighters to respond to scenes if necessary, making the vehicle a multi-purpose vehicle. The plan would be to transfer the trade-in allowance amount the Police Department was quoted (\$6,010.00) and add a few hundred dollars to fund necessary modifications, which include re-lettering and changing the LED lights from blue to red. The modifications are expected to increase the overall

Approved - Council Order #092005, request of the IT Systems Administrator to purchase additional network storage from Insight Public Sector for \$28,085.00. Funding as follows: \$25,000 from the Network Storage CIP and \$3,085 from the Water Department CIP.

Approved - Council Order #092006, the request of the Finance Director to withdraw funds from the Training Site Improvement Reserve Account to purchase one of the police cruisers that are being traded, and the remaining funds to be used for

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: SEPTEMBER 21, 2020

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER GLENN MOSHIER,
TONI DYER, REGGIE WINSLOW, LISA SEKULICH, ADAM WILSON,
JENNIFER MERCHANT, RICHARD TUPPER, GARY SAUNDERS, DAVID
COLE, DARYL CLARK, MICHAEL HARRIS, MANY PAID ON CALL
FIREFIGHTERS, AND HEIDI GRINDLE.**

expenditure to \$6,403.75. This amount will be withdrawn from the Training Site Improvement Reserve Account, leaving the account with a zero balance. See attachment #8 for a complete explanation on the request.

modifications as described.

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

RESOLVED to approve Council Order #092006, the request of the Finance Director to withdraw funds from the Training Site Improvement Reserve Account to purchase one of the police cruisers that are being traded, and the remaining funds to be used for modifications as described.

Council Order #092007, Request of the Wastewater Superintendent to award a contract for cleaning and inspecting the sewer mains.

Wastewater Superintendent Mike Harris explained that both the DEP and MMA (the City's insurance company) have directed the city to be more robust with the maintenance of the City's sewer collection system. This work would involve Jetting/Vacuuming and video inspection of 25,000 feet of the City's sewer mains (roughly 1/3 of the city's lines) and would be part of an on-going annual rotating maintenance plan. The bid went out to 3 companies, two responded and Harris recommended awarding the project to the Ted Berry Company as they were the low bidder. See attachment #9 for the complete explanation on the request. There was a discussion regarding the fact that the contract fees were figured on a per day basis with a 10 day maximum cap. Harris explained that he felt the projected area to be done would not actually take the full 10 days and asked council to allow him some leeway to have Ted Berry Company continue working in areas beyond the original scope of work (if they were agreeable to do so) so long as the work did not exceed the price as originally proposed tonight. The consensus of the council was to let the Wastewater Superintendent use his discretion in expanding the amount of lines cleaned so long as the price did not exceed an amount of \$50,000.00 and to take advantage of the lower pricing which is believed to be due to the pandemic, which has led to less available work.

Approved - Council Order #092007, the request of the Wastewater Superintendent to approve the proposal from the Ted Berry Company for a maximum amount of \$50,000.00 using his daily rate (for the maintenance of as much of the sewer system that can be done based on the quoted daily rate). Funding to come from the Wastewater Sewer Line Maintenance Budget.

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

RESOLVED to approve Council Order #092007, the request of the Wastewater

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CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER GLENN MOSHIER,
TONI DYER, REGGIE WINSLOW, LISA SEKULICH, ADAM WILSON,
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FIREFIGHTERS, AND HEIDI GRINDLE.**

Superintendent to approve the proposal from the Ted Berry Company for a maximum amount of \$50,000.00 using his daily rate (for the maintenance of as much of the sewer system that can be done based on the quoted daily rate). Funding to come from the Wastewater Sewer Line Maintenance Budget.

Council Order #092008, Request to approve an extension with possible amendments to the City Manager Search Contract. (Sponsored by Chair Hamilton)

Chair Hamilton explained that Eaton Peabody Consulting has been contracted to conduct the City Manager Search and he described the services that would be covered under the \$6,000.00 flat fee. At a previous, Special Council meeting the different services were described as including; posting of advertising, collection and distribution of resumes (vet and provide recommendations), collect feedback from Management Team, employees and the public, facilitate the interview process, and assist in the negotiation process if desired. Once the process reaches the point of determining who the final candidates will be, they will facilitate additional public involvement opportunities. During this discussion an overview of available services and assistance by Eaton Peabody Consulting were described without any specific amendments being recommended to the contract.

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

RESOLVED to approve Council Order #092008, the contract with Eaton Peabody Consulting for the City Manager Search.

Council Order #092009, Discussion and possible action on closing public access to Del Luce Stadium during school hours to provide a safe location for student mask breaks. (Sponsored by Chair Hamilton)

Chair Hamilton explained that the City had been approached concerning providing students with the opportunity to take mask breaks at the track area (Del Luce Stadium). This activity would literally involve taking mask breaks by which the students could remove their masks while still maintaining proper distancing and other standard safety measures and recommendations under the current COVID-19 mandates. He noted this would be for student use only; members of the public would not be included. This practice had been previously approved; however, the

Approved - Council Order #092008, the contract with Eaton Peabody Consulting for the City Manager Search.

Approved - Council Order #092009, closure of the track (Del Luce Stadium) area to the public from 9 AM to 2 PM on a daily basis (M-F).

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ELLSWORTH CITY COUNCIL**

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KAPLAN, MILLER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: INTERIM CITY MANAGER GLENN MOSHIER,
TONI DYER, REGGIE WINSLOW, LISA SEKULICH, ADAM WILSON,
JENNIFER MERCHANT, RICHARD TUPPER, GARY SAUNDERS, DAVID
COLE, DARYL CLARK, MICHAEL HARRIS, MANY PAID ON CALL
FIREFIGHTERS, AND HEIDI GRINDLE.**

school wanted to be able to continue the practice and was asking for consideration on continuance. Since the City is technically the owner of the property, permission was being requested through formal City Council approval. Councilor Miller noted he thought initially things were going well regarding closing the track to public use; however, recently he had been approached by some members of the public regarding concerns with this practice. He invited them to make their concerns known through public comments to the City Council. Hamilton noted to date he had not received any comments or concerns on this topic. Interim City Manager Moshier observed that the track is often used by the public early in the am before classes begin and that mask breaks would not necessarily be needed until after the first few hours of classes. The best option might be to determine which hours the track would need to be closed to the public and then post those hours. This would still allow use of the track for walking/running by the public and only close it for the appropriate time of the day when mask breaks are actually being taken. Councilor Blanchette stated that he does typically see people using the track during this time of year a bit later in the day when the temperatures have warmed up and he was not in favor of shutting the track down for public use. He believes there is a way for the public to avoid the kids as well as the kids to avoid the people using the track for exercise. Hamilton explained that he was not sure if it was just the COVID issues driving the desire for separation or if other safety factors contribute to this request. Hamilton further explained that the school wanted a large enough area for the high school kids to be able to spread out in order to safely remove their masks and the track was the best and largest area in which to do so. (The elementary school uses a tent to allow for mask breaks.) When Blanchette noted that there were other large spaces at the high school, Grindle noted that because of the number of geese that have been settling on the grounds, this has made several of the Schools fields undesirable because of stepping in goose droppings. Moshier relayed a message he received during the meeting this evening from School Superintendent Higgins stating that the school department was seeking to close the track from 9 AM to 2 PM only.

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

RESOLVED to approve Council Order #092009, closure of the track (Del Luce Stadium) area to the public from 9 AM to 2 PM on a daily basis (M-F).

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COLE, DARYL CLARK, MICHAEL HARRIS, MANY PAID ON CALL
FIREFIGHTERS, AND HEIDI GRINDLE.**

**A vote was taken on the above motion with 6 in favor (Grindle, Hamilton,
Kaplan, Miller, Moore, and Phillips) and 1 voting in opposition (Blanchette).**

Adjournment.

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

RESOLVED to approve adjournment of the meeting at 9:06 PM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

**Approved -
Adjournment of the
meeting at 9:06 PM.**