

# Ellsworth City Council Minutes

November 19, 2022

## **Dale Hamilton**

I will call to order this November 21, 2022 Ellsworth city council meeting all councilors are present. Pledge of Allegiance. Item three rules of order, we follow Robert's Rules of Order as well as the rules of order for which the Ellsworth city council meetings are to be conducted which we adopted at the organizational planning meeting. item four adoption of minutes from the following meetings of the Ellsworth City Council October 17 2022, regular council meeting November 10 2022, Special Council meeting and November 14 2022, organizational meeting.

## **Casey Hanson**

I have a question about the October 17. At that meeting, when the Council voted to go forward with the lease for the police department, we were debating between these two different numbers for the upfront cost, the \$800,000 costs and the \$1 million costs. And it looks like in the meeting minutes, it was the \$1 million that we had approved, which is how I had remembered it. But then in the Ellsworth American and the Bangor Daily, they weren't kept citing the 800 and whatever thousand. Just want to get clarity on that. I don't know what because that information got sent to them. Not right, or

## **Glenn Moshier**

we didn't provide them any information. so that would have been from their watching of the meeting or what have you. But the minutes should reflect exactly what the motion was and what was voted on.

## **Casey Hanson**

Okay. That's what I thought it was. So

## **Dale Hamilton**

is there a motion?

## **Casey Hanson**

Motion to adopt the minutes from those three meetings?

## **Gene Lyons**

Second,

## **Dale Hamilton**

motion is second any further discussion? All those in favor? Unanimous. Item five city manager's report manager Moshier.

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**Glenn Moshier**

Thank you Good evening councilors. So just a few things real quick. With the upcoming holiday. It's a short week for City Hall. City Hall will be closed on Thursday and Friday for the observation of the Thanksgiving holiday, and to allow employees to spend that time with their family and loved ones. Upcoming events in the city. We have the tree lighting ceremony on November 26. Many of you may have seen the tree that's out front in the parking area. It's been up since I guess last week when it was delivered here. The ceremony will be on November 26, from three to 5pm right here in the parking lot. The area will be cordoned off to vehicular traffic through a portion of the parking lot and the parklet will be closed temporarily for that event on Saturday. In addition, there'll be all sorts of things going on in there, food will be available, book giveaway, letter to Santa, caroling, and a photo booth just to name a few things. So please everyone come out with your families and enjoy the festivities. It happens to coincide with Small Business Saturday, which is all day Saturday. We encourage folks to come out and shop locally. It's incredibly important to support our small businesses in our downtown and elsewhere throughout our city. And many of them will be offering specials and have door prizes and other things for folks who come out to support them on Saturday for Small Business Saturday, and hopefully stay right through to the tree lighting. In addition to that, if you're interested in other Christmas events here in Ellsworth, you can go to [Christmasinellsworth.com](http://Christmasinellsworth.com) for a list of a whole bunch of different events that are taking place. And not to be missed certainly will be the Christmas Parade which will be taking place on December 3, right here in downtown Ellsworth. And this year's parade is a change from the past years where it's going to be an evening event. So stay tuned for details on that. And you can certainly check out that website for the specifics. And finally, it's with sadness that I have to report to the council that last week our former retired canine Chase had to be put down due to some health complications. So unfortunately, he served the city for many years as our canine and he's lived the last few years in retirement with his handler due to health issues he had to be put down the other day. So that's all I have, sir.

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**Dale Hamilton**

Item six committee reports. Any committee reports? All right. So, committee assignments. What I've tried to do is to based on your requests, tried to match that up and I think for the most part that happened. So the Capital Planning Committee, this essentially is the finance committee's of councilors, Hanson, Hamilton, Mote and Beal; the EMS committee and this this one probably just needs a little bit clarification because we had a couple of committees out there. This committee is formed to specifically talk about the development of an ambulance service of where the city wants to go, whether it's developed own or not to have a committee that's formed around that. So that's what that committee is focused on. At and so for that, Councilor Hanson and myself; EBDC The business development that will be Councilor Beal; historic preservation will be Councilor Stein and councilor O'Halloran; local roads will be councilor Mote, Lyons and Beal; The harbor commission will be councilor O'Halloran and councilor Beal; recreation will be myself and councilor Stein. Human resources will be myself, Mote, Hanson; streetlight committee will be councilor Lyons and myself. Penobscot Downeast cable television consortium, councilor Mote and myself. Solid Waste Councilor Stein and Councilor Mote; library support Councilor Hanson and Councilor O'Halloran. And then we have the Frenchman Bay Regional shellfish do we need to reappoint that? Yes. So Cathy Picard will be appointed to that. And with this, if, after you hearing this, if there's a change that you would like, this, really I don't think there's any reason

we can't have those discussions. But that's where it landed so far. And that's what we'll we'll start but we can have further discussions as we go along.

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**Dale Hamilton**

Item seven citizens comments. This is the portion of the agenda where citizens can make comments on any item that that you wish doesn't have to be on the agenda. If it is on the agenda, you'll have an opportunity to speak at that time. You can use this time to speak on an agenda item, but you won't be able to later as well. So generally people speak on items that are on the agenda. And then when the agenda item comes up. They have the opportunity to talk specifically about that item. Just a couple reminders around the process. Please state your name and your town of residence. non residents may be allowed to speak that's at the discretion of the chairman. You may speak for up to three minutes, Councilor Mote has agreed to be the timekeeper. And so when you hear that your time's up, that will be the end of your remarks. No vulgar, offensive or scandalous language, disorderly conduct or profanity is permitted. And that's something that's just for appropriate protocol. So with that anybody that wishes to speak may go to the podium, state your name and share what you want to share.

**Gordon Workman**

Good evening councilors. Gordon Workman Ellsworth, Maine. Just a few things you didn't mentioned about committee memberships. They'll be good if the council is actually went to some of those. I know that some of them don't end up going. But they should be there present because other people have volunteered their time to be in those. It would be good if you could just say it'd be good. The other thing was I had a put on local Facebook about meeting tonight and there was some expectations or an expectation but some explanation stating that the City Hall is not safe to be in and I want to make sure that we are safe. I was told this exposure here that could cause lethal situations. I want to make sure with everyone that's here. And everyone that saw this post on Facebook, that city hall is safe. Is that correct?

**Dale Hamilton**

So who made the post?

**Gordon Workman**

Abigail Miller, and she stated that her Council, the previous Councilman or husband stated that he knew of unsafe conditions. So I want to make sure that the City Hall is safe.

**Dale Hamilton**

So I can't comment. I don't know what the post is and responding. I don't know if Manager Moshier if you I mean, that's kind of vague, but

**Gordon Workman**

it says has hazardous conditions, life threatening, whatever said on the post, and I just want to make sure clarify that citizens of Ellsworth as well as everybody else present, that this city hall is safe to be in?

**Glenn Moshier**

Yes, the building is safe. I think what she was referring to which anyone can look at the deficiency report dealing specifically with the police department, and some of the hazardous conditions that have arisen in the police department due to the type of work that they do. So I believe that that's what she was referring to. I can't certainly speak for her. But the building is safe for the public. And for the folks who work here in it.

**Gordon Workman**

Good. That's good. I just want to make sure that that was out there. And I do want to comment on one of the things is that I know that we definitely need a police station, there's no doubt about it. We need upgrades we need the space, there's no doubt about it. The location that's been discussed, this, I think is a poor location and the lease. leasing the building, I think is not it's not good. I think we're better off using what we have for facilities or buildings or infrastructure of our own to benefit the citizens better than leasing or what have you are using property build a statement on? And that's, that's my comments on that. Just want to throw that out. Thank you.

**John Linnehan**

John Linnehan Ellsworth Maine. As most of you know, I'm concerned about finances in all areas here in our city. I want to talk a little bit about the what I consider a lack of transparency. It just happened among the council. As far as doing the last lease on the new police department. I'm totally 100% in favor of the new police department. I don't think it was handled aboveboard. I don't think it was transparent the way the decisions came up. And I think it's affecting our city in a horrible financial situation. I leased property at the Maine Coast mall right now. For example, I just called the management last week, because I know that supposedly we've looked around and checked everything out. And that's the only place available. And I found out that right now at the mall, they have a 12,000 square foot space available. And I said, Well, how much could we get that for the city? And 6.00 a square foot is what we can get that for. So \$6 versus I think 1350, which was the price of the last lease that was on there. So well, how much is your escalator they said was 2% I recently just signed was for 3%. And then I looked at the procurement policy that we have in the city, I don't think it was followed. And that million dollars Casey was mentioning earlier like that, I believe that was put out to bid that would come in at a quarter of a million dollars less than that. So some major money, we can get an extra 3600 square feet for \$40,000 less than what we're paying on our current lease right now. And the city buildup is going to be the same on either one. They're responsible for that. So I think we really need to take a strong look at that. I know there's a lawsuit now that you people can comment on. I hope that that's upheld. I believe it's legally right. And I hope that that passes in the very near future. Secondly, I know when we're having our city council forum, I was asked that it was impossible to cut the city expenses by 5%. And I'll just give you a couple examples how I think you should cut the expenses. I believe right now on the city website. We're looking for new city planner. Unfortunately, we just lost an excellent city planner, I believe. However, I believe that is a duplicate department. We have a planning board. We have a code enforcement and I think the Economic Development Department could be eliminated in the process and save the city \$250,000. So I think it's a duplicate process that doesn't need to have happened right they have so we can eliminate duplicate. The other thing I'd like to see happen is I think we have assistance And I really enjoyed my last run for the City Council. I had a run off with Jon, I congratulate him for getting that end up losing by 55 votes. And I'm really concerned

about the direction. I think we just got rid of a couple of spenders off the city council. I hope the new three that are on your prove to be spend oriented, watch what they spend the dollars. So I want to take tonight to officially announce that I'll be running for the City Council in 2023. And I'm going to have the same emphasis, reducing the finances, holding expenses down and reducing the taxes the city of Dallas. Thank you very much. Thank you.

### **Cara Romano- Heart of Ellsworth**

Good evening. My name is Cara Romano. I'm the Executive Director of heart of Ellsworth. I'm here tonight to inform the council and the community of a new program that heart of Ellsworth is very fortunate to be a part of this year. In 2021, Heart of Ellsworth signed on to be part of a group of nine different downtown's around the state to apply for congressional earmark funding with Senator Susan Collins office and Senator Kings office in 2022 the Maine downtown center informed us that we were successful in in our ask to do entrepreneurial ecosystem building here in the in the state of Maine. This program is to build rural resilience, foster inclusive, vibrant connected communities and to spur economic revitalization in nine downtown's around the state. So about a month ago, we went with our economic development director and a board member down to Belfast along with a couple of other groups of folks. And we kicked off the entrepreneurial ecosystem work that we're going to be working on with the Maine downtown center, national Main Street, America and heart of Ellsworth. We had a community meeting two weeks ago with our facilitator Ann Ball and also with Matt Wagner from national Main Street, who just finished and completed a tour of the nine downtown communities around the state that are going to be working on this work. The overview of the project is to support entrepreneurship, innovation, post pandemic economic recovery by strengthening and growth growing entrepreneurial ecosystems and nine communities around the state. The project is individualized, specialized to our community. It's placed based, so it's based on Ellsworth assets. And also its areas of further development that have been identified by our asset mapping program that we're in the middle of completing. And we'll be back next month to report on to folks. And it's really built to connect all of the existing businesses and to find a platform for them to sustain. And then for also for us to grow and to reach out to other businesses in the community that are interested in coming to Ellsworth in the years to come. The you folks, I just passed out sort of a draft timeline of the deliverables and all of the different dates and deadlines in 2023 that we're going to be working toward. And there will be community meetings that will be happening in the heart of Ellsworth office and in and around the downtown. In total, the earmark funding that we received was \$60,000, of which 10,000 will be used to host these community meetings. And also to involve the community members as well as city council and municipal workers. As well as at the end, the concept is is that there will be \$50,000 that we will have to spur economic growth and revitalization in the downtown. And at the end of the community meetings, we will figure out what that project is. So I just wanted to open up if there are any questions. And I had one question, sorry, I forgot to ask about the councilor committee appointments. Are all those appointments online?

### **Dale Hamilton**

They will once they get updated? Yes,

**Cara Romano- Heart of Ellsworth**

yes. I just have never really looked for them in earnest online. And I was trying to write quick, but I wasn't quick enough for you. So. But if there are any questions about the ecosystem work, I'm happy to answer them now or to take questions via email, text. However, anyone has questions.

**Jon Stein**

Is there any idea what that eventual \$50,000 might be used for? Or other examples that other towns have any other towns already completed?

**Cara Romano- Heart of Ellsworth**

Yes, great question. So last year, there was a pilot program three communities Monson, Skowhegan, and I can't remember the other town. They all sort of did a year of the program to kind of figure out how it would fit into these other nine communities around the state if the earmark funding were received. And I know in Skowhegan, they ended up using the money to create another position inside their organization because what was asked for again and again Then by the different downtown businesses were all things that were capacity building. So it was wanting more programs or wanting more resources. And it kept pointing back to them needing another staff person. So that was one example. Another example in Monson, they purchased a little tiny house. And they did an and a artist in residency program where they rent it out. So it's sort of like another revenue stream for their organization. Because Monson also is an affiliate community at the Maine downtown center. Thank you. Thank you, folks.

**Jim Pendergist**

Jim Pendergist, Generic comments, particularly addressed to Mr. Moshier. And I wanted to know where there was any, any comments prior to the October meeting, in September, about the relocation space for a police station? My question is, did you discuss it with the council in September, before bringing it to a vote in October? Yes. It was in an open forum like this? Yes, there's on the agenda. There was a public meeting, public meeting that was

**Glenn Moshier**

Public meeting held in September. And it was first discussed in this very room with this council in July, which is when the chair selected several members of the council to be on a public safety building committee, which then met in September,

**Jim Pendergist**

so they were well aware of the location is yes. Or when they speak of lack of transparency, it just seems to me that there is a great deal of animosity in this community. So as a result of that chosen location. For the advantageous reasons, you find it advantageous to be up and up. And that's that location. I fail to see it. But nevertheless, I'm not a police officer, I don't have all the information that you have. So that's, that's the major thing that I wanted. But where did you else did you look, besides that? Location?

**Dale Hamilton**

So I'm just I'm gonna step in, just in terms of this conversation. As it was referenced, there is a lawsuit that's been filed. And because it's in a legal matter, without the attorney for the city, being present, we are not able to engage in discussion.

**Jim Pendergist**

We can't discuss it and you're free to

**Dale Hamilton**

say whatever you want, anybody can comment. We're just not because it's a legal process. We can't comment back because it's, it's, it's going through a legal issue. And and I just wanted to be clear about that, so that there isn't any expectation of a back and forth process.

**Jim Pendergist**

if you can answer the question, then that's fine. We I mean, if you're in the midst of a lawsuit, I have no problem with it. Yeah.

**Dale Hamilton**

That's that's the only reason. That's why I wanted to say, just. Yeah, no, and I appreciate the questions. I just wanted to be clear why the why we're not getting in a debate or not or discussion about it back and forth, because we can't

**Jim Pendergist**

it's not a debate to me. It's a matter of enlightenment that's.

**Matt Welch**

Matt Welch Ellsworth, resident, I have a question. I've heard a lot about this new police station. And I've only been in the community as a resident for about five and a half years. It seems a lot that Glenn is a city manager, co police chief, is that a long term thing or is that just temporary? There's a lot of people questioning that with the new news about the police station.

**Glenn Moshier**

Well, I think it's important to point out that as city manager, I don't have a vote. So, I bring forward to the council ideas, concepts, things that are brought to the city manager's office as solutions to problems that we have in the city right now. This is this is one solution to a long standing problem that was brought forward and was brought to the council and the council voted and I don't have a vote. I would equate it to the exact same situation was handled with the water company and the water departments need for relocation and space. That was an opportunity that was presented, and we sought alternatives to their current space that was brought to the council. And the Council voted to accept that lease agreement. It's no different. And my role in both situations was exactly the same. I brought the information to the council, the department heads or a variation thereof, supported the information provided additional information and the council made a vote.

**Dale Hamilton**

And I'll and I'm only going to speak for as one councilor who was part of the process when manager Moshier was hired. So I'm not speaking on behalf of everybody else that voted but it was it passed the decision in terms of maintaining the oversight. Manager Moshier maintains oversight of every department regardless. And in in terms of the police chief, he also put in place a structure where the day to day oversight in terms of supervision, administration, all of that was managed internally, just like all the other departments. So there's that separation that existed. And the council at that time felt manager Moshier not only his police background, but he has a background in government. His degree is in government. So it was a rounded approach he had he brought to the table a lot. So it was a discussion in terms of what the council felt was appropriate in terms of managing that. And it was also a cost savings in terms of reducing some of the costs by not having a separate person stepping into that role. So there was a lot of factors that went into that

**Matt Welch**

short term. It's a or is it a long term play?

**Dale Hamilton**

It's it's part of the contract that was established with him,

**Matt Welch**

like is a contract, meaning there's an end date? If you have a contract, you have a start and end date, is there an end date to the dual role,

**Dale Hamilton**

there's end date to his contract? And as like every contract in the city, when it comes due, There'll be negotiations around the contract? Yeah.

**Matt Welch**

Is that public knowledge, the date?

**Glenn Moshier**

January 2024

**Matt Welch**

January 24, and that saved the city a certain amount of money,

**Glenn Moshier**

a significant amount of money, right? My salary is comparable to what a city manager salary would be. So you're getting my role what I do in the police department, which again, is not day to day operations, but the general oversight of the policies and procedures and the budget needs of the department for the price of a city manager.



**Matt Welch**

But since I've been here, that planning position has been like a couple of people it's been open. If we could free up your time instead of two position to spend a little bit of money we might save on losing other people on your staff. You have a lot on your plate. I'm not saying you can't handle it, but that's a lot to ask someone in this size of a city I mean, we're growing city it's I don't I've heard a lot from other people as well other Oh, thank you.

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**Dale Hamilton**

Anybody else like to speak? Seeing no one. We will move on to the next. Item eight is presentation of awards and one item we have is a proclamation. City of Ellsworth small business Day proclamation dated for November 26 2022. Whereas the city of Ellsworth, Maine celebrates our local small businesses and the contributions they make to our local economy and community. According to the United States Small Business Administration, there are currently 33.2 million small businesses in the United States, representing 99.9% of all businesses with paid employees in the United States, responsible for 66% of employment growth over the last 25 years 12.9 million net new jobs, accounting for two out of every three jobs added to the economy. And whereas 79% of consumers understand the importance of supporting the small businesses in their community on Small Business Saturday, and 66% reported that the day makes them want to shop small all year long, and 54% reported that they dined or ordered takeout from a small restaurant bar or cafe and were at 67 cents of every dollar spent in a small business stays in local community and small businesses donate 250% More than larger businesses to local nonprofits and community causes. And whereas 78% of small business owners say their holiday sales likely determine whether they can stay afloat in the next year and Small Business Saturday help spread the message to consumers with 70% of consumers reporting that Small Business Saturday makes them want to encourage others to shop at small independently owned retailers. And whereas the city of Ellsworth supports our local businesses that create jobs boost our local economy and are critical to the overall health of the United States, and whereas organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday. Now therefore be it resolved that the city of Ellsworth hereby proclaim Saturday November 26 2022, as Small Business Saturday in Ellsworth, Maine. And be it further resolved that the city of Ellsworth urges the residents of our community and communities across the country to support small businesses and merchants on Small Business Saturday, and throughout the year. And I would just comment that last year in terms of manager Moshier references in his updates, it was a huge success last year in terms of the number of people that turned out in the community for the events on Small Business Saturday, they coincide they but they were coordinated by many organizations heart of Ellsworth, the Chamber of Commerce, the Recreation Commission, and that's happening again this year with all the planning. So I certainly encourage everybody to get out to those events. It was a great turnout. And I think the businesses fared very well and in the city.

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**Dale Hamilton**

unfinished business abandoned, dangerous building located at 16 5th Street.

**Sue McLean**

Can you evening, I'm Sue McClean tax collector. I'm here tonight. To continue the discussion that was started at the October 17 council meeting. And your packets, you should have information that was presented by Lori Roberts, our code enforcement officer in reference to the property located at 16 5th Street, this property foreclosed due to non payment back in 2019. And, well, it was foreclosed because

of the 2019 taxes. And we were trying to determine at the last meeting, whether we wanted to keep the property or whether we thought it should go out for sealed bid. But at that time, the council wanted to know if there was any family interest or the they wanted more information. Shortly after that meeting, within the next day or so, I was contacted by two different people, the first person was a nephew of the prior owner interested in purchasing the property. And then a day or two later, I got contacted by the son of the prior owner who was interested as well. So at this point, we're kind of wondering what to do with the property? Do we want to go ahead with a sealed bid sale? Or do we want to sell it to back to the family for the taxes? We have taxes, water and sewer and an engineer, an engineering bill that is also paid for by the city? We don't know what to do. And if we go with the family, who do we sell it to? I guess that's what I'm here to ask what is your preference?

**Casey Hanson**

In the attached document. Oh, what's it called? it's the Yeah. Maintenance administration and disposition of tax acquired property in Article Three. A, it says and I think that's asking this question about selling it to the to the former owner says this article applies only to prior owners who personally reside on the premises of the tax acquired property at the time of the tax lien matured and continuously thereafter up to including the time of petition for repurchase. I might not be reading that right or maybe I don't understand that. Right. But that made it seem to me like we couldn't just give it to these other family members for the taxes. Do you think that's right?

**Sue McLean**

Well, that's how I understand it. I think though, I don't have that right here in front of me. But I think there's a limit a time limit to that. And once you go beyond that time limit, you can do what you want, but but I don't really know that for certain. That's just how it's been interpreted in the past. Nobody's living in the house right now. The even the Son of the prior owner, he he left the property as far as I know, and from what I've been told by family and neighbors that he left before it even foreclosed. And there's nobody there and there hasn't been it's been abandoned. I'm not against selling it back to family, I just need to be advised. What to do.

**Michelle Beal**

has any of the process for tax acquired property and the ordinance been followed yet? Has it gone to a good yet of all? No. And personally, I think that we should it needs to go through the ordinance process. If we haven't done anything.

**Sue McLean**

Now, all we've done is foreclosed on it. Yeah.

**Glenn Moshier**

We brought it last month for guidance from the council, whether they wanted to sell it because we there are properties throughout town that we that we still own that we the council has decided for one reason or another that they didn't want to sell. So that was the guidance that we were seeking last month, and there was just some questions as to the the family interest and the foreclosure process.

**Jon Stein**

There were also, as I recall, wasn't on the council yet, but there were some creative proposals discussed about including restrictive covenants of some sort in the deed whether this could become you know, a single family home or long term rent possibility written into the deed to help with our worker shortage. Was that looked into?

**Glenn Moshier**

I did have a follow up conversation with economic development Janna Richards about because she was the one who proposed that as as an option. We didn't really do much beyond that, because of the family interest and the, you know, the not knowing what direction the council would want to take with dealing with the property. But certainly, if it's the council's desire to put it out to bid, then Janna and I will continue to work on that potential to explore that as as an option as part of the bid process.

**Michelle Beal**

I read that too. But it's a pretty small lot, isn't it? That's some history.

**Glenn Moshier**

It is. It's a small I mean, it's a single family home,

**Michelle Beal**

we'd only be if we kept it and did something would be just for one really family. Currently at a place where you could put a duplex or even an apartment house.

**Glenn Moshier**

I think the I think the thought process was rather than leaving it exposed to the potential of someone purchasing it, rehabbing it, and then let's say Airbnb it, and that not really providing any relief to say, you know, young families who may be looking for a starter home, you know, that that was kind of the conversation around, is there a way that we can, to some degree dictate what happens to the property so it doesn't turn into a rental, you know, money making venture for someone, but it does, in fact, provide some relief to you know, the folks who are looking for housing in our area, permanent housing.

**Michelle Beal**

I just, I mean, if the family has an interest in it personally, I would think putting it to bid and allowing them to do that I I don't feel that if if that's not an ordinance that that can't be Airbnb, have an Airbnb and in that property that we shouldn't be keeping property to prevent something that's allowed by ordinance so

**Glenn Moshier**

well, the idea wasn't for us to retain possession of the property. The idea was to put some sort of restriction on the deed going forward with the sale of the property, so that if someone bought it, they would go into it knowing okay, I'm bidding on this property. I'm not going to be able to turn around and Airbnb, it's going to be a single family home. But again, that was something we were just talking about exploring. We don't even know there's no precedent for that. So it was something that we were just going to look into further if you know if it was decided that we wanted to put the property out to bid.

**Tammy Mote**

So based on the ordinance, though, I don't believe you can put any covenants on it. It's only municipal quitclaim deed to whoever the owner is.

**Gene Lyons**

I personally feel if a family members interested in it, it's probably best that they can come up with money and pay it. That probably the son first and the reason why I say that if somebody buys that property, I have a friend right now that owns a piece of property they bought at an auction and he's been waiting 5-7 years for it to clear. It's going right down the tubes and he's spent 1000s and 1000s of dollars trying to get it clean. In the same way, all that person has to do is file anything. And he's held up for years.

**Steven O'Halloran**

last month, I asked the question, if they had been reached out to the people that owned it in your conversation with the son or nephew or what have you? Did you learn anything about the people that lost it? Are they interested in this at all?

**Sue McLean**

The the prior owner has passed away. Okay. Okay. And it was the nephew, it was his nephew that contacted me originally, and then the son. A few days later. We had sent out all the required notices and liens and demand notices foreclosure notices automatic foreclosure and never heard a thing from them until it had foreclosed. And now we are

**Steven O'Halloran**

these notices were sent to a deceased individual

**Sue McLean**

they were sent to initially because that's who we had to send it to. And then we were sending it to the son in the son's name. I think it had gone through probate, but I'm not 100% sure about that. I've looked at so many. So but somehow it got so that it was going to in the son's name. I'm not sure he was getting them, though, because I don't think he's signed them. Well, what was happening during some of that was the post office was signing off on our green cards return, and they would sign their name and then write COVID under it. So I have to assume it got somewhere. But I didn't get it back. So I got the card back.

**Glenn Moshier**

Because if you if you look in your in your packet for the letter from the son, he acknowledges in there that says my father passing regrettably admit that I have been negligent in my financial responsibility for the property that goes on.

**Michelle Beal**

Can I make a motion? I'd like to make a motion to sell the property by sealed bid according to Ordinance 10. And on the side and very much encourage the son to put in a bid.

**Tammy Mote**

Second,

**Dale Hamilton**

motion a second further discussion?

**Tammy Mote**

Can we just add something as part of the motion that has to say the council has to say when the bids are due back?

**Michelle Beal**

As part of this motion we did.

**Tammy Mote**

So I was looking at like December 30. So that give us time for the all the information to be back to the tax collector and treasurer. So December, I'll edit my motion to would you just say December it will be due by December 30, 2022

**Jon Stein**

Is there a mechanism to help the family member with that sealed bid? Or is it just a hope that the family can Is there any official mechanism like a right of first refusal or something for that?

**Glenn Moshier**

But we do have the council does have the right to refuse any bid. So it would be the bids will be brought back to the council and ultimately the council decision as to what bid is accepted.

**Dale Hamilton**

Further discussion

**Steven O'Halloran**

so we're not 100% clear if the communication got through at the right time. Is that the gist of this whole thing?

**Sue McLean**

I guess you could say that. We have you know we did everything we were supposed to do. I can guarantee you that. We got signed cards back but again the post office signed them. i I can only say that we have a had some interest in that land. So I'm assuming that the family or the son knew at some point, but he didn't contact us until just recently.

**Steven O'Halloran**

Could we hear this letter?

**Glenn Moshier**

So it was addressed to myself and the city council. My name is Carrie karst, my parents were KENNETH And Kathleen karst and they owned 16 5th Street. I grew up in the home and my parents lived there until their passing, I am the sole heir of the property and estate. Since my father's passing, I regrettably admit that I have been negligent in my fiscal responsibilities for the property. Life just got in the way and I didn't have follow through without trying to excuse anything or shirk responsibility. I honestly believe that this was partially due to the heavy loss and the complications of closing the estate. I was also dealing with my personal issues and didn't focus the energy that was required to finalize the details of his estate. I would, I would like to make amends by paying all owed back taxes, sewer and water bills, any fees incurred due to my delinquency, I earnestly ask the city and the city council to honor my request, and not put my father's property and my inheritance out for bid to the highest Prospector, who will most likely destroy what little remains of the property and my memories. I truly want to make this right and will take care of all matters at our at our earliest convenience. I earnestly request that we make things right and fulfill my father's wishes for the property. Unfortunately, he wasn't available to come to meetings. Thank you.

**Sue McLean**

Well, he does address that he knew he knew what was going on and that he he had he had a financial responsibility for the property and ignored it. For whatever reason. I mean, I can understand his reasoning, but

**Dale Hamilton**

in this process, you said started in 2019.

**Sue McLean**

no it was for the 2019 tax bill. So it was done in 21, I believe.

**Michelle Beal**

And I know I made the motion but I do feel badly for the family. But we have an ordinance and that ordinance says shall it doesn't say May and I don't think we have the right if we start changing ordinances to make changes arbitrarily.

**Dale Hamilton**

And I think the letter is important as we consider this going forward as well. That becomes helpful in terms of the process, but I think I agree in terms of following the process and but taking under advisement, strong advisement that then information. Any further discussion, all those in favor of the motion all opposed, two opposed, motion passes.

**Sue McLean**

And just to be clear, this is a sealed bid motion to do the sealed bid. Just wanted to double check. Thank you.

---

**Dale Hamilton**

Consent Agenda, there are no items for that. So new business public hearing and action on the following business licenses. Stephen Curtin dba steamy Buddha cafe 50 Church Street for a new State liquor license class 1,2,3 and 4 and upgrade to city Class C license from Victualer. This is a public hearing open the public hearing. Public Hearing is open. They would like to comment on this they may do so. Seeing none I will close the public hearing. Public Hearing is closed

**Jon Stein**

is there a representative here in the back.

**Tammy Mote**

motion

**Casey Hanson**

second

**Dale Hamilton**

any discussion? All those in favor? Unanimous. Ryan Louder DBA strike and slice 25 Eastwood Lane suite six for a new city Class C license and State liquor license class 1,2,3 and 4. This is a public hearing open the public hearing, public hearing is open. Anybody that wishes to speak on this may do so. Seeing then I'll close the public hearing public hearing is closed

**Casey Hanson**

motion to accept

**Gene Lyons**

Second,

**Dale Hamilton**

have a second discussion.

**Tammy Mote**

Verify that like all taxes are paid and all the requirements have been met for all of these licenses. Okay.

**Dale Hamilton**

Any further discussion? All those in favor? Unanimous. Etc. LLC DBA Dyon's 35 eastward lane for renewal of a State Liquor tennis club, class three and four. This is a public hearing open the public hearing. Public Hearing is open. Anybody who wishes to comment can do so. Seeing none I'll close the public hearing public hearing is closed.

**Casey Hanson**

Motion to accept the license.

**Gene Lyons**

Second,

**Dale Hamilton**

second. Any discussion? All those in favor? Unanimous.

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**Dale Hamilton**

Item 11. Council order number 112100 request of the wastewater superintendent to award a bid for new truck

**Mike Harris**

Good evening councilors Mike Harries Superintendent. I'd like to say welcome to all on your councilors. Congratulations on winning your elections. I come for you tonight to talk about during the last budget we budgeted for us to be able to get a new truck for the wastewater treatment plant. And so I received three prices. The price that I'm recommending is from Darlings Ford, and the amount of \$56,500. And it comes with the plow already installed. Currently the treatment plant we have one six cylinder, two wheel drive truck. And then we have a four wheel drive truck and five people. And currently, anytime we have a storm, I'm the one that gets called the one that comes in and plows everything. It's just inefficient. During the day we have the other guys are gonna have to take the truck and they're gonna have to go out and plow all the pump stations and everything out. The six cylinder is not useful in the wintertime, we have snow tires on and we put weight in the back of it. It's been stuck multiple times it's been damaged for us pulling it out multiple times. So that was the decision behind trying to get another vehicle that is better for us in the wintertime and that it will allow multiple people to handle the plow duties instead of one.

**Dale Hamilton**

Is I think this probably is a question that others might have from the community is your managing, plowing for assets related to your operations?

**Mike Harris**

Yeah, that's the wastewater plant and then we have a pump stations throughout the city that we also maintain and plow after snowstorms and whatnot. And then, of course, if there's a need or shortage with our public works, and they ask if something doesn't happen very often, thankfully. But if they need me to go plow some city streets or something because they have short on people or they got a plow truck broke down or whatever the case may be, then we would always we've done that before.

**Dale Hamilton**

is, is that always been the process in terms of public works not plowing your assets.

**Mike Harris**

So public works will during a storm one of the plow trucks will come up through the treatment plant and just plow a swipe to clear the road in through the courtyard behind the building. But typically, that the



plow trucks are too big to operate in the spaces that we have to operate in. And so they just can't maneuver to deal with that kind of stuff. So we're we deal with that. stuff.

**Steven O'Halloran**

So it's what year is the two wheel drive truck that are you replacing? Are you adding

**Mike Harris**

We're adding. And the reason I'm asking you to keep the two wheel drive truck is because I just feel it's more efficient for us when we have to go to Bangor, or we have to travel for trainings to take a six cylinder vehicle that's a lot cheaper was on fuel to go do that type of stuff with five people on staff now. You know, if we have a situation which does come up where, especially in a storm or whatnot, if I have guys that one pump station, I have to respond to a pump station or I'm at City Hall for a meeting whatever the case may be. In the wintertime The only thing that leaves a six cylinder truck and six cylinder truck in the middle of a snowstorm is not useful. So I'm asking not to get rid of the two I think it's a 2006. But I'm asking not to get rid of the six cylinder because anytime we make trips to Bangor, or we travel for training, it's ideal for us to take a six cylinder vehicle rather than a eight cylinder four wheel drive pickup truck.

**Steven O'Halloran**

If I may what here is the existing plow truck

**Mike Harris**

2018. So we've had it for about five years now a little over five years.

**Steven O'Halloran**

good mileage is on either of these trucks.

**Mike Harris**

I do not have the mileage on the six cylinder the plow truck is right around 50,000.

**Tammy Mote**

How much did you have budgeted?

**Mike Harris**

50. So the budget was based on the last truck similar to that that we purchased which would have been I believe Highway at around 42,000 was what they purchased there that so figure 42,000 plus a plow would be roughly 50,000. But as we all know the price of vehicles the price of getting trucks now like if you try to order a brand new truck right now you're waiting a year. That's how long I think it took Reggie to get his truck. And so that's where the number came from for the 50,000 was figure out 42,000 Like someone to the highway truck and then plus a plow. I figured probably around 50.

**Steven O'Halloran**

question is any of these use for personal conveyance for people going back and forth?

**Mike Harris**

Me I use that.

**Steven O'Halloran**

the one that's inexpensive to run or the expensive one

**Mike Harris**

The expensive one expensive and the reason why I mean in the summertime I guess wouldn't matter but I live within the city now. So I'm only a mile away from the plant so but I get every call that ever comes out. I've gotten every call that comes into the city for the wastewater plant for the last 17 years now.

**Steven O'Halloran**

So the truck will have personal conveyance to?

**Mike Harris**

probably for me. like the other the other employees don't take their trucks on. Don't take the trucks if they're on call and they wanted to take the trucks I wouldn't stop them but you

**Casey Hanson**

Motion to approve the f 350 Regular Cab four wheel drive truck as specified for the wastewater department to the lowest bidder darling Ford at a cost of 56,500 to be paid from the wastewater capital improvement account.

**Tammy Mote**

Second

**Dale Hamilton**

I have a motion. Second, further discussion. I guess the only just in terms of you talked a little bit about this in in terms of the need to replace when you're talking about replacing a vehicle Can you? Can you just say in terms of what if it's not replaced? What, what, what is the result of not approving this?

**Mike Harris**

So I mean, I mean, it's basically status quo so. So we've gone from four employees to five employees. I'm on call all the time. So anytime there's a snowstorm, I'm the guy that's gonna come in and plow everything all the time. And during the day, I'll come in and plow the plant, whatnot. And during the day, the next day that truck will get taken to go plow, whatever others areas the stuff we need to plow, and we're still only left with a six cylinder. So if there is any emergency, we're stuck with a six cylinder. And it's so for example, I don't know if anybody remembers, but a couple of years ago, we had an incident on Main Street High Street where a manhole broke. And there was an open hole in the road. So we had to shut Main Street down. We had police up there blocking the intersection, because we had to repair it was during a snowstorm. So So I went up there. And then I had to I had to go up there. We had to get the excavator but we didn't have a manhole, so we had to send the guys and two wheel drive to go find a manhole. They got stuck. So I had to leave Main Street. Go pick them up. We had to go find the

manhole, go back to Main Street so we can make the repair the next day. We got to go try and pull the two wheel drive truck out. The straps snapped smack the back of the six cylinder truck broke the taillight. I mean it was ridiculous. I'm just saying. You know, it's the middle of a snowstorm and guys are all over the place. And police got the intersection shut down. They're freezing directing traffic. was crazy. I actually got to drive one of the police cars back to the station that night.

**Glenn Moshier**

I wasn't there.

**Mike Harris**

This was just a made up story in an emergency. I couldn't leave in the middle the intersection. They had an emergency. It was an accident.

**Dale Hamilton**

All right. Further discussion. All those in favor? All those opposed? One opposed? Motion passes. Thank you very much.

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**Dale Hamilton**

Item 12 public hearing and action an increase to the water department rate for consumers.

**Lisa Sekulich**

I want to start off with anybody in the audience that hasn't signed the sign in sheet. And it's here for the rate case study that gets you to find this before you leave. That'd be great. I'm Lisa Sekulich. I'm the public works director for the city of Ellsworth. I'm also we have Reggie Winslow, the superintendent who's also going to be helping tonight. And then we have Kathy and Kirsten from Maine Rural water who helped us do our rate case study. And part of this process is a public hearing. So I'm going to let them do some introductory and then we'll go into the public hearing.

**Dale Hamilton**

so this is a public hearing on rate increase so it will open the public hearing. Public Hearing is now open.

**Kirsten Heber**

My name is Kirsten Heber nine the main rural water Association. We are a trade association of water and wastewater utilities. And we help many utilities with their rate making process. So in that the water department is regulated by Maine Public Utility Commission there's a very specific process to rate making. And part of my job tonight is to read a very tedious safe into almost word for word but nonetheless It is a statement that is required by the Maine Public Utility Commission. So, so bear with me on get us through this. So the purpose of tonight's hearing is to provide information concerning the proposed rate increase in the rates of the customers of the city of Ellsworth water department, and allow for opportunity for customers to ask questions, as well as questions from the public advocate. The hearing is to be held pursuant to Maine Revised Statutes title 35, a, section 6104. And Section seven, B three of chapter 120 of the Public Utility Commission rules and regulations. Notices of public hearing were published in the Ellsworth American on the weeks of October 31 and November 7, as well as individual notices were mailed to customers. After taking comments and questions from you at tonight's hearing, the city will consider those comments and will within 30 days file a formal rate schedule with

the Maine Public Utilities Commission. The formal rate filing by the department may be investigated by the Maine Public Utilities Commission, in accordance with title 35. A section 6104. The Maine PUC has taken no position and has made no determination concerning this proposed rate increase pursuant to title 35. A section three a customer has the right to request additional information relating to present and proposed rates from the department, the right to an open and fair hearing, and the right to assist assistance from the Public Advocate. Customers also have the right under Title 35. A to petition the Maine Public Utilities Commission to suspend and investigate the department's rates pursuant to 35 a section 10 If on or before December 21 of this year 15% or 1,000th of the department's customers whichever is less file with the Ellsworth city Clerk in with the Public Utilities Commission. And there's an address that's listed in this notice that is is able to provide it to you. A petition or petitions demanding review by the Public Utility Commission of a proposed rate changes. signatures on the petition filed pursuant to section seven are invalid unless accompanied by the printed names and addresses of the signers. Upon request, the department will provide customers with the petition forms that includes space for the signatures and printed names and addresses of the signers. And Lisa, I would look to you to ask if you could please just identify where the petition will be kept. Should someone look for it? Yep.

### **Lisa Sekulich**

petition will be kept at the City Clerk's Office here at City Hall.

### **Kirsten Heber**

Thank you that. That concludes the opening statement as enjoyable as that was and then we can certainly get into the meat of the matter of the actual proposed rates themselves. With that, Kathy, I'm going to mute myself.

### **Kathy- Maine PUC**

Okay. I'm going to share my screen here because I think I hope everybody got a copy of the handout that I sent to Lisa, but just in case I will. I will share it on the screen and go through it. I'm going to go through some of the financial information and how we arrived at the increase that we did. Just bear with me a second. Let's see. Okay, did that work for everybody? Yes. Okay. All right. So, the water department is, is a part of the city as we know, but as person pointed out, it's also a regulated nonprofit water utility. And because of that, the finances are regulated by the Public Utility Commission. And the system of accounts are dictated by the PUC. So this, this first page outlines the expense accounts, the operating and maintenance and other expenses of the department. And I'll start this I can use my cursor. So over on the left here, these accounts are going down or the various accounts as required in this format by the PUC and they represent the operating and maintenance expenses. So basically accounts 601 through 675 and these are the way they want it spelled out categories. So they asked for three years or financials we have 2019 and 2020 So, as actual and 2021 is still in an unaudited final form. So we've included it that way for purposes in the rape case. And then there's the adjustment and the pro forma, I'll move over to this last column on the right. The pro forma expenses are basically what is needed by the Department for the next two to three years, which can vary depending on circumstances like, in this case, having to rent space for a few years. And the upcoming projects that might have been included which there is one coming up regret any unexpected increases in expenses or decreases in revenues. Basically, water systems across the state are all struggling right now with increases in expenses. And mostly in salaries, purchase power, which is electric bills, chemicals, and

materials and supplies, these have just gone up exponentially and have put a lot of departments and districts in, in need of rate increases. So all these expenses add up to the budget that was approved by the city, I'm not sure when probably when the last couple of months, for 2023. And the adjustment column, it shows the difference between the pro forma and the last year tested, which is 2021. So if you scroll the scroll down, there's your total expenses. And then below that is is debt service, the department has will be borrowing \$460,000 for a project at branch Lake Dam, and also for radio read water meters, so that you can see when the increase in services principal and interest. So there's your expenses and your debt. The PUC doesn't allow water systems to have excess bonds. So they require the utilities to use debt to finance the improvements. Or in lieu of that you can create a temporary surcharge or you can save money through a capital reserve fund. And in this case, the neither of those are employed. So it's just adding debt. At the bottom is how you calculate the revenue requirement, which is the revenue needed for the department to sustain itself and collect rates. So these numbers, that bottom number is made up of the operating and maintenance costs that are known and measurable that we discussed in the pro forma the debt, the principal and interest and depreciation, which are now I want to talk about that a little bit because it's a really important number for water systems. In business and accounting. It's not necessarily a quote unquote, real expense. But in water, it is it's the PUC allows systems to collect depreciation through rates. And it's really necessary to say for the replacement of assets as they mature, because so many water systems have very old infrastructure, old pipes old means that you can think of it like 100 year old house where you, you know, you need to keep continuing to put money into it for upkeep. And ultimately, it will keep your rates lower in the long term. So it's an important number and expense. And the last part of it is a contingency allowance, which the PUC allows 5% which is that number down here. You basically you need enough money to provide services and fire protection. But if anything unforeseen happens to the system, you need cash to pay for unexpected repairs, so they allow that 5% to be included in so all that in total makes up the total revenue requirement, which is the 1,000,005 number. And that's what they need to operate. I don't know if we want to do questions in the interim or wait for the end. But if anybody has any i I'd be happy to answer this page,

### **Dale Hamilton**

and why don't you keep going and then we'll

### **Kathy- Maine PUC**

do it later. So the next page is page one, A, which is sort of a the adjustments explained. So if you go through each, it just follows along at page one, and explains what the increases are. And why. The only thing of note and I want to bring up was that miscellaneous expenses, the the total expense is that 1,000,023 for operating the maintenance was based on the budget. And that's how the the approved budget by the city. And so that's what we included in this, but it actually was in a clerical error, I like put in as a \$10,000, less than than the approved budget. So the department is actually not asking for the full coverage of their property maintenance costs. So they're actually a little bit behind in that. They, as you can see that that miscellaneous \$10,000, that apply the loss from the prior test year. The next page is the operating statement, which, which basically is a contrast between revenue and expenses. And let's see, what do I want to say about this? Yeah. So you can see, I guess, in the adjustment column, that the expenses have gone up about \$260,000. And revenues are needed to go up about \$267,000. In order to, to make it viable for for the system. The bottom line shows that they've been losing money

in the last for the last two actual years. And even though they seem to make up in I think probably use the the revenues in 2021. And I was talking to lease about it we It seems to be that because they had because the city has had such poor tourism due to COVID in the last couple of years. And I apparently record tourism in 2021, that sort of has helped bump up the amount of revenues for water usage. And so still it all because the expenses have gone up so much, the ability for the department to continue with the same rate structure is not it's not able to sustain itself. And it can no longer meet its upcoming needs for expenses. Basically, that net income number is that contingency amount. Last page is operating revenues, which sort of breaks down where all the revenues are coming from the metered sales. Again, I think a lot of the fluctuations due to COVID. Losing losing the ability to use the school for a couple of years, and all of a sudden, it's back on has caused the change from 20 to 21. In public authorities, the tourism and commercial use has gone up because of a system or a company that's using a lot more use and as a lot more usage, and this increasing the revenues between 2019 and 20. So ultimately, we're looking at a 19.4% for all these metered customers to increase rates. Public fire protection is a little bit higher, it's 27.5%. And that is because it is based on a calculation that is required by the Public Utilities Commission under Chapter 690 of the public utility rules. And that allows that a town pay no more than 30% of that revenue requirement and only five in the form of public fire protection. When I did the calculation, it actually came out to over 50% But it is capped at that 30% So that is that is the charge. So for every dollar that revenue 70 cents comes from the ratepayers and 30 cents comes from the taxpayers. And the reason the reason why it's 30% is because to allow for public fire protection, a water utility has to be two to three times larger than if it was just providing drinking water alone. The system has to be sized to meet water demand and Fire protection provided by a local water utility help safeguard, it's a necessary thing. It helps safeguard the buildings that all taxpayers use. In backing, we can talk more about that if anybody has any questions. So the department has been working really hard to maintain and operate the system and continue to provide safe drinking water to all its customers. And this is something that's getting harder and harder for the department as well as all the districts and other departments around the state is just becoming unsustainable. I usually end up by talking about what the increase means in dollars to the ratepayers. But I understand that Lisa has already done that and share that with the council. And I didn't know she wanted to go. Talk about that this point.

### **Lisa Sekulich**

Sure, thanks, Kathy. Um, you can jump in if I go astray. So counselors, if you look at your council memo packet that I put together, you'll notice a couple of different things in here that I wanted to point out. If you go to, let's see the second or third page, I'm not sure exactly how it came out. But there's an example current bill, and then an example increase of a current bill. But I wanted to show you what a water and sewer bill looks like, because not everybody on the council and maybe get to water and sewer bill. I also wanted to point out to council as well as the public to notice that both water and sewer are included on that bill, we are only requesting to increase the water portion of that bill, not the sewer portion of that bill was not an increase of your entire bill 19.4% It's an increase of the water portion only of your bill 19.4%. So for example, current bill, the minimum rate or minimum usage charge for water is \$60.50. We are asking to increase it to what would be \$72.24, which is an \$11.74 cent increase per quarter that's every three months, or for a total of \$46.96 per year. That is for your minimum usage for your residential customers. Now our average customer uses about 1800 cubic feet of water per year. And based on that usage, the increase would be about \$19.58 a quarter or \$78.32 a year.

**Dale Hamilton**

Okay, so at this point, I can open it up for questions.

**Lisa Sekulich**

Yeah, we ready for public comments? Sure.

**Dale Hamilton**

We can do that. So it's public hearing. So if you would like to ask a question or make a comments you may do so same procedure says earlier. Just please step up to the podium.

**Cara Romano- Heart of Ellsworth**

Hi there, Cara Romano property owner six State Street, just wondering what the commercial increase rate will be. And maybe I missed it. It may have already been quoted, but I may have missed it. Thank you.

**Kathy- Maine PUC**

The commercial rate is the same as all the metered increase rates are the same. They are the 19.4%. So residential, commercial, industrial and public authority are all increasing by 19.4%. Said answer your

**Cara Romano- Heart of Ellsworth**

question Yes. Thank you.

**Casey Hanson**

Questions, comments?

**Gordon Workman**

was brought up because the price of the repair to the dam and we talked about that the other day in the finance? I didn't know that was a fixed price. Yeah, I thought that was still an evaluation. Oh, okay. All right.

**Glenn Moshier**

the rate what's included in that rates study does not is not the repair, that we're currently getting engineering.

**Gordon Workman**

Okay. That's just because that's just the guess that that repair is She was talking about,

**Lisa Sekulich**

we're not to the point of repairing the dam at this point what we what she included a \$875,000. We put in the bond three, four, almost four years ago now, or ban at that point, I guess. And we have used that money thus far for engineering. It has not been used for repairs yet.

**Dale Hamilton**

It may be just to clarify so that people aren't aware of this. So any repairs for that one of the things that I understood manager Moshier, and you can clarify if I'm incorrect, that one of the things that we'll look for is some other types of funding to pay for that that may not then impact ratepayers or more taxpayers is that

**Glenn Moshier**

most definitely. I mean, we're, we're still in the engineering stage. So we don't have, we don't know yet what the cost is going to be for the repairs to the dam. But certainly, once that is completed, and we have accurate figures, we will pursue every avenue to find alternative funding sources for that expense.

**Lisa Sekulich**

And one of the things she mentioned and you'll notice that the water department can only adjust this rate based on the dollars they know they are spending and have right now. So we can't forecast that, that's going to cost us a million dollars and put start building on money. Now unless we had that specific capital improvement account, which at this point, we have not added into our program. So once we know that dollar amount, you need funding, and then we'll go into debt service. And it could mean later on down the road.

**Dale Hamilton**

Counselors questions

**Jon Stein**

I see a lot of the adjustment going toward materials and supplies and more specifically looks like meter upgrades, asphalt repairs, and other upgrades to the system. Other capital improvements, basically, is there a sense of how often massive repairs replacements like that need to happen or have happened in the past?

**Lisa Sekulich**

There, and I can't speak totally for the past, but I can tell you in the future, there's going to be more of them. Anybody who's seen the amount of water breaks water main breaks we've had in the last few years is indicative of an aging system that needs replacement. We're in the process right now of engineering, also, the Surry road replacement project which will replace Surry Road, Mountview hillside, always forget the third one. So we're looking at that. We got money free money from main Drinking Water Program to start that engineering process. Once that's done, we will go to the drinking water program to hopefully work on that large project for replacement. But yes, there there will be consistently projects and material costs for foreseeable future.

**Jon Stein**

So these are long term fixes. For a small portion of the entire fix it's needed in the water system

**Lisa Sekulich**

Yeah, I mean, what you're looking at it, we just finished a small portion of our main replacement on birch Avenue, which is what you would be seeing in this fiscal year's budget that was small can in



comparison to some of the larger projects that we will need to take on in the future. But we will still need to do minor repairs of valves and incur boxes and and other things throughout the year.

**Kathy- Maine PUC**

pro forma upfront expenses such as those that is meant to be sort of what what the department thinks that they're going to spend annually for the next few years.

**Dale Hamilton**

Just to clarify, as far as this is a PUC process, so as a council, there's no action that we take from this, it's following the PUC process, or is there something that

**Lisa Sekulich**

you have to do a motion to approve the process and then once you've, if I'm wrong, ladies, once you guys approve the then it goes into the POC, we Glenn signs, a piece of paper then it goes to the PUC and then the process of potential petitions and reviews and that stuff begins after we sign that paperwork Correct. So we do need,

**Dale Hamilton**

so we're approving the process. Yes,

**Lisa Sekulich**

you need to approve the the amount, the percentages

**Dale Hamilton**

any other comments before we close the public hearing? All right, then I will close the public hearing. Public Hearing is closed councilors.

**Michelle Beal**

We'll move to approve deals with water departments water rate increase per the attached documents to be effective January 1 2023.

**Tammy Mote**

Second,

**Dale Hamilton**

motion a second discussion? Seeing no discussion. All those in favor? Unanimous.

**Lisa Sekulich**

Thank you, counselors.

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**Dale Hamilton**

Item 13. Council order number 112101 request to the facilities director toward a cleaning contract for city property.

## **Glenn Moshier**

So I will be standing in for the facilities director because he is currently on vacation. So just for a little history. About a year ago ish. Our individual who worked under our facilities director, moved on to another opportunity within our city. At that time, our current facilities director, he had a experience and focus on cleaning. And so he was able to maintain throughout the building, the cleaning that was required. While we were contemplating on what were the appropriate next steps. For the filling of that position. We talked about the opportunity to pursue a cleaning contract for this facility specifically, which was the primary focus of that individual in addition to some small maintenance type of work that he would have done outside of his cleaning responsibilities. Our facilities director, retired couple months ago now, we went through the process and hired a new facilities director, that individual focus he has a a strong history in contractor work. Since he's joined the city, he's provided the city significant cost savings in several contracting projects that he's completed for the city. One being a new roof out on our radio tower facility out in the Bangor Road, excuse me, another project being new porches and steps down at the URCI building, both of which were done for the cost of the materials and his time and, and labor as opposed to contracting those out, which we saw significant savings in both projects. In addition to that, he's done many things throughout City Hall, as far as some painting projects and some repairs that were long overdue. So again, he has a focus on contracting type of work and repairs as opposed to cleaning. In the absence of a true cleaning. Several City Hall employees have stepped up and have actually done cleaning after hours, which they've done a tremendous job with. And I thank them each and every one of them for their participation and willingness to do that. But in the meantime, we pursued the concept of exploring what it would cost to have a cleaning service come in and clean city hall. And the idea was to see well, what's more cost effective? You know, is it more cost effective to have an employee whose sole responsibility and focuses on cleaning this facility? Or would it be more cost effective to have a cleaning service come in and do that for us? So we sought out he received back three separate quotes. And once you have all three of them in your packets, and he's recommending that we go with the low bid for the cleaning of this facility, which is Central Maine cleaning, Inc. and the contract would be for three times per week. So they would come in on Monday, Wednesday and Fridays and clean the facilities and obviously, some supplemental cleaning may need to be done by the facilities director. But the focus on Monday, Wednesday and Friday would be for the cleaning company to come. And after hours, and cleaned this facility with the exception of the fire department, and that cost for the contract is \$1,525 per month, which equates to \$18,300 for the year. Now, if you equate that to a cost of an employee at roughly 40 ish, 1000 salary plus benefits for that individual, I think you would all agree that it's a pretty significant cost savings to go this route with a cleaning service. This is a three year contract. But we do have the ability to get out of the contract with 30 days written notice for any reason. So if for some reason we were unhappy with the service that's being provided, we weren't satisfied with that the building was receiving the level of cleanliness that we expect, and that we expect for our citizens who come in do business here, then we can certainly opt out of the contract and decide to go in a different route. But it's my belief that this is a cost savings measure that will allow the building to receive the attention it needs and provide our facilities supervisor with the opportunity to continue to cost save for the city focusing on repairs and other maintenance projects instead of cleaning. Any questions?

**Casey Hanson**

So the facilities director is doing more of this contracting type work? Do you have a like an amount that he has cost saved? And is it \$18,000 A year? Does that question make sense?

**Glenn Moshier**

I don't know. I don't have an exact amount of the projects, we can easily get that figure what the estimate was and what the true cost of the projects was the two major projects that he's that he's done since he came on board and six weeks ago. Yeah. So I mean, I could certainly provide that for you. But it's different in the sense that the 18,000 that's the salary of the employee that worked under the facilities director. Someone who used to do that? correct. We haven't replaced him he left again about a year ago. And we've kind of, you know, been supplemental cleaning, again with other city staff. And so this 18,000 would be in place of his 40 ish 1000 salary plus benefits that he was receiving, not the facilities director.

**Casey Hanson**

And that was that person's only job.

**Glenn Moshier**

Yeah, his primary focus was cleaning. He did again, he would do some occasional small maintenance projects, like maybe some painting, and I think was the extent of what he did outside of cleaning. So his primary focus was cleaning.

**Casey Hanson**

And this bid is just for this building, not any of the other built correct just this facility.

**Jon Stein**

This bid is for up to three years or three years, meaning if we approve this motion, we're approving three years worth of pay for the service or,

**Glenn Moshier**

right, this is a three year contract. But again, with the with the clause in the contract that we can opt out of the contract for any reason, with 30 days written notice to the company,

**Jon Stein**

so just a \$90 or so increase between each year,

**Glenn Moshier**

correct? Yeah. So the second year of the contract that goes up to \$1605 per month, which is \$19,260. In the third year, the contract would be \$1,695, which is \$20,340 for the year

**Tammy Mote**

they're going to be doing on Tuesdays and Thursdays, are you still going to be continuing with the staff helping? Or do you think

**Glenn Moshier**

I think it'll be adequate, the facilities director will probably need to go through an empty trash at the end of the day, mostly not because it's going to be overflowing but mostly if there's food, you know, that sort of thing, just to keep from from smelling of different work areas. But outside of that, I think the clean the cleaning will be accomplished in those in those three days with wintertime is a little bit rougher because there's a lot of salt tracked in and that sort of thing. So there's again, there will be periodic, you know, Spot mopping and vacuuming and so forth that the facilities director will do but the primary focus will be cleaning will be done on those three days.

**Tammy Mote**

Did we send out an RFP to make sure that we're comparing apples to apples?

**Glenn Moshier**

We did not we reached out to multiple like I said multiple different cleaning services and had them come in and the one Those that responded came in, toured the facility and then provided us quotes.

**Steven O'Halloran**

Yeah, you said that the gentleman that was doing the cleaning left about a year ago that Steve, no.

**Glenn Moshier**

He's James worked below Steve. And he took an opportunity in our wastewater treatment plant. Right.

**Steven O'Halloran**

But Steve left recently, he retired four months ago, most of the cleaning, correct. Yeah. And I just like to say that he was doing a fantastic job from the outside looking in, but guys seem to really do a nice job

**Dale Hamilton**

I think it's, it's certainly from a perspective of, when we think about cost savings, it's an opportunity to look at that to achieve that. And it's something that we can opt out. So if it isn't working, you can make that decision and, and rethink it without being obligated to to long term so I don't see a downside in terms of this approach. You're not replacing that position that's been vacant. There's a need for something and it gives an opportunity to do it in a cost effective way.

**Tammy Mote**

I was gonna do a motion. Move to contract with Central Maine cleaners for up to three years with the ability to cancel as per as the contract with 30 days written notice. Contract fees will be funded from 600-520235. The building maintenance account.

**Michelle Beal**

Second,

**Dale Hamilton**

motion a second further discussion? Seeing none all those in favor? Unanimous. Thank you.

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**Dale Hamilton**

Item 14 Council order number 112102 request to the public works director toward a bid for a highway plow truck.

**Lisa Sekulich**

Good evening counselors again Lisa Sekulich. public works director. On Wednesday, November 9 2022, the city of Ellsworth held a bid a bid opening for a new 2023 two and a half ton four wheel drive plow truck for the city's public works department. Four vendors responding to the bid and attached you'll find the bid comparison sheets. Our low bid was for an international with Viking gear from Daigle and Houghton but we are requesting the council approve the bid from Colwell diesel for an international Navistar with Viking gear because upon review of the submitted bids, it was found that for the additional approximately \$2,000 between the Colwell bid and the Daigle and Houghton build. That Colwell included a larger transmission which is better for towing operations. And they are planning to have the truck sent out to a vendor to have it rustproof undercoating on that as part of our spec to require factory undercoating but this specific model doesn't come with it. And so Colwell said that they would send it out and have it done by an outside vendor

**Dale Hamilton**

I have a question and I have no understanding in terms of this. So this is why I'm asking it so it's you is replacing a 2013 international Workstar model truck that has 33,000 miles on it. So one question I have is what is the general average mileage that is put on these trucks that in the useful life for lack of a better term, and then the you know that over the last three and a half years it's had \$46,000 worth of repairs done to it? How typical is that? Was this just a lemon that we

**Lisa Sekulich**

so this these couple of years and Adam can speak to this more if I get it wrong? There is a few years these Workstar models international put our, our lemons they had three or four years I think where they were just all of them are lemons, which is why we've spent the \$46,000 and it's still alive and it's still got problems. We will be getting rid of something that we probably don't want to have anyway. Generally speaking, 33 five is the low end of the mileage. Part of the reason this one is a low end of the mileage is because on top of it being the Workstar model which has been plagued cause issues. The type of dump body that was used on this particular model is not something that we can dig out of in the summertime. It's a basically a wintertime only use plow truck. So it sits most of the summer time, which is why it has lower mileage than most of our other trucks.

**Jon Stein**

Are there other international workstars in the fleet that will need to be

**Lisa Sekulich**

there is one more? One more after this one?

**Jon Stein**

Can you sense of how much longer that

**Lisa Sekulich**

we'll be right back here next year.

**Dale Hamilton**

So as a follow up to that, so after that purchase, are we looking at a pretty good shape for some years to come?

**Lisa Sekulich**

After the next this plow truck and next year's plow truck, we're in pretty good shape. I mean, we'll still have to stay on a proper rotation. But as far as spending 30-\$40,000, the year before we get rid of it, we're hoping to get out of that rotation that we've been in.

**Michelle Beal**

So you have a rotation for all you vehicles right that you know, which is so because this one's newer, are you putting another one off for a year or

**Lisa Sekulich**

they're like a 10 year rotation, an eight to 10 year rotation is what we're doing. So there was there was a gap in time last year, the truck we got rid of last year was a 2010. So apparently between 2010 and 2013, there was a couple of years that you guys didn't buy trucks. So this one now becomes the next one in line to be replaced. Right, which is essentially 10 years by the time we get

**Dale Hamilton**

questions.

**Jon Stein**

Is there any sense of how much? How much it's gonna go to an online bid? How much did this usually go for?

**Lisa Sekulich**

So the online bid part is to sell our existing truck. Because so there's multiple reasons we did sometimes we included usually we included a trading on a different, bigger truck. But the size that we're asking for right now is a size truck that a international dealer could bid on as well as like a dodge or Ford or Chevy. It's kind of a mid size truck. And so to keep everything an equal playing field, we didn't include the turn in because the four dodge dealerships wouldn't be looking to purchase our single axle plow trucks, so we left it out. But on an online bid system for this kind of truck, it's because of the work start might have not as much as a normal plow truck, but with the fact that plow trucks are like a lot of other other vehicles six months to a year plus out. You know, if we put it out to bid this winter, and somebody is in need of one, we may get a pretty good return on it. I'm guessing, guessing eight to 10. Oh, yeah, sorry. Next one here because we won't get our, Yes, sorry. Next winter once we have the

new one, we will put this one out of it. Yeah, we're not putting out a bit before we have the replacement I think so.

**Steven O'Halloran**

Just a couple of comments. One, thank you for the wonderful roads. Since I've been on the council I've had several areas of people from outside of town saying that Ellsworth roads are always better than the surrounding towns. To thank you for making a plan not to sit on assets, you're gonna buy an asset, you're gonna sell an asset. I like that. storing them in the backyard to spend money on them after they're sitting doesn't make any sense. I like the plan of buying an asset and purchasing an asset. So thank you for including both in this package

**Casey Hanson**

I'll make a motion but my computer died so I'll have to move to approve the request of the public works director to award the bid for a new 2023 plow truck and associated gearing to Colwell diesel for \$139,832 to be paid bid for through the highway department equipment capital account 9090900-59004. And allow for the sale of the 2013 International Workstar plow truck, the online bidding process.

**Gene Lyons**

Second,

**Dale Hamilton**

we have motion a second,

**Steven O'Halloran**

we check that price that you said. Was that correct? What's your

**Casey Hanson**

139,832? Yep.

**Dale Hamilton**

A motion a second discussion? Seeing that, all those in favor? Unanimous,

**Lisa Sekulich**

thank you all.

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**Dale Hamilton**

Item 15. Discuss ways to improve the notification of meeting agenda items to the public and make the process more cost effective. So this is an item that I asked to put on the agenda. Based on we heard some of the comments earlier this evening. But it's something that has come up in terms of just the feeling that information is not getting out to the public. And we spend a considerable amount I forget the dollar amount, Toni, but we spent a considerable amount of of money. Publishing notices. And if that's not working, if that's not the right avenue, if there are other ideas, maybe we do that plus, then I just thought it was worth having a discussion to see if there were anything else that we could do. I do think that at the end of the day, it comes down to were there going to be things that information, that's just if people aren't invested in in looking at the announcements, then they're not going to get it until after

decisions have been made. But with that said, we can always improve upon processes. So I just wanted to put it on here as as a discussion. If we're spending the kind of dollars that we're spending and people are still feeling like they're not getting the information. What else can can we do? And can we get a better return and a more use those dollars more effectively, to get information out to the public?

**Casey Hanson**

I read that agenda item and I looked at our Ellsworth city Facebook page specifically about the question about the police department lease. So I just looked at all of the posts from September, October. And I didn't see any posts on there about any meetings that were specifically about the police department. So I thought that would be it's free for us to put anything on Facebook. And I think a lot of people use it. I will add that I don't use it except that I went on to look for this thing. So I wouldn't want to stop having things in the newspaper for those of us who like to avoid social media. Yeah,

**Dale Hamilton**

and I'm not suggesting I'm here I'm not suggesting that we eliminate posting in the paper. It was just it's we're spending a lot there but it seems like we're not getting the return so it's not to replace it. It's just to have a discussion about are there other things that we could be doing to improve communication

**Gene Lyons**

local radio station is that something that would be doable or is it just cost I don't know

**Jon Stein**

There are a free avenues? I know small businesses like to use free advertising avenues when possible. WERU community radio, for example. They have a community calendar that's free to anybody to use it. A number of other newspapers in the area might as well.

**Dale Hamilton**

That will be an IT question.

**Gene Lyons**

what are we currently I mean, it's in the paper. It's on the Facebook page. The city website and there's so many people that don't get it

**Jason Ingalls**

I heard my name so right now when we get the agenda, we post it to the city's website. And we do post it to Facebook when We post it as an event. So once the event goes by, you won't see it, there going back. So we post it as an event, because that way people can say if they're attending or not attending, or, you know, that way they can, if they say they're attending, it'll remind them in their own events that they're going to be attended. So we, so those are what we do. Right now, technology wise, we don't post it to the TV station, because it's hard to post an agenda in that format, on in like a slot, you know, like a slideshow on the TV. We could, but it's a hard way to post the we we have a slide on there. That slide says when the meetings are going to be regularly scheduled, but not the specific agenda for each meeting.



**Dale Hamilton**

Could we have Nick from the Grand do a presentation of the agenda and post that? And

**Jason Ingalls**

we certainly could ask

**John Linnehan**

what's informed by you said there's a lot of money we spend, what is that amount of money?

**Dale Hamilton**

15,000 per year

**Jon Stein**

That's nothing. That's mostly for newspaper,

**Dale Hamilton**

newspapers. But that's for newspaper.

**Jason Ingalls**

That exists. If you go to our website, there's an email list, you can sign up for one and the agenda gets posted, it will send you an email that has been posted. So

**Gene Lyons**

I have that email. And I'm about as computer illiterate as they get so but I knew about it.

**Steven O'Halloran**

just a couple of questions. Is there is there a better positioning that could be happening in the paid advertising? Is there I feel like there's an assumption that because we know what everyone knows it, and that's not the case. And we're not reaching the target market, obviously. Is the positioning an option of where it's advertised as legal notices is not. It's could there be a position change for a little bit more money in the paper? For the people that are non computer? Savvy, if you will? What does it cost to put a flyer in the Ellsworth American with the full two page agenda? What does it cost to do an insert? What do you call those inserts? I'm not saying that's the answer. I'm saying that's the question.

**Dale Hamilton**

Yeah, I think that's what this discussion is about is just brainstorming. We've heard it, it's not a it's not one over another. It's what are the ideas.

**Casey Hanson**

We can probably do a better job in this meeting, having committees reporting back, like there was that public safety committee, right, that met and kind of move forward this. And it didn't get announced at any city council meetings. And maybe I think maybe there are more people who listen to this meeting

once a month, who don't necessarily pay attention to workshops in the in between committee meetings or whatever.

**Jon Stein**

Yeah, so even though it's, you know, I believe it's the council's responsibility to get the information out there. I don't think the city has been doing a great job of it. But there are a number of organizations in the city that are much better, just really good at it. I think we should look into leveraging the work that they do potentially appropriations, you know, upping the budget from 15,000, adding a couple 1000 More onto it to reach out to say the chamber, Frenchmen, Bay Conservancy, Heart of Ellsworth are probably not better at social media that you know, some of us are here on the council, plus feasibility studies organizations that we could ask to actually look into how people get their information to a survey of citizens. How have you received your information with your city? How would you like to that? Well, we have some information coming in. We can use it to make better decisions.

**Tammy Mote**

So I always wanted to have like a couple of marquees within the city, like, because it's so big, you need a couple of them just and it couldn't have the council agenda because it'd be scrolling. But just as a reminder of upcoming events, like, here's council meeting that's going to be this Monday night, or register your dogs, register to vote, those sorts of things. But that comes with a big price tag for those marquees. So but I think if we're going to look at the capital planning, if we're trying to look at ways to get this information out that maybe that would be an opportunity for us. As well as do we spot like, boost any of our notifications on Facebook,

**Jason Ingalls**

typically only very special events or job? department level department level job advertisements, will sometimes boost the winter carnival, things like that the bigger events.

**Tammy Mote**

So maybe, how much is that? Like we spent like \$25,

**Jason Ingalls**

it depends on it depends. And the more you spend, the more reach you get. So we're typically spending around \$100 as well per target.

**Tammy Mote**

So if we did \$100 a month for meetings, that might be helpful as well. So it's pretty, pretty minimal,

**Jason Ingalls**

they would definitely, definitely get it out there. For sure.

**Jon Stein**

The benefit there is you get some insight into who's actually clicking who's looking you can tell if it's working.

**John Linnehan**

John Linnehan, I just like to make a general comment on advertising. If you want to promote something and get it out there. If you just put your everyday run of the mill agenda, then nobody's gonna look at it. Because just everyday stuff, boring, boring, boring no one cares. But if you got something controversial, maybe coming up, if you've got to spend \$4 million on a police station, that's when you want to have a hook out there that people know what's out there. And spell it right out what is going to be a we're going to discuss a potential \$4 million purchase of this right here. If you're interested, you need to put it out there. Every advertising successful has a hook. And I think when you come to specialty stuff like that is when we really need to put it out there. I think our budget we're spending on advertising is peanuts. And just like well, you could talk to three \$4 million project like we're talking about, for the police department or the fire department expansion that's needed to put out they say if your public, you're really interested in your tax dollars, spender, spend the extra money and put the hook out there. So people pay attention to it. That's my opinion, anyway, whether you're selling a product, or whether you're getting, you want to get a crowd here, you want to tell them what's going on. So they know, hey, we're gonna, you know, just as an example, and I'm not trying to beat a dead horse, but I'm just saying that's fresh in everybody's mind right there. To me the agenda and agenda 13, on that council meeting, I didn't know what was going to be a lease or didn't know what there was going to be the know is going to be a \$3 million thing, put some dollars out there, and you get people's attention on it. Thanks everybody's Wallet. So just my thoughts like that.

**Dale Hamilton**

I think your idea in terms of getting some information and having discussions about how people get information is important, because we could have a budget of a million dollars. And still I mean, I don't know how many for wires and cards I get in the mail that incidentally, it just sweep, I sweep them right into the circular file. So it's it's one of those things of understanding, I think that's a good point in terms of where are people getting their information? And we know Facebook, there's certainly plenty of comments. So if we could tap into that, to get information out and use social media and some of the organizations in the community, that might be the best way for us to increase awareness.

**Michelle Beal**

To that we, I mean, getting the information out there is definitely important. But we need to get the information out there where people can get the information. So on the Facebook, I mean, don't just say there's a council agenda, you say, Hey, if you want to know what's going on with the agenda, and you can do that through the slides, and you can do that on marquees. Just quick things of saying agenda coming. Look here for the items on there. Or if there is something special, you can say, this is going to be on the agenda. And I think short and sweet because I can tell you, I'm the same as you I guess stuff in the mail who's written the garbage. And if it's long, I'm not going to read it. So put out the snippets and let the people know where they're where and how they're going to be able to get the information that they need. And I do agree on the Ellsworth American because that agenda is in legal notices and the classified ads I don't know when the last time you were looking at classified ads, but I haven't looked at those in years. So I mean Let's just have a block somewhere in the Ellsworth American. Absolutely. Right in my eyes, I

**Mike Harris**

don't typically comment on public comment. I don't want to forget what I'm about to say. So I'm gonna say now we talk about social media, but you always say Facebook, but there's a lot more social media, Twitter, tik, Tok, Instagram. They're all platforms that can be used in they're all free. Okay, so before I forgot that fleeting idea that was in my head.

**Glenn Moshier**

I do want to say that, you know, all of these are great ideas. And we can certainly drill down on some, you know, some focal points. But, you know, it's important to realize there's no one in the city that's dedicated to this type of work. We don't have a PIO, we don't have a public information officer. This is doled out by department heads when they have particular items of interest, our IT department, which is extremely busy maintaining all the IT needs throughout the entire city. And you know, the responsibility of posting things on social media on the website, and everything falls to them by default. So there's no one focused person who's, you know, daily activity is around how do we get this information out? How do we provide this because there's a lot of business that needs to be done in the city, and everybody all has, you know, multiple hats or they're wearing and roles that they're playing and jobs that they're doing. And this sort of activity is just kind of a secondary response that everyone has to try and get the information out to the community. So although, you know, it's been identified as something we need to work on. And we can certainly do that as a staff as we identify some options. But I just want to put that out there that what's been done, is being done by numerous people as just a subsidiary of what their true responsibilities are here in the building.

**Dale Hamilton**

So I think I think that's valid, I would extend it. I think the the point of consequence, and that you made around our responsibility as well, in terms of as we identify issues, and different committees or discussions, have also raising that up and making sure that we're having discussions to say, what we think they should be pushed up somewhere else, or at some in a different way and having discussions about that. So that it's not just, it's not just city staff. And, you know, we, you know, we may not agree on in terms of how well things information has flowed out before, but I think everybody wouldn't be in agreement that to talk about it to try to improve it is we're on the same page, I don't think anybody disagrees with the idea of, let's do a better job, let's not just just because we have this perspective, and somebody has this perspective, we shouldn't hunker down and say, well, there's no opportunity, let's just keep it the same. So it's, it's an opportunity for us ongoing and I hope that the community weighs in on it, if you have ideas, by all means, send them in, email the council. So that we can just try to chip away at and, and do a better job. But I think it's a collective responsibility. And I hope, also from a community perspective, this isn't our city, this is everybody's city. And if we're all involved in the process, the more people that get engaged, and see something and then passes it on and shares that information, the better off we're going to be. So I think it's just creating collective responsibility of saying, let's get more information out so that people know what's going on. And they can participate or choose to participate in any way that they choose, but they have the information available to

**Jim Pendergist**

Jim Pendergist- I think this oftentimes, if we're being on that constantly call, we're often restricted to the terms of the charter. And the charter will dictate to us how we advertise public notices and things like

this. And I think a good place to start and make that I understand that no need to yell anyone. Good place to start is when we review the charter. And I it's my understanding that there are that's out there, we want to look at the charter again. And then in that section, about ordinances and public notification and that sort of thing. It shouldn't be reviewed there, which would be an excellent place to start and then if you come up with some other have ideas. That's great, too. But I think that oftentimes we are restricted with what's within the charter. And we, we jump on that, but we fulfill our obligation. That's all we have to do. And a lot of people don't, you got to find out where it is one place, I know you just put a form right there. And I try, every time I pay my excise tax, it could be a form sitting there. A notification is grab my own, no one had there's no, there's no labor involved. You just take the sheet and read it. But there's no ways to improve the notification that people go on to the charter.

**Gene Lyons**

I'd be curious to know how many people are watching this meeting right now? Because personally, it should be 8500 people in the city, and it's probably about 200. That's pretty sad. I mean, because you're interested watch it. Since people

**Dale Hamilton**

(40 per Jason Ingalls) That's, I was gonna send you to the podium for the 40 people that.

**Gordon Workman**

Gordon Workman Ellsworth. I know that I brought this up the other day, the finance meeting, but I was coming down Bucksport Road, in that sign that's out in front of that physical therapy place that caught my eye just like that. And every time I go out there, it catches my eye. It's a beautiful sign, LED lit up. He's got notices on there. I don't know why I can't put one right out there. Right next to State Street. It can just have the main item on the agenda, or main announcement doesn't have to have the whole thing rolling. I mean, and I mean, churches have them. Businesses have them schools have them schools that one has noticed on that. I think that would be an excellent place because you go wander up and down State Street, everyone does. Just throwing that out.

**Gene Lyons**

I like Holden's, I got one up there. But somebody donated every penny for that one. Nobody had come up with \$1 Except for the person that donated. We'll take donations.

**Gordon Workman**

Well, no, I was gonna say if I was elected, I stated that I was going to put a sign if you didn't do it out here, I was gonna put it on my front of my house on the lawn. So next time people vote me in, and

**Dale Hamilton**

now you're promising signs? So this was really nothing. I don't think for action. It was more for discussion. And I think we can just I think we should continue to think about it. But I just wanted to raise your part for that purpose.

**Glenn Moshier**

And we will explore we'll certainly look at what it'll cost to move our notices that are in the Ellsworth American and we have a we have a communications committee in city hall that kind of went defunct after COVID or during COVID. But we can certainly bring that group back together. And they were mainly focused on internal communications, but that would be a strong group to explore additional opportunities for external communication as well.

**Tammy Mote**

We did start the newsletter, which is great.

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**Dale Hamilton**

All right. Item 16 discussion and action to enforce the city's odor ordinance against Maine organics in the city industrial park.

**Steven O'Halloran**

I did if you're looking for a few words. First of all, I was elected to this council in November of 21. And shortly after being elected, I was started getting bombarded with complaints about the smell on 180 near the solar farm. That was the result of Maine organics. And shortly after I was elected I brought it to the council and said, Look, I'm not interested in in anything but resolving this. I want to give this man a chance to get things straightened out. I'm not asking that the world come down on him. But I'd like to see an end plan here and an end game. And it seems like nothing has gotten done about the problem we talked about. I'm not saying people haven't worked on it. I'm not saying that. There hasn't been efforts of the city and the contractor. And everyone trying to work together. I know at one time Glenn said I think one of the most positive things that's come out of it is they're communicating now. I was critical about dumping our city sludge up there because I thought we were contributing to the problem. State I understanding says that's not allowed anymore. So the we're not dumping our city city, yes, sewage there any longer. However, the problem still exists, the bird problem still exists. We're no further ahead than we were a year ago when we brought this up. I can say that the people in that industrial park have dealt with it for six years. I've only heard about it for one year. Because I've only been on the council for one year. But it seems that in that one year, we still have a severe odor problem. And I sponsored that to see if there's some way that we can come to grips with this and enforce the ordinance of our older ordinance here in the city of Ellsworth.

**Lori Roberts**

I'm Lori Roberts with Code Enforcement Office. Back in January, we visited with the city attorney who suggested that we not follow and go through the city ordinance for any sort of fines or anything like that, we were to ask that they were to abide by the operations manual that was approved by the planning board. This is a state licensed facility. I can't stop their license. We went through a whole procedure of how to report odors. And it would go through the facility itself and then that is also reported to the State. I do go by once a week and have since we've been discussing this last January. There have been more times than not the times that I have gone out there. There have been no birds or odor for a very long time. I went out today, there was no odor. There was no birds. So I certainly I don't live there. I'm not there all the time. There were things that they were trying with the Falcons. There was at one time when I there was no birds, there was an eagle nested there. I didn't know that Eagles attack seagulls. I mean, I don't I don't know the food chain that well. But that's apparently what happens is they're too

scared to be there because of the eagle. And I guess the eagle had moved. And then the cannon was tried. And that didn't seem to work as well. And so I would I was also speaking with the town attorney that we'd like to give them a 60 day time period to come up with a plan and start enforcing that plan. And Josh and I have spoken and we there is an odor ordinance. It's a very small ordinance in the city's unified development ordinance that we can go by but it is constant. All I can do is charge fees, fines. That's all I can do. I can't stop this facility for money.

### **Steven O'Halloran**

I'm not asking anyone to stop the facility from running. I'm asking to stop the odor at the property line. He wants to his property to smell let him smell but it's not fair to everybody else. And it's been a year it's just not fair.

### **Josh Wellman**

Josh Wellman Maine organics. Um, we haven't had a complaint since July 22. So if I don't have a complaint, I can't fix the problem. I'm not always there. I have people running it. So we just started getting a complaint. We got one from Lori the 14th of November. So we are in action to fix things we we've had some problems with rain, it's made a lot of juice at the compost site. We need we just started bringing in some new carbon source some shavings sawdust from Pleasant river lumber that's going to be used to absorb it we're going to bring in some ash, wood ash to neutralize it as lime agent. The reason for the birds increased because the birds were gone. From time to time the birds have started increased because we have got an influx of shavings from the Jackson lab. So we have been hauling those off. We started as soon as she called her I got the email, but that has been I haven't I've had any complaints emailed to me or called to me since the 22nd of July. And the last one was the 14th of November. So we're on it, and we're fixing it. And I agree with Lori's plan, give us 60 days, and we'll get this straightened out. And then from there, you know, it's a compost site, I'm gonna say, you know, there's there's gonna be some owners is, there's never not going to be any odors. Because the material that comes in smells, as soon as it's dumped, it's mixed in as covered, and there shouldn't be an odor. If there's constant odor, there's an issue, and we need to fix it.

### **Steven O'Halloran**

There's constant odor, and it needs to be fixed.

### **Josh Wellman**

I do have a question, though. If someone goes by and smells odor, on 180 at going by with their vehicle, it's not at their house, it's not at their business, when it's at their business. I agree. Who wants to smell that all the time? I get it totally. The winds going that way. And we're flipping piles. And if the winds blowing out 180 And we flip a vial and the smell goes out 180 And someone goes by in their vehicle, there's no houses out there. There's solar panels, and someone smells it and they call Lori. Is that really a complaint? I mean, you can go buy a dairy farm that smells and you're just driving by it, it's not at your house. So I just that comment that seems to come to us often. People driving out 180 Well, I smell it. Okay, you smell it out 180. That's different than being at your business or at your house. So I just want to put that comment out there. But I just wanna let the council know we are working on it. And we're trying to mitigate it. I've pulled in a couple other employees there to help. Because I have one person that works here full time. So we are working on him. So

**Jon Stein**

I stopped by today for the first time. And then of Arnold, who is your full time employee?

**Josh Wellman**

Yeah, he is. He's the operator.

**Jon Stein**

And Connor your son. Yep. I didn't smell it at all until I got there and was walking around the piles. And yeah, I mean, it was intense, but not any more than I expected. It should be being a compost facility. There were birds there. They didn't, you know, attack me or anything. So the guys showed me around, and I noticed a few things. They were really they knew what they're doing. You know, they were excited about trying new techniques to fix the problems. You know, they said over and over again, Arnold did we we're not trying to make smell worse. We're doing what we can to. to remediate this. They were I think purchasing pine shavings is yeah, Yeah. So that's, you know, an added expense. To try to fix the problem. They tried some creative things with the birds and are looking to other other things as well. And, oh, I spoke with another commercial composting facility up in Blue Hill, and the owner spoke really highly of you guys you have down there. And just those guys know what they're doing, you know how compost works. And that seemed apparent to me, as well. So I think that's the most important thing to me is that, you know, you guys know what they're doing and they're willing to work with the city and try to remediate.

**Josh Wellman**

Yeah. And a lot of the, you know, some of the issue is lately, it was the rain, we've had a lot of rain, like I said earlier, and when the rain comes and goes through the piles, and then the juice comes out of the piles, it makes you know that that's odor, because it's going down through all the lobster waste, and it's running down across the yard. And then we have like a berm put up of shavings that collects it. And that needs to be cleaned up like weekly and put back into the mix and then a new berm put down. And then the clean shavings needs to be put down to absorb the juice. So it's just, you know, things change in the compost business, and you need to stay on top of it to mitigate the odors as much as possible. So we are working on it. Just

**Dale Hamilton**

Lori you said this, and we're especially since we're being asked as a Council to take action. What I'm not clear is there seems to be two different versions of reality in terms of what's taking place. I kind of want to understand that when last time we discussed this, that was the agreement of the process that you outlined in terms of complaints would be filed and that was working. We were copied on a number of those early on, and then they did stop and then recently they started up again. So I guess I'm trying to understand where where that differences in terms of it's a chronic con constant problem, versus it's a periodic issue that bubbles up. And then you're saying that you're willing to address it, and you're taking action around that. And I just kind of want to have that sense of it. So Councilor O'Halloran, if you have some information, you said it, it, it stinks that needs to be corrected is what am I missing in that because there's two different versions.



**Steven O'Halloran**

What I'm hearing from the people in the industrial park is that they stopped reporting, because no action was being taken. And it was a waste of their time.

**Glenn Moshier**

And that's and that's where the confusion lies, because so if we enforce the ordinance, as has been suggested, it's fines. We're issuing fines, we have no ability to impact the operation of that business, the only ones who can impact the operation that business or the state, because they're the ones who licensed or licensed it. The complaints that are being filed, need to be filed, because those are registered with the state. And if the state receives enough complaints, then eventually the DEP will come down on the owners and take action and potentially could suspend or, or yank his license to operate. The city of Ellsworth doesn't have any ability to interfere with that or have authority to interfere with his operation and his licensing, the only thing we can do per that ordinance is to levy fines every time there's an odor, and which is not going to resolve the issue of the odor. And in my opinion, will further the deterioration and the relationship we have with the property owner, the business owner to be able to work with them, and encourage them to try to do everything within their power to mitigate it, which is why the city has been reluctant to go out and start levying fines, because Mr. Wellman has worked diligently with us over the last year and code enforcement to try and work on the birds and work on the smell. And to his point, there's based on the business that takes place there, there's always going to be the potential for odor and the efforts that they go into mitigating it. And the response has been immediate. Whenever we have received complaints about odor that we have passed on to Mr. Wellman, and they have gone right out there and either cease the activity if it happens to be pile flipping, which is the significant source of the odor. Or other efforts. The cannon was a big, we were getting complaints about the cannon, we contacted Mr. Wellman, and that very same day that Cannons use was discontinued. So I think levying fines is not going to solve, it's not going to solve the odor problem. And it's going to drive a wedge between the city and the business owner who has been responsive when we have reached out and asked for him to do something about the odor complaints. But that complaint process is critical for those individuals and those businesses in that area that have this complaint, that they continue to file those complaints with the state, because in the end, the state is the only one that has the authority to impact and stop the business from operating, which ultimately would resolve the odor entirely.

**Steven O'Halloran**

I don't think anyone in this room wants any business to stop operating. I think that we need to address the issue. I understand it's been going on for six years now. I've only been involved for a year. I don't think there's anybody in this room that wants to put the hammer into our business to stop them from operating. But it's not fair to the taxpayers in that community that are paying taxes and eroding their businesses and their cars. And from all the bird droppings on vehicles and all of these complaints that I get, and I constantly get people saying it doesn't do any sense. There's no sense and filling out these papers because it doesn't change. I can tell you for the last year, nothing's changed. That's another thing I can speak about. There's the last year there has been no change.

**Mike Harris**

a couple of comments, one, you're talking about enforcing the ordinance, right? There's nothing like quantifiers and nothing to quantify the order. So I'm not sure that how you're even gonna levy a fine. Because with the DEP if you filed a complaint with the DEP, the DEP actually has equipment, although they don't have anybody run right now. But they have equipment that can come they can place around the site to actually measure the quantifiable odor. It's coming off that site. But we don't and our own it's doesn't call it up. So it's a completely subjective ordinance for you to say, well, it smells all the time up there. He just said, Well, I was up there and it didn't smell at all. Lori's been up there multiple times, and said, you know, most of the time I don't smell I don't have any birds. So it's a completely subjective thing to the people that are there. The people that go up there. So I'm not sure how you can enforce that ordinance. And I don't have a dog in a fight because they're not composting, our stuff. Our stuff is getting shipped to Canada. Okay, but there are businesses that smell Maine shellfish smells in the summertime, when you drive on Water Street, when they used to have the landfill on 95 coming up to Bangor, that was brutal. That was there for years. It's in an industrial park, which is where it's supposed to be. Where else in the city are you going to put it that zone for, its zoned to be in the industrial park. It's a compost facility. And ultimately, he is 100%. Correct? The DEP is the only one has the power to do anything about that. But for you to be able to, like if Lori wanted to go out there and try and enforce an ordinance. You'd have to quantify, just like speeding, you can't charge somebody was speeding just by watching our car go by. You have a piece of equipment as a police officer that says, nope, 55 you're going 75 You're getting a ticket. Right? The same thing was to say they sit there and say, Oh, it smells bad all the time. We needed to fine the guy. And for another young man to sit there and say, Well I went up there and it didn't smell bad at all. There was no verse. So how are you going to literally try and enforce that ordinance on a business owner without any kind of quantifiable evidence? I don't think I don't think you can. So ultimately, the only comments I'm making is, I don't think the ordinance is enforceable on its face, because it's not quantifiable. It's an industry that smells but it's in the industrial park. So it's where it's supposed to be. as unfortunate as it may be. I'm sure people didn't like living next to a landfill. But some people have to, that's the way it goes. We have a cooperative person here who's spent a lot of money trying to keep this from happening, and completely changed his hours of operation. You have guys working on Sunday. Yeah. Yeah, guys working on the weekends. Like, there's only so much you're gonna be able to put on this guy. He's doing everything he can right now. Okay, so if you have a quantifiable odor on is fine. Have at it. Otherwise, it's not enforceable ordinance. And this, this time that we're spending back and forth about this is spinning our wheels unless the DEP is going to come down and say, Hey, you smell too much, you need to do this, because they're the ones that have the power. They're the ones that can say, Josh, you got too much stuff on your site, move it. Josh, you got to shut down three days a week, because you smell too much. We can't do any of that. So we can sit and we can discuss all we want. But if you want to be productive, somehow the DEP is going to have to be involved in that process, because our enforcement options really aren't productive.

**Josh Wellman**

And we want to get rid of the birds. Because the birds are destroying our property as well. So when they're there, we don't like so I mean, it's, it's something we don't want either at our business. So I understand what my neighbors are saying when they are there. There's a big mess. I mean, I guess so

we're doing everything we can like I said while it was to do with the shavings which we use and love them, but there's a bad side too.

(Speaker not at the microphone)

**Steven O'Halloran**

I have never visited the site. Let me finish. I drive by the solar farm twice a day. The first five years I drove by it. On my way back and forth to Ellsworth. I didn't say a word. Because I drove by. When I got elected. That community started at me about the smell. And I knew about the smell because I drive by it every day.

**Lori Roberts**

And I was neglectful at the time. I think it's been within the past month or so that I have gone by and I have had a smell. I just was logging things and I didn't reach out to him and that's my fault. Because I know he's not there all the time. So, you know, it's I think a more working relationship between the two of us and you. Coming up with this plan within 60 days, we can bring it back to the council in 60 days with the plan and, you know, whatever you would like. But I think to find somebody that's put out so much money to try and stop what's happening.

**Steven O'Halloran**

I'm all for your 60 day plan. That's the best thing I've heard. Since I've been on the council. There's a limit there to work this thing through the last time we visited this. There was a working plan supposedly going to happen and it still smells regardless of effort, regardless of what's going on it smells, people are still upset about it. There's some talk about getting applying for tax abatements. Because the valuations are going down so far, in the community that the city put this, excuse me, the city started this business community from the beginning, and then moved this in. That was several years ago that the city staff I'm perfectly willing to listen to a 60 day plan a 90 day plan something to make progress, not make talk.

**Lori Roberts**

Absolutely. I agree. 100%.

**Dale Hamilton**

Let me just check to see. Does anybody else have comments? If you do, just please stop? Please got it, you need to definitely be on the podium. So everybody listening.

**Kevin Wallace**

Kevin Wallace, the guy on the bad side of the wind blowing downhill, it's I'm there every day. I see it every day, or I wouldn't be back here again. I've done the complaints I've done, I've filed all the things and got zero response. I'm at a point in myself, I don't know what to do. The birds the mess, the varmints. And the damage, he mentioned is damaging his property is damaging everybody else is around him who was bearing responsibility for that. But the property owners, not him who just said he's damaging it. You know, I see it every day. You know, so maybe it isn't it might be only 730 to eight o'clock when the piles are turned. But I'm there every day. And I see it. And I'm not seeing the results. So why should my business be damaged because of something else, I invest money in this town, I've

been here a long time I've been here forty years, I'm looking at moving out of this town, because of this. One of the issues becomes what's the value of my property. When that smell is there, it's zero, that's not fair.

**Josh Wellman**

We're going to do everything we can to take care of it. And that's, that's the best I can give you. Because we don't want unhappy neighbors. That's not what we're trying to do. But when a load comes in and smells, and it dumps out and the winds blowing his way, he's gonna smell it. There's nothing I can do about it. We mix it and get it mixed with carbon and cover it as fast as we can. And that's the best we can do. If my operators flipping a pile and the wind direction changes and blows towards Mr. Wallace, you know, it happens. But if it's if it's short term, I think you know, that's reasonable. But if it's long term, yeah, we got an issue. So at the compost site, I need to know about it, so we can fix it. So I can tell my operator so that we can do.

**Dale Hamilton**

So I think we're at a point where it is there anybody else who wants to speak?

**Steven O'Halloran**

to clarify if I could that, uh, we are we hearing that there is a 60 day workable plan here that we're going to try and work with this business owner to improve the relationship and the smell with the other business owners. Is that what I'm getting? Yes. Yes. 60 days reasonable. Well, in fairness, and I brought it up last year, it's been 10-11 months and smells every day that I drive by it. that doesn't bother me. What bothers me is that the businesses they are being affected by I don't mind. I can drive by if that's you never heard from me about it until I was on the council because I don't care. But when businesses are affected, and I get elected to this council, I can't

**Dale Hamilton**

I don't hear any action being recommended. Thank you.

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**Dale Hamilton**

Item 17 discussion and update on the status of securing a facilitator for the development of the comprehensive plan and consideration performing an oversight group committee. I sponsored this item this has come up many times. Several years ago, I think it was two and a half now, was the first time the council appropriated funding to secure a facilitator for the process. And so, through questions, I know, COVID certainly had an impact on this process. There's no question about that. And so just wanted to bring it back to get an update in terms of where we stand in terms of securing a facilitator so we can start the process of forming, you know, moving forward with the comprehensive plan, as well as the oversight group that's a part of that process and getting a better understanding of what that looks like, what if, who's part of it so we can get that established and, and really get the comp plan moving.

**Glenn Moshier**

So Matt is here. He's our assistant city planner. In the absence of our city planner, he has taken over the role, and has done a significant amount of work towards moving the RFP process forward and his near completion. And he'll explain a little bit more about that process. And then he will be heading up

the working with the planning board after with the formation of the steering committee, and he's going to explain what that process looks like.

**Matt Williams**

Sure. So as Glen said, I've been working on drafting the RFP for the consultant, it's, I have a working draft ready to consult with Janna and other staff who have worked on RFPs. Before is to look it over, get their opinion. And Michelle Gagnon from Bar Harbor also offered to look it over for me. And so that should be ready, by the end of the month, probably if not, early December. And then, in terms of the steering committee. So I don't know if you remember, I was going through the old notes that Elena had put together, she had a binder of a presentation that she had done, I kind of showed the hierarchy of like the different committees involved. Or, like the planning board's technically like the client for the consultant. But above them is the council who has to adopt the comprehensive plan and at completion. And then further down, though, it's the steering committee who works with the consultant and helps draft the comp plan. And below that the subcommittees that are focused on specific topic areas that are within the comp plan, help draft those specific areas. And then below that is the public comment and direct. Direct comment from the public. So the steering committee will probably be about eight to 10 people, it makes sense to have two council members to planning board members and then three to four, like citizens at large from the public to be part of that. And they will meet probably about once a month, as the plan two years down the road or a year down the road comes to completion. There may be a couple more meetings per month, but on average will be about one meeting per month. And they'll work with a consultant and oversee the consultant throughout the entire drafting of the comp plan. And then the public as well as anybody counselors playing board members, other committee members are encouraged to this want to volunteer for the subcommittee's to have the specific topic interests that have an expertise or an interest and in particular area? Within the comp plan. People can participate that way as well.

**Dale Hamilton**

So do you see any barriers in terms of getting that steering committee formed? Rather than waiting? Because we put out the RFP, if we can get that committee in place, then we have a group that is charged with getting a process moving and working with a consultant? Do you have any concerns about

**Matt Williams**

Um, I don't have concerns about that I just have to put together a process for actually forming that committee and get feedback on that process. Before we put it out, it'll most likely be some sort of application where people send in some credentials and say, well, that's like there's only two councilors who want to participate, and it'd be like those two councilors. But otherwise, it'd be like an application process. So we'll go through and see who has the time and the qualifications to kind of help out with that.

**Dale Hamilton**

So for the planning board, when the planning board select their representatives, the council will select their representatives and then there will be a process for the community. Yes. So that I guess that's That's something that could we target maybe next month in terms of our meeting to see where you're at with that structure? Sure. And, in the interim, have members of the council, think about whether you

have an interest in participating on that. And then we can at least next month, select the two representatives that will be part of that steering committee once it's up and running, but we can at least get that piece addressed so that we can keep this process moving is that seem reasonable?

**Matt Williams**

It sounds good to me.

**Glenn Moshier**

And I think it's important to kind of highlight that the councilors, individual councilors will have multiple opportunities to participate, not only will the end result come back to the Council for for ratification, but as Matt pointed out, the steering committee will contain two councilors, but those subcommittees any counselor who has an interest like Mr. Stein, for example, for small business, where he has a small business located in downtown Ellsworth, would you be a strong candidate to participate at that level in that subcommittee, and so on. So every councilor, even if you're not on the steering committee will certainly have opportunities within the process, to participate in areas of expertise to provide that, you know, that level of assistance to the plan going forward. So

**Dale Hamilton**

just know, based on our earlier conversation, that this definitely is one of those communication points to the community of making sure that we do a really good job in advance of the steering committee. And the subcommittee's Yes, but also, I'm sure there's interest from people to want to participate a part of that steering committee, right, getting to that out so that everybody knows that they whatever that process is, and given everybody enough time and notice to to apply for it. And then go from there.

**Cara Romano- Heart of Ellsworth**

A quick question is, and maybe you can answer this, is there a communications budget that's inside of this entire budget?

**Matt Williams**

There is in a way there's a certain amount money budgeted and within the RFP, there's a requirement for public engagement. So when the consultant is doing all of these meetings and hearings, that they have to fulfill that portion of their contract as well, which involves robust public engagement, not just posting, but going to where people already are and trying to get feedback from them. They're not just holding meetings in City Hall, but bouncing around town where people actually are meeting.

**Gary Fortier**

Okay, good evening, Gary Fortier. I had two other people here tonight, but they had commitments and get out here. I'm glad this meeting didn't start at seven. Some of you know, when I fell off the council table, I landed in the Hancock County Planning Commission Commissioners chair. I'm one of the 12 this is what we do. We do comprehensive plans, Orland, Penobscot. Castine, we're working with Waltham, to get a contract with them. I brought our new young planner to Avery Varney. Here tonight and introduced her to some of you. But we would be interested in receiving one of your packets. I've cleared this with the commissioners they are interested in doing even if it's just select chapters, we have a couple of consultants that are very good on the traffic management chapters, writing some of

those separately. So to make a long story short, I'll have Matthew send the stuff to the office and we'll see if there's possibly we can help you with Thank you.

**Dale Hamilton**

Any other questions come

**Gordon Workman**

There was wasn't there and out about something about comprehensive plan and so looking for input from different organizations or something. I find it I couldn't find it. If I saw an ad for it.

**John Linnehan**

John Linnehan, I think the Comprehensive Planning Department is another example of too much government overreach and the growth of government. I believe the city of Ellsworth should eliminate that department. I believe right now that the planning board and code enforcement is more than sufficient to handle anything we have down here. So I would like to see the size of government at all levels, including city government shrunk back down to size. And I think it needs to have the city version from a financial budget point of view. Thank you.

**Dale Hamilton**

Any other questions, comments on this? No? Not tonight. We'll revisit in December.

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**Dale Hamilton**

And then item 18. Council comments. This is opportunity if council wants to take a few moments to speak on anything.

**Michelle Beal**

I just want to make a comment on Mr. Wellman. I know that he's been working really hard on this. And he kind of left here and we left him without direction, 60 days or 90 days, or I just feel like you know, we didn't make a motion, we didn't do anything to give him the direction that he was looking forward to, to be able to work with his neighbors.

**Lori Roberts**

Yeah, I agree we could give him I think maybe like 90 days, we give him at least 90 days. And he's, he's very, very accommodating, he will help and do like he's bringing in his clean shavings. And I really believe that that was a lot of the odor elimination that had taken place since he started utilizing.

**Michelle Beal**

I mean, listening to what he had to say, I just felt that seems like he's been trying, but he's made a couple of mistakes. And when he comes back and tries to work with them, and and I just would like to, you know, if we could give him 90 days or, you know, that would be that would be great. I know that we probably can't go back and vote again. I'm not sure. But if we just kind of moved on without a decision for him

**Gene Lyons**

90 days and bring it back in like March or something and talk about it some more. And hopefully it's gotten better.

**Dale Hamilton**

I guess, I don't know what, where, I mean, I think for city staff to be working with him so that it improves the whole situation for everybody. I think that was very appropriate. Makes sense. I just for me, I I don't know what it means to give him 60-90 days when or what? There's the the or what isn't there? I didn't hear any, there's nothing that we can do in terms of of taking action, and there was nothing that was put on the table to take specific action. So I think giving the process time is makes sense.

**Michelle Beal**

it's just that if we, you know, asked him to come back in 90 days with with this plan and in with an update of what's happened and how things are working in what the neighbors are thinking about. If we could have some kind of I'm sorry, I meant that I was going to but then we moved on quickly. I missed my opportunity.

**Steven O'Halloran**

Didn't you say the attorney suggested 60 days?

**Lori Roberts**

He said 60.

**Steven O'Halloran**

to add to your thought I have. Just because he said 60 doesn't mean that 90 is not sufficient. I'm just a little discouraged that it smells after this one year process. But just because the attorney said 60 and the city feels that 90 is adequate. I think that's great. I mean, man, I don't want to see the guy get hurt. I just I'm tired of listening to the other members of that community,

**Gene Lyons**

who may have been misled by people stopping filing the reports to I mean, you didn't realize possibly I'm not gonna say he did or didn't realize, but possibly he didn't realize that the smell was so bad that people were because they stopped sending the reports. And the state may have said, well must be solved itself because we're not getting reports anymore.

**Steven O'Halloran**

We don't want the state coming down on the guy was wanting to fix it.

**Michelle Beal**

So if we could just like have a report back in 90 days.



**Dale Hamilton**

We can't so because we've already this is not this is just general discussion. It's there's no vote on this because we can't it was already discussed on the agenda. So we'll take it at that and

**Lori Roberts**

I'll bring you back in February-March.

**Gordon Workman**

Is there any way that we can turn around and get the state out of this and let it just be as a city issue?

**Dale Hamilton**

So let's Okay. Anybody else not that's fine. Anybody else want to make a comment?

**Steven O'Halloran**

I'm not asking for any comments or suggestions I just want to throw out that the the city police thing And I've sent this to the council prior to this council being seated that the city police thing, there was so much pushback from the community. I'm involved in initiating the lawsuit to follow the procedures that the city has laid out in the procurement policy and in the charter. This might be a great time and this process, to think about this. This building was occupied from what I'm told by the Historical Society in 1935. That's 87 years ago. 67 of those years, it seems to have been adequate. The last 20 seems to have been inadequate, we're getting crowded and crowded. Maybe through all of this aggravation, and anger in the community is the time to move to really get serious about a public safety building. With a referendum in June on a number that let the city people vote if they're interested in stepping up to a certain debt level, and building a new facility for the police and fire and ambulance if there's such thing and get the citizens input in the referendum in June when the school goes out, I'm not suggesting going out with a big plan and fancy drawings and all of this stuff. I'm talking about a budgetary number, that would get some direction from the city, because certainly, the city's wound up about this. So the residents are wound up about the police thing. Without that we may not have had the opportunity to do this, but we're here. And it's it's worthy of getting the citizens input on updating, upgrading, doing something more significant than is on the table now. Because certainly, it seems that the citizens are wound up about this decision. Let's get their input. And see if there is a level of support at a certain number that we could work with as a council.

**Dale Hamilton**

Just for the record, and you just said it since you filed a lawsuit, we are not able to have any conversation on that topic. So you're free to feel free to comment. But I want the public to know why we're not responding is that is a lawsuit and we're not able to have conversations about that

**Gene Lyons**

I'd like to say one thing is 8500 taxpayers in this town and I've had six people mad at me about this decision.

**Dale Hamilton**

Right so I'm just gonna I'm just I know I don't want to open the door this this time is for to comment, make a comment on issues not to get into debates on issues. So if we have no other comments, entertain a motion to adjourn.

**Michelle Beal**

So moved.

**Tammy Mote**

Second

**Dale Hamilton**

Second. All those in favor.