

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: OCTOBER 18, 2021

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: PHILLIPS

**KEY SPEAKERS PRESENT: CITY MANAGER GLENN MOSHIER, AMANDA
KUCHARSKI, PETER AUSTIN, REGGIE WINSLOW, ELENA PIEKUT, JANNA
RICHARDS, TINA HOWES, SCOTT GUILLERAULT, DOUGLAS BELLETETE,
JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

Meetings will be broadcast live on:

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

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

Spectrum Channel 1303

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.

Rules of Order.

The meeting was conducted under Robert's Rules of Order and other rules adopted at the November 9, 2020 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:

- 09/20/2021 Regular Monthly Meeting.

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

RESOLVED to approve adoption of minutes from the 09/20/2021 Regular Council meeting as presented.

City Manager's Report.

Glenn Moshier, City Manager stated the City staff is proud to announce the Annual Silent Auction will be returning this year. All the proceeds will be used for

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of minutes from the 09/20/2021 Regular Council meeting as presented.

City Manager's Report.

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providing winter coats, boots, and holiday gifts for local children in need. The auction will take place from November 1 through November 29; items will be displayed on the first floor of City Hall. Moshier noted everyone is encouraged to donate and bid on the items. The Broadband Committee has prepared a survey which will be distributed over the next couple of weeks. The survey will be sent out as a postcard to individual residents; however, it can also be accessed through a link on the City's website as well as hard copies will be available at City Hall and the Library. Moshier reminded the public that November 2, 2021 is Election Day; the last day to request an absentee ballot is Thursday October 28. All four polling places will be open on November 2, 2021 from 8:00 AM to 8:00 PM.

Committee Reports.

Ellsworth Library Funding Task Force Committee: Councilor Kaplan attended this meeting; right now they are waiting for a second Councilor to join the Committee.

Recreation Commission: Chair Hamilton noted there is a commission meeting scheduled for this coming Wednesday evening at 6 PM. The purpose of the meeting is to discuss the topic of the Christmas parade and start the planning process for this event. Hamilton welcomed any interested members of the public to attend the Wednesday meeting.

Citizens' Comments.

Cara Romano, Executive Director of Heart of Ellsworth explained they had just finished the fourth annual Maine Craft Weekend on October 1 through October 3. Romano explained Heart of Ellsworth is an organization that strives to bolster the Downtown Community through economic development and community development. The fourth annual Art of Ellsworth celebration was focused on the cultural heritage as well as bolstering the economic development of downtown Ellsworth. This concept is a statewide celebration of craft activities that occur in the State of Maine and is organized by the Maine Crafts Association. They aim to expand the Maine made local brand, boost sales, and awareness of existing Downtown businesses. This event also encourages entrepreneurial collaboration making Ellsworth a destination through yearly events and programs. This program also provides an educational platform for residents and visitors from around the state to attend and experience Ellsworth's small business community. See

Committee Reports.

Citizens' Comments.

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attachment #1 for Romano's complete presentation including a sweet happenstance. There was a total of eight Ellsworth program participants this year with over 550 people attending. There were a couple of nice testimonials that were received from some of the small businesses that participated. They reported between 9 and 25% of them experiencing an increase in sales that weekend. Across the board 25% or more new customers attended the events, programs, promotions, and different demonstrations including a brewery tour held that weekend.

Councilor Grindle spoke as a citizen of Ellsworth in providing a thank you speech. This was Grindle's last regular Council meeting. She thanked the residents for the honor to serve this great community. Grindle thanked her fellow councilors, past and present; she appreciated their service and respect that was extended to one another as they worked through all of the issues. Grindle thanked the City staff; she appreciated their patience as well as answering all of her questions. The staff is extremely knowledgeable, always willing to help, and provides excellent service to this community. She will miss the opportunity of being a part of making a difference as this great community grows.

Chair Hamilton felt it was important for the community to know the importance of electing seven people with different opinions and thoughts. He noted in terms of what a councilor contributes is within their control, in terms of decisions they make not always what everybody likes. Hamilton wanted the Community to realize that Councilor Grindle put everything into this role. Every item that was distributed, she read from cover to cover, every financial piece of information she digested and asked questions. She reached out to the community and was engaged from day one. This attitude and involvement made the rest of the Councilors even better Councilors because it kept them focused on paying attention to the details. It is not something the community sees but it is important to note especially at a time when a Councilor is not running a campaign.

Councilor Blanchette stated it has been an honor and a distinct pleasure to serve the last three years with Grindle. He appreciates Grindle letting the Council know what her opinion was on certain topics. Blanchette stated it is his fervent wish that when his granddaughter grows up she will have the sense of community and spirit to serve her community as Grindle does. He thanked Grindle.

Presentation of Awards.

Presentation of

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Paul Johnston, for 5 years of service with the Ellsworth Public Works Department.

Paul Johnston was absent from the meeting. The award will be given to his supervisor for presentation at a later date.

Tony Leighton, for 5 years with the Ellsworth Wastewater Department.

Tony Leighton was absent from the meeting. The award will be given to his supervisor for presentation at a later date.

Peter Austin, for 35 years with the Ellsworth Water Department.

Peter Austin was present to accept his service award from Chair Hamilton 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 #102100, Request of the Deputy Treasurer/Tax Collector to accept payments on a Real Estate Purchase Installment Contract (REPIC), property located at 413 Christian Ridge Road (Map 050 Lot 072-000-000), and to authorize the City Manager to release said property through a Municipal Quit-Claim Deed. **

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

Awards.

Paul Johnston – 5 years with the Public Works Department.

Tony Leighton – 5 years with the Wastewater Department.

Peter Austin – 35 years with the Water Department.

Unfinished Business.

Consent Agenda.

Approved - Consent agenda as presented.

Approved - Accepting payments on a Real Estate Purchase Installment Contract (REPIC), 413 Christian Ridge Road (Map 050 Lot 072-000-000), and to

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

**authorize a Municipal
Quit-Claim Deed.**

RESOLVED to approve the consent agenda as presented.

NEW BUSINESS

New Business.

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

*Louise Joy and Thomas Joy d/b/a Edward Joy & Sons, 129 North Street, for
renewal of a City Junkyard/Automobile Graveyard Permit.*

**Approved - Louise
Joy and Tommy Joy
d/b/a Edward Joy &
Sons, 129 North
Street, for renewal of
a City
Junkyard/Automobile
Graveyard Permit.**

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 Blanchette, seconded by Miller, it was unanimously

**RESOLVED to approve the request of Louise Joy and Tommy Joy d/b/a Edward
Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile
Graveyard Permit.**

*James B. Card II d/b/a Jimbo's Junkin, 62 Kylies Way, for renewal of a City
Junkyard/Automobile Graveyard Permit.*

**Approved - James B.
Card II d/b/a Jimbo's
Junkin, 62 Kylies
Way, for renewal of a
City
Junkyard/Automobile
Graveyard Permit.**

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.

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JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

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

**RESOLVED to approve the request of James B. Card II d/b/a Jimbo's Junkin,
62 Kylies Way, for renewal of a City Junkyard/Automobile Graveyard Permit.**

*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 Grindle, seconded by Miller, 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.**

*Public hearing and action on amendments to the City of Ellsworth Code of
Ordinances, Chapter 36, General Assistance Ordinance.*

KaTina Howes, General Assistance Administrator explained there have been minimal changes (under a couple of dollars) to the current General Assistance maximums. The maximums impacted were food, housing, and overall household expenses. Howes would also like to adopt the new Maine Municipal Association (MMA) General Assistance Ordinance. MMA has proposed minimal changes in that as well; they have amended some of the words to make it politically correct. See attachment #3 for the complete request and amendments to the current Ordinance. Councilor Kaplan inquired what specific wording changes were

Approved - 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.

Approved - Amendments to the Ellsworth Code of Ordinances, Chapter 36, General Assistance Ordinance as presented this evening within attachment #3.

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proposed. Howes explained she had sent an email to MMA concerning what those specifically were; however, at this time she has not heard back from them. Howes did read down through it and they appeared to be so minimal that she could not figure out exactly what had been changed. She is still waiting for an email on the specifics and if anything does change, Howes will bring those before the Council at a later meeting. She was told it was just within the wording.

Public hearing opened.

There were no comments.

Public hearing closed.

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

RESOLVED to approve the amendments to the Ellsworth Code of Ordinances, Chapter 36, General Assistance Ordinance as presented this evening within attachment #3.

Council Order #102101, Request of the Public Works Director to award the bid for the replacement of the Transfer Station scale.

Lisa Sekulich, Public Works Director explained the scale at the Transfer Station that is used to scale both residential trash for both those who have an account as well as to scale the large truck when the City sends out recyclables has been deteriorating over the last few years. It was built in 1993, therefore is almost 30 years old. It has reached the point where there have been multiple issues with it sticking and there is nothing left to do except replacement. The bid opening was held, see attachment #4 for the complete request, Transfer Station Scale Replacement Contract Award Letter of Recommendation from Woodard Curran, and bid forms. Sekulich is requesting the City award the bid to Northeast Scale Company as they were the lowest bidder. They had a scope of work plan that made the most sense as well as was the most fiscally responsible avenue. Sekulich wondered if the Council was interested in an additional optional warranty on the load cells at a cost of \$8,500 for the lifetime of the scale. Sekulich wondered if the Council wanted to purchase that coverage now or just pay for them as the City needs to fix them. Within the request is an additional contingency amount for

Approved - Council Order #102101, Request of the Public Works Director to award the Transfer Station Scale project to Northeast Scale Company at a cost not to exceed \$147,610 (this amount includes the \$8,500 warranty). He further moved as part of this motion that we accept the warranty. The project is to be funded from the Transfer Station

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unknown electrical issues that may come up as the scale is being replaced as well as any concrete repair that is needed within the vault where the scale sits. Councilor Blanchette inquired if when load cells go bad does it require replacing them all at once or do they get replaced one at a time. Sekulich noted they are replaced one at a time, she explained the process of how they work and how they traditionally do not all fail at the same time. Since Sekulich has been with the City (approximately 4 years) only one cell has needed to be replaced at a cost of \$2,000. The proposed warranty would be for the lifetime of the scale. The lifetime of a scale is generally not 30 years, it is normally in the 15 to 20 year range. The warranty only covers the load cells and not the motherboard or a lightning strike. Sekulich noted the load cells are likely the number one component that must be fixed or adjusted. If a load cell fails the scale would shut down because it cannot weigh correctly with even one cell out of commission. Councilor Kaplan noted this purchase was already discussed as part of the budget process. Sekulich noted it was previously discussed as part of the 2020 or 2021 Capital Improvement budget. The original Capital Improvement request was for \$85,000.

**Capital Improvement
account (9090900-
59023) and Bond
Proceeds.**

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

RESOLVED to approve Council Order #102101, Request of the Public Works Director to award the Transfer Station Scale project to Northeast Scale Company at a cost not to exceed \$147,610 (this amount includes the \$8,500 warranty). He further moved as part of this motion that we accept the warranty. The project is to be funded from the Transfer Station Capital Improvement account (9090900-59023) and Bond Proceeds.

Before a vote was taken Kaplan inquired if there was a warranty available to cover the motherboard. Sekulich noted unfortunately there is not; however, there is a system that is not susceptible to lightning strikes. That system would be cost prohibitive because it would cost 30% more than this product does. It does not make fiscal sense to spend that additional money on that system based on the amount of scaling the City currently does. The City has experienced many lightning strikes but not enough to justify the additional cost. The City can purchase and install a new motherboard and then the scale will continue to work correctly.

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

*Council Order #102102, Request of the Development Services Director to approve
an amended Entrepreneur-in-Residence Contract for services at the Union River
Center for Innovation to be funded from the Maine Technology Institute grant,
approved by Council on June 17, 2019.*

Janna Richards, Development Services Director explained the Union River Center for Innovation is a business incubator that is run in partnership between the City, the Ellsworth Business Development Corporation, and the Center's newfound Advisory Board. In 2019, the City was awarded a Maine Technology Institute Grant. It spans three years and with those funds going to support programming at the Center. One of the programs that was included in the grant application and that has been funded through that grant award is the Entrepreneur-in-Residence. This person is a mentor and supports the growth of entrepreneurs and startup businesses within the incubator program. They also recruit and develop new leads for new startups and entrepreneurs to join the program. They help with fundraising opportunities at the center and coordinate business coaching as well as workshops, and oversee day-to-day operations at the center. Those everyday tasks involve customer service, speaking to walk-ins, co-workers, and private office space rentals. For the past two years, Kathy Taylor, one of the founders of the Genotyping Centers for America which was the first incubator company and anchor tenant at the Union River Center for Innovation previously held the Entrepreneur-in-Residence position. In September, after 5 years in the program Kat Taylor's company graduated from the incubator program, which was the first graduate from that program; therefore, she will no longer be eligible to continue her role as Entrepreneur-in-Residence. Richards explained Mr. Voot Yin, who is a co-founder and Chief Scientific Officer of Novo Biosciences which is a biotech company that is located at the Center as well as in the incubator program was selected to replace Kat Taylor as the Entrepreneur-in-Residence. See attachment #5 for the complete request, Viravuth (Voot), Ph.D. resume, and draft agreement for services between Voot Yin and the City of Ellsworth. Richards summarized he has experience building academic programs in a startup company from the ground up. He has a background and connections in biotech and biopharma sectors. Yin has very strong fundraising experiences and can speak very freely, openly, and personally with a lot of the tenants that are located within the incubator program. He meets the

**Approved - Council
Order #102102,
Authorize the City
Manager to amend
and approve an
Entrepreneur-in-
Residence contract
for services at the
Union River Center
for Innovation. This
contract will be
funded from the
Maine Technology
Institute grant,
approved by Council
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requirements within the original description of the Entrepreneur-in-Residence that was submitted in the grant application; therefore, no changes would have to occur to the grant agreement in order to utilize those grant funds to pay for his services as the Entrepreneur-in-Residence. For all the reasons previously mentioned, staff supports amending the Entrepreneur-in-Residence contract to allow for Voot Yin to operate as the new Entrepreneur-in-Residence at the Union River Center for Innovation. Chair Hamilton noted the Union River Center for Innovation is a remarkable facility in terms of the nature of the businesses that are developing in Ellsworth as well as the variety of businesses and the growth that is taking place. The first graduate of the program will be remaining in Ellsworth, have expanded their business, and are now employing more employees. The businesses impacted by this program are the type that may not have chosen Ellsworth as a site if it were not for this Center. Hamilton felt this was a great service, program, and he encouraged everybody to look into it, ask questions, and inquire about a tour because it really is fascinating.

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

RESOLVED to approve Council Order #102102, Authorize the City Manager to amend and approve an Entrepreneur-in-Residence contract for services at the Union River Center for Innovation. This contract will be funded from the Maine Technology Institute grant, approved by Council on June 17, 2019.

Council Order #102103, Request of the Fire Chief to purchase a Rescue/Pumper from Brindlee Mountain Fire Apparatus to replace the current Rescue #5 and Engine #8.

Scott Guillerault, Fire Chief introduced the newly appointed Deputy Fire Chief, Douglas Belletete. Guillerault stated Belletete relocated from Decatur Alabama, prior to that he spent many years overseas with a private contract fire company. Belletete also worked for the City of Decatur' fire department.

Guillerault explained this request is to purchase a fire engine/heavy rescue; this is a 2012 Ferrara heavy rescue pumper. In the recent past, the Fire Department requested a replacement engine for Rescue #5 and it was recommended to the previous administration to consider an alternative such as a used vehicle. Guillerault has taken this advice and located a 2012 Ferrara heavy rescue pumper

Approved - Council Order #102103, Request to enter into negotiations with Brindlee Mountain Fire Apparatus for the purchase of a 2012 Ferrara Heavy Rescue Pumper for a final price not to exceed \$395,000.

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which has under 7,000 miles and approximately 500 engine hours on it. See attachment #6 for the complete request and the bid specs on the requested firetruck. This vehicle fully meets Ellsworth's current needs. This vehicle will replace both the heavy rescue as well as a 1992 engine. That engine is well out dated, identified as a reserve which cannot pass a pump test. The proposed truck would provide the Fire Department full capability and offer the Department a monetary credit for a fire engine. The heavy rescue will be used for vehicle extrication, ice water, and rope rescue as well as carrying all of the additional equipment that is needed to service this community combined with mutual aid to other departments who request it. Guillerault requested authorization to purchase this vehicle from Brindlee Mountain Fire Apparatus in the amount of \$395,000. Belletete has seen the vehicle, driven, and pumped the vehicle. He has also inspected the inside and outside of the vehicle; it is road ready. Councilor Lyons inquired how much the brand new vehicle cost that the Fire Department had recommended earlier. Guillerault stated it was approximately \$550,000. Councilor Miller noted that was just a rescue replacement; compared to this purchase which is a multi-use vehicle for less money than what was previously recommended. Councilor Blanchette inquired why the other department was selling this vehicle. Guillerault stated it was based on that department's 10-year replacement schedule. It has been confirmed that this truck will fit through the Ellsworth Fire Department doors. Chair Hamilton stressed the age of the current vehicle mixed with the fact that the reserve pumper truck has not passed a pump test over the past two years. Even though, it is a reserve engine it is not certified to be utilized on the fire ground. In response to Blanchette's question on what the department will do with that piece of equipment, Guillerault stated the idea is to sell it or trade it. He has spoken with Brindlee Mountain Fire Apparatus and received an estimate on the trade in value for Rescue #5 and Engine #8. They have also provided guidelines on what the value would be for a trade or if they broker the sale of it. Guillerault received a rough trade value of \$3,000 to \$5,000. That value would basically cover receiving and scraping the vehicle. The trade-in value for Rescue #5 would be approximately \$20,000 to \$30,000 on the trade. If they were able to broker a sale, the City could receive between \$50,000 and \$80,000 from the transfer in ownership. Blanchette wondered if the new truck would be trailered up or driven. Guillerault stated those are the terms of negotiations that have not been discussed yet. They did not want to pursue that discussion until they had permission to purchase the vehicle.

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

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: OCTOBER 18, 2021

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

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

CITY COUNCIL ABSENT: PHILLIPS

**KEY SPEAKERS PRESENT: CITY MANAGER GLENN MOSHIER, AMANDA
KUCHARSKI, PETER AUSTIN, REGGIE WINSLOW, ELENA PIEKUT, JANNA
RICHARDS, TINA HOWES, SCOTT GUILLERAULT, DOUGLAS BELLETETE,
JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

RESOLVED to approve Council Order #102103, Request to enter into negotiations with Brindlee Mountain Fire Apparatus for the purchase of a 2012 Ferrara Heavy Rescue Pumper for a final price not to exceed \$395,000.

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

Toni Dyer, HR Manager explained that last month she came before the Council with a request to adopt the new MEPERS rule. Upon further review of the City's Code of Ordinances Chapter 34 Ordinance, it was worded in such a way that an employee could interpret it to include a double City match. This request is to clarify that it is a one City match. The employee would pick which one, there is no double matching. Years ago, the reason for that was MEPERS was only at a 6% employee match and the City allowed an 8% match with ICMA. The City allowed employees to use points to purchase up to a 2% ICMA City match in addition to the MEPERS match at 6%, allowing a maximum match of 8% by combining both plans. MEPERS is now far above an 8% employer match, so there is no need to allow a City double match. See attachment #7 for the complete request, copy of Ordinance proposed amendments on page 12, and a clean copy of the approved amendment to page 12. Dyer stated currently no employees are taking advantage of the double match.

Public hearing was opened.

There were no public comments.

Public hearing was closed.

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

RESOLVED to approve amending Chapter 34 Personnel Ordinance, Chapter 5 as described (see attachment #7) to accommodate and clarify a single City match retirement, and usage as requested by the City HR department.

**Approved -
Amending Chapter 34
Personnel Ordinance,
Chapter 5 as
described (see
attachment #7) to
accommodate and
clarify a single City
match retirement,
and usage as
requested by the City
HR department.**

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JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

Public hearing and action on Council Order #102104, reallocating unspent proceeds of the City's 2019 BAN to finance miscellaneous vehicles, machinery and equipment and other facility improvements and upgrades.

Josh McIntyre, Finance Director stated that a few years ago the Council passed an Order to authorize Bond Anticipation Notes (BAN) which listed a number of projects and purchases. There are some unspent funds remaining from those BANS. At the workshop held two weeks ago, discussions were held on additional uses for some of the remaining funds. One of the uses was the Transfer Station Scale project that the Public Works Director mentioned earlier this evening. Another potential use was the purchase of an ambulance in anticipation of future uses. The Fire Chief was present this evening to address this item if the Council so wished. McIntyre stated the request this evening was basically to amend the previous Order to include these two additional purchases; this approval would provide the City with the flexibility to finance those projects. See attachment #8 for the complete request as well as "Council Order #102104 Amending Order #101908 to Include Additional Projects". Chair Hamilton inquired approximately what the interest rate would be. McIntyre stated the previous rate was 1.73% and the current interest rate on a one year BAN is 1.2%. Hamilton felt the rate was important to consider during the process of converting the BAN over based on what the interest rates are now compared to what they are forecasted to be in a year or two due to the current economy. Hamilton felt this was inexpensive money and would get a lot of the City's needs taken care of. The discussions that took place a few years ago were based on getting the City back to a place where these capital purchases were not considered emergencies. Due to the current state of the world, now the City is in a worse situation because if they encounter an emergency the wait times to acquire the vehicles/products are lengthy. This reallocation gives the City staff the ability to order the vehicles or make the upgrades and do that in a fiscally responsible way. This allows for a steady expectation in terms of being able to budget. The other factor to consider is the amount of retiring debit the City will have over the next few years. Hamilton felt this would help the City keep a steady level rather than have tremendous spikes in terms of the tax rate. Hamilton agreed this made a lot of sense in regards to repurposing those funds and maximizing the utilization of it.

Public hearing was opened.

Approved - Council Order #102104, amending Council Order #101908 to include additional authorized projects to be financed with the City's outstanding Bond Anticipation Notes (see attachment #8 for the associated Order).

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JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

There were no comments.

Public hearing was closed.

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

RESOLVED to approve Council Order #102104, amending Council Order #101908 to include additional authorized projects to be financed with the City's outstanding Bond Anticipation Notes (see attachment #8 for the associated Order).

Public hearing and action on a Moratorium Ordinance Regarding Medium- and Large-Scale Solar Energy Systems.

Elena Piekut, City Planner explained as requested at the City Council's September meeting she has drafted a Moratorium Ordinance that would apply to medium- and large-scale solar energy systems. See attachment #9 for the complete request including the proposed Moratorium Ordinance Regarding Medium- and Large-Scale Solar Energy Systems, and the clean copy of the proposed Moratorium. The attached document has been reviewed by the City's legal Counsel (who was in attendance this evening). Piekut suggested the following potential changes: First, the second to last whereas, "after public hearing there is strong support"; she suggested unless there is a lot of comments tonight that part might not be necessary. Second, page 2 Section 6, Pending Proceedings as it pertains to projects that have already received approval or are finishing up their process, they are protected from the effects of this Moratorium. Piekut believed this was the intent, from the last meeting where the Council discussed this item. Piekut suggested amending the third line in that section, "or are pending as provided by Title 1 MRSA 302 and the City of Ellsworth Code of Ordinances Chapter 56, Section 602.11 to "are pending as provided by Title 1 MRSA 302 and vested under the City of Ellsworth Code of Ordinances Chapter 56, Section 602.11. This is a minor distinction; however, if there were any challenges this would help to protect it. Piekut asked the Council to articulate upon adoption of this moratorium what the concerns are that prompted this request and what topics should be addressed. Implementing the moratorium as it is written necessitates that the Planning Department return within 179 days through the Planning Board with proposed amendments that would address what is lacking, not fully considered, or has not been properly regulated. Piekut indicated

Approved - Adopting a Medium- and Large- Scale Solar Energy Systems Moratorium Ordinance as presented (attachment #9), with an effective date of October 19, 2021.

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any thoughts pertaining to those topics would be appreciated as they embark on that process. Councilor Blanchette inquired if the number of days should be included in the suggested motion. Piekut did not think so because it is in the text of the Ordinance. Within the proposed motion is an effective date of today (10/18/2021); Piekut questioned whether it should be tomorrow. Councilor Miller clarified this Moratorium would not affect any projects that are already moving forward; this would only impact new ones. Piekut indicated that was correct. Hamilton stated his perspective as well as one of the reasons he felt it was important to do this was that at the present time there have been an expansion of solar projects across the State. Ellsworth has seen that influx even with the three projects. The City knows some of the impacts; however, as a City the full impacts are not known yet. One of the most common issues he hears from residents is the lack of planning, that theme emerges time and time again. A majority of people are in support of the comprehensive planning process that has just begun and having that document updated. Hamilton stated this movement is not about solar at all, it is not a concern about solar as an industry; however, it is a concern about where is the City headed with land use, what does the City need land to be utilized for, and where does the whole process of decommissioning fit in. Hamilton felt the City needed more time to gain a better understanding of how this all works. The City has some Ordinances currently; however, Hamilton does not believe the City has a full understanding of the implications as these projects have become very expansive. The reason they have become expansive is because they are highly subsidized; there is a huge incentive for these projects to get underway. Hamilton is interested in understanding all of the aspects of this new industry, what it entails, what are the risks to the City 20 years out, what is the impact on the land that is acquired and utilized, where can these projects go, how do they feed into the grid, are they contributing to the community or are these projects coming in taking the subsidies and siphoning off the electricity and having virtually no benefit to the community. Those are all questions the City should be asking; Hamilton was hoping over the next 179 days there is an opportunity for the community to have a workshop to discuss this issue and to ensure the City gets this right. He is hopeful the City does not fall short of planning for this particular issue. The projects that are in the works are already moving forward and it is not an easy path for that to happen so the 180 days would not be impacting any projects that are going to be subsidized. Hamilton believed the City was handling this in the correct manner within the correct timeframe, and the City will have a better understanding as a community and then they will be able to move forward.

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JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

Public hearing was opened.

There were no public comments.

Public hearing was closed.

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

**RESOLVED to approve adopting a Medium- and Large- Scale Solar Energy
Systems Moratorium Ordinance as presented (attachment #9), with an effective
date of October 19, 2021.**

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

Glenn Moshier, City Manager was invited to remain in the executive session. Chair
Hamilton noted the Council would not be reporting out following the executive
session except to adjourn the meeting.

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

**RESOLVED to approve entering executive session to discuss personnel matters
in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A at 7:54
PM.**

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

**RESOLVED to approve adjourning from the executive session in accordance
with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A at 8:13 PM.**

Adjournment.

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

**Approved - Entering
executive session to
discuss personnel
matters in accordance
with MRSA Title 1,
Chapter 13, Section
405, Paragraph 6A at
7:54 PM.**

**Approved –
Adjourning from the
executive session per
MRSA Title 1,
Chapter 13, Section
405, Paragraph 6A at
8:13 PM.**

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

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JOSH MCINTYRE, LISA SEKULICH, TONI DYER, AND HEIDI GRINDLE.**

RESOLVED *to approve adjournment at 8:14 PM.*

A TRUE COPY

ATTEST: _____
HEIDI-NOËL GRINDLE