

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, September 18, 2023 at 6:00 PM in the Ellsworth City Hall Council Chambers

Meetings will be broadcast live on:

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

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

Spectrum Channel 1303

AGENDA with motions and resolutions

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order.

Motion to take up item #20 ahead of New Business, T. Mote, C. Hanson, 7-0

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

- 08/21/2023 Regular Meeting Minutes **

Motion to approve by C. Hanson, second T. Mote, passed 7-0

5. City Manager's Report.
 6. Committee Reports.
 - Reappointment of Jarad Wilbur to the MDI and Ellsworth Housing Authorities
 - Appointment of Carol Martineau to the Historic Preservation Commission, term expiration 2025
 - Approval of Richard Will to be a consultant to the Historic Preservation Commission
- Motion to appoint all above by C. Hanson, second by G. Lyons, passed 7-0**
7. Citizens' Comments.
 8. Presentation of Awards.

- Douglas Belletete for achieving Chief Officer 3 with the Ellsworth Fire Department
- Andrew Weatherbee for 15 years with the Ellsworth Police Department
- Sandra Abbott for 15 years with the Ellsworth Public Library

UNFINISHED BUSINESS

9. Charter update and potential action

Motion to table until October meeting, hold PH, by J. Stein, second by T. Mote, passed 7-0
10. Review of edits to the approved Mooring Control Ordinance requested at the August 21, 2023 meeting

* ** - Consent Agenda items containing backup material.

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CONSENT AGENDA

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

11. Council Order #091800, Request of the City Clerk for approval on the time polling places open for the November 7, 2023 State of Maine Election and City of Ellsworth Municipal Election as 8:00 AM. * **
12. Council Order #091801, Request of the City Clerk for appointment of Wardens and Ward Clerks for the four voting districts within the City of Ellsworth for the November 7, 2023 State of Maine Election and City of Ellsworth Municipal Election. * **

Motion to approve by M. Beal, second by T. Mote, passed 7-0

NEW BUSINESS

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

- Provender, LLC d/b/a Provender, 112 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV), Malt, Spirituous and Vinous Liquor License. ** **G. Lyons, C. Hanson, 7-0**
- Louise Joy and Thomas Joy d/b/a Edward Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile Graveyard Permit. ** **G. Lyons, C. Hanson, 7-0**
- James B. Card II d/b/a Jimbo's Junkin, 62 Kylies Way, for renewal of a City Junkyard/Automobile Graveyard Permit. ** **G. Lyons, C. Hanson, 7-0**

14. Council Order #091802, Request of the Highway Foreman to award a bid for a hot top trailer. **

Motion to award bid to HP Fairfield for \$45,554 by T. Mote, second by C. Hanson, 7-0

15. Council Order #091803, Request of the Harbor Master and Harbor Commission to amend the Harbor Fee schedule, Chapter 3a (fee schedule not subject to a public hearing) **

Motion to accept the fee schedule by C. Hanson, second by G. Lyons, 7-0

16. Public Hearing and Action on Council Order #091804, a request from the Finance Director to authorize \$8,680,000 of City Bonds to finance Sewer and Storm Drainage Improvements, with Pump Station Upgrades and \$4,900,000 of City Bonds to finance Water Main Replacement Projects. **

Motion to authorize the application of \$8,680,000 in City Bonds to finance Sewer and Storm Draining Improvements, with pump station upgrades and to order the authorization to apply for \$4,900,000 of City Bonds to finance Water Main Replacement Projects by T. Mote, second G. Lyons, passed 6-1 (S. O.)

17. Public Hearing and Action on Council Order #091805, Request of the Fire Chief to establish an ordinance for the billing and collection of user fees and beneficiaries for Emergency Medical Services. **

Motion to establish the EMS billing ordinance by C. Hanson, second by G. Lyons, passed 6-1 (S. O.)

18. Council Order #091806, Request of the Fire Chief to award a bid for the SAFER grant Recruitment and Retention Marketing Program **

Motion to award the bid to First Arriving for \$146,975 by C. Hanson, second by J. Stein, 6-1 (SO)

19. Council Order #091807, Request of the Fire Chief to award a bid for the SAFER grant mobile LED sign trailer **
Motion to award the bid to Signs Plus for \$54,385 by C. Hanson, second by G. Lyons, 6-1 (SO)
20. Council Order #091808, Request of the Superintendent of Schools and School Board to expend all or a portion of reserves already established including but not limited to Special Education, Student Transportation, and Minor Capital Projects.
Motion to allow expenditures by C. Hanson, second by M. Beal, passed 6-0-1 (SO Abstained)
21. Discussion and potential action on presentation from Heart of Ellsworth on a Main Street Application ** (Sponsored by Beal)
22. Discussion and possible action regarding an ordinance to govern panhandling (Sponsored by Lyons)
City Staff will hold workshop to work on recommendations to discuss safety concerns.
23. A comprehensive look at homelessness in Ellsworth, the current situation and trends. Presented by area groups and GA Director. (Sponsored by Stein)
City will prepare a workshop with these presenters, and comp plan input.
24. Discussion and vote to submit the following proposition to be voted upon at the next municipal election: ‘Do you favor Ellsworth opting-in to cannabis permitting, including adult-use, medical, cultivation and/or testing facilities?’ (Pursuant to Charter, Sec. 2.08- Submission of Propositions for Popular Vote) (Sponsored by Stein)
Reviewed. Councilor Stein changed the request to have staff work with CC to develop a plan to potentially place this topic on the November 2024 ballot, to educate the public and do ordinance planning and logistics before rushing the referendum.
25. Discussion and possible action about the preservation of Ellsworth’s water resources including recommendations for city actions relating to its Great Ponds, the Union River watershed, and our drinking water with presentation and data by area conservation groups. (Sponsored by Stein)
Reviewed with area experts. Workshop to further discuss.
26. Councilor’s Comments
27. Adjournment.
Motion to adjourn by M. Beal, second T. Mote, passed 7-0

City Council Minutes

Dale Hamilton

I call to order the September 18, 2023 meeting of the Ellsworth city council all councilors are present.
Pledge of Allegiance

Dale Hamilton

Item three rules of order we follow Robert's Rules of Order and all the other rules that are adopted from the organization meeting or other rules adopted during council meetings.

Tammy Mote

I'd like to request to for item 20 be moved to item 13, the reserves for the school

Dale Hamilton

to move item 20 to Item 13 And then reorder everything.

Casey Hanson

second

Dale Hamilton

Any discussion? All those in favor? Unanimous

Dale Hamilton

Thank you. All right. Item four adoption of minutes from the following meeting Ellsworth city council 8/21/2023 regular meeting minutes.

Casey Hanson

Move to adopt.

Tammy Mote

Second.

Dale Hamilton

You have a motion and a second. discussion. All those in favor.

Dale Hamilton

Item five city manager's report manager Moshier.

Glenn Moshier

Good evening councilors have a few things to report on tonight. First off, the city would like to thank healthy Acadia and the Inspire center for opening their doors during the storm over this past weekend to help out some of our unhoused population from getting out of the elements. Very much appreciated. Real estate property tax bills have been mailed out however many have been returned as

undeliverable. The Tax Office is searching for new mailing addresses and forwarding bills when possible. However, if you have not received a bill, please call the Tax Office at 207-669-6620 and verify the correct address. The Code Enforcement Office has issued the final certificate of occupancy for the Jackson laboratory on Kingsland crossing road and Northern Light Pharmacy located at the old Chamber of Commerce Building on High Street or location the buildings go. Nomination papers are due to the city clerk's office this Friday September 22. By 5pm papers returned will be validated and those with at least 50 Ellsworth voters will be accepted for the ballot. Dog licenses for 2024 are available beginning October 16. absentee ballots and ballot applications are being accepted and ballots will be mailed when possible. City Hall and the Ellsworth Public Library will be closed October 9 and observation of indigenous peoples day. And finally the Ellsworth Police Department will be hosting an open house at the new police station at the end of end of September. Stay tuned for on the winning city website and social media sites for specific times and dates for the open house. That is all I have

Dale Hamilton

any questions? Committee Item six committee reports. Any counselor's attend any meetings

Tammy Mote

The HR committee met at the end of August to discuss the steps moving forward the city manager search Kerri Taylor, the HR manager and Maura Condon communication specialist drafted a job advertisement that's been approved by the committee and it was posted to the city's website and they may and indeed, as of today received six resumes. The HR committee is going to be meeting on October 3 at 6pm. To review the resumes and determine the next steps. We'll bring more information to the next council meeting.

Jon Stein

a number of comprehensive plan subcommittee meetings they've been really well attended and exciting, really good ideas have been collected. Still looking for input, visit the city's website for more information and to give some of your input to the complex.

Dale Hamilton

We have three appointments to make. I'll read the names the position and then we can just take one more motion and do it that way. So reappointment of Jarad Wilbur to the MDI and Ellsworth housing authorities, appointment of Carol Martineau to the historic preservation commission term expiration 2025. And approval of Richard Will to be a consultant to the historic preservation commission.

Casey Hanson

Move to approve all.

Gene Lyons

Second,

Dale Hamilton

motion a second. Any discussion?

Steven O'Halloran

I just have a question. These are all non paid positions. Yes. Thank you.

Dale Hamilton

Any other discussion? All those in favor? Aye. Unanimous

Dale Hamilton

item seven citizens comments as part of the agenda where citizens can step up to the podium say your name and talk about anything that you wish you had about three minutes to do so. If it's on the agenda, we will allow you time during the agenda item to comment.

John Linnehan

Good evening counselors I'm John Linnehan 157 shore Road in Ellsworth. I'm here tonight to talk about taxes. Before I want to make a disclaimer, I'm very passionate about what's happened to my tax bill. And I assume this happening to other tax payers here in the city of Ellsworth. So if I get vocal a good thing is nothing personal is any counselor. But I just want to put that disclaimer out there because I am very concerned about the tax bill. I brought my tax bill with me. I just got it a few weeks ago. And I looked at it and it went up 17.875321%. That's an increase, can I round it off to 18%. I don't care what the mill rate is, I don't care what the value is. All I care about is the dollars that come out of my wallet when it comes to pay in taxes. And I've heard several people more than several people have complained to me about taxes and city of Ellsworth, I have taken out my papers, I'm running for the City Council. And I'm running on one major issue and that's taxes. And I believe our current city council has done a poor job watching our spending, they haven't prioritized spending rate. There's only one way you reduce taxes, you have to reduce spending, you can't keep going up in the spending, expect taxes to get out. So I'm running on one simple message, reduced taxes, I know how to reduce taxes. And before the next council meeting, I'll have an itemized list of every item that I would propose. Because you have to make cuts to that to cut spending. Something has to cut you have to reallocate what you have. So I'll vote new if elected if council voted no on any new spending whatsoever for the city of Ellsworth. Instead, I would vote to take the existing budget and reallocate it. reprioritizing. Very simple to do that extensive business experience a lot of years. And I know how to do that. And people say, Well, what are you going to cut? What are you going to do this and everybody's got their pet agendas that they want to keep in there. I have no pet agenda, other than I want my taxes to go down. They went up 18% roughly this year. And my cuts will be a minimum of 5% of the total budget because I knew my taxes need to come back 18% plus the 5% increase. So that's what I'll have I'll have in writing for the next meeting if anybody wants to see it. Or if I have time to present it as more I'm more than happy to do that. Thank you very much for your time.

Dale Hamilton

Seeing all right, let's go on to Item eight. presentation of awards. First presentation is Douglas Belletete for achieving chief officer three with the Ellsworth Fire Department. So it's very impressive in terms of what it entails to meet the objectives to be qualified to receive the designation of the main chief officer three, an officer must accumulate 100 points between seven categories, work experience, education, certification, professional development, professional contributions, active associates and community involvement. Deputy Chief Doug Belletete achieved all those required standards to attain his chief officer three designation. This dedication to the fire service Ellsworth fire department in the city brings

great value and expertise to our citizens and their families. So thank you very much for the dedication
Thank you.

Dale Hamilton

The city of Ellsworth proudly presents a certificate of service to Andrew Weatherbee in recognition of your 15 years of service for the city of Ellsworth police department, your devotion to duty and loyalty to the community have contributed to improvement of the city of Ellsworth presented this 21st day of August 2023.

Dale Hamilton

Think it's just a comment that two of those individuals 15 years with the cities, it's certainly a remarkable amount of time. And we put a lot of dedication to the city, and we certainly thank them for that. Unfinished business. Number nine charter update and potential action.

Dale Hamilton

This goes back to our discussion. Last meeting where we talked about a few items that needed immediate attention. And then there were items that may need future to be addressed from a more formal process with having a charter permission. Do you have those items handy are those are in the packet. So the the ones we're talking about the first and second, both of those, what we would, as a council approve, would be making some small changes to be in line with existing practice in terms of timing for nomination petitions, acceptance of nominations, and the ballot preparation that we have for for the city. Those are pretty straightforward. And that's why we could can address that to make those changes for the traitor. All the other items are more involved and would require more a more extensive process.

Michelle Beal

If I remember correctly, this is because of changes in the election laws for the state in order to make you compliant.

Toni Dyer

Yes, that's correct. The state changed nomination paper deadlines, from 80 and 45 days, which is what we have right now to 100 and 60 days. So that's the change for that. And then the other ballot preparation changes to just as a city clerk shall prepare ballots. And I want to make sure that that also means that I can designate a third party to prepare those ballots on behalf of the city. But in speaking with the city attorney, he's drafted those two amendments. He did not think that we had time to do public hearing before the November election this year. So the changes that he's proposed we would if you approve these we will do a public hearing a formal public hearing and approve those they'd go on the June ballot. And the effective date will be July 1 of 2024. So it would take effect for next year's November election when we have nomination papers. But the time that he got to drafting these changes in a formal document we did not have time to schedule a public hearing for this evening.

Toni Dyer

Okay, so there will be no action this evening until we schedule.

Toni Dyer

Right, we will just table it to you. You all choose to take it up for public hearing

Steven O'Halloran

could you just share with everybody in this room and online, the spirit of this change?

Toni Dyer

Yes, so as manager Moshier noted in his remarks nomination papers for Ellsworth are not due back to me completed until this Friday at five, and most other municipalities in the state of Maine have already had theirs back and their ballot proofs were already sent off to the ballot company three weeks ago. And we'll be receiving ballots back from the state and local ballots, typically the first week of October, I will not have my local ballots until closer to October 20. So those requesting absentees right now, all I can do is take their applications and they likely won't receive their ballot in the mail until October 20, depending on where their mailing address is, when the state law changed several years ago, we just didn't keep up with the date change. But the state made to allow better time for ballot preparation and printing and mailing.

Jon Stein

New deadline to ensure that these changes make it for next November's election will be May in May.

Toni Dyer

a public hearing, if we make this change nomination papers would have would be due in the first week of September versus the third week of September. For these changes for these changes. Yeah, they'd be effective July one of next year.

Dale Hamilton

And when would be the public hearing can take place anytime anytime

Toni Dyer

between now and March to give adequate time to get on a June ballot. But we tabled it,

Glenn Moshier

we can bring it back in October. That'll give us time to publish for the public hearing. And we could resolve it in our next meeting. Just the timeframe from when was just too tight to be able to get it for public hearing at this meeting. So if we table it till the next meeting, we can schedule the public hearing and get it taken care of in a call in October and it'll be ready for next election.

Jon Stein

Moved to table to next meeting

Tammy Mote

Second.

Dale Hamilton

Motion in a second. All those in favor of tabling unanimous Thank you. Thank you.

Dale Hamilton

Item 10 review review of the approved mooring control ordinance requested at the August 21 2023 meeting.

Matt Williams

So, you have updated draft of the mooring ordinance that was approved last meeting I made the changes as requested there was a specification for the time that the ordinance is in effect from ice out so I sent each year I changed the overnight period from 10pm to 9pm. And then got rid of a commercial purpose and changed it to definition of a dwelling purpose. And then there was the changes that made it clear that Anchorage is are allowed within the mooring control area for no unspecified amount of time. Other than overnight and then just reference that non dwelling purpose and then align that, you know, you can use moorings for a commercial purpose but the commercial purpose should not be renting that mooring specifically.

Michelle Beal

Our motion last month was that we approve the ordinance with the changes that we just made. We're not proving the ordinance again, we're just approving that you've made the right changes. Just yeah.

Matt Williams

Not really

Glenn Moshier

there's not even any actions necessarily just confirmation that you've all seen the changes and they are what you expected

Glenn Moshier

know it's already been just a matter for you all to see the changes and make sure that they were what you expected.

Dale Hamilton

Consent Agenda Items with an asterisk are considered to be routine and will be enacted by one motion. There'll be no separate discussion of these items less than council member so requests in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda item 11 Council order number 091800. requested of the city clerk for approval on the time polling places open for the November 7 2023. State of Maine election and city of Ellsworth municipal election as 8am. Item 12 Council order number 091801 request to the city clerk for appointment of wardens and Ward clerks for the four voting districts within the city of Ellsworth for the November 7 2023. State of Maine election and city of Ellsworth municipal election.

Michelle Beal

Move approval

Tammy Mote

Second

Dale Hamilton

of a motion so seconds, any discussion? All those in favor? Unanimous.

Dale Hamilton

So item 13 is now Council order number 091808 requested the superintendent of schools and school board to expend all or a portion of reserves already established, including but not limited to special education, student transportation and minor capital projects.

Amy Boles

Good evening. Thank you for having me. I went to the Finance Committee back at the end of the summer, because we realized that when we did Council orders for the approval of the school department budget, we created reserve accounts, but we were not given the authority to expand their reserve accounts. So we are asking for formal approval to expand the reserve accounts if and when needed. Knowing that this spring when we do FY 25 budget, we'll make sure that that language is in the motions for this coming year.

Casey Hanson

Move to approve expenditure of all or a portion of reserves already established, including but not limited to special education, students transportation and minor capital projects.

Michelle Beal

Second,

Dale Hamilton

there's a motion a second discussion. All those in favor? Aye. All those opposed? Abstentions. Motion passes. Thank you.

Dale Hamilton

Item 14 public hearing and action on the applications for the following licenses (See full agenda for motions)

Adam Wilson

Good evening, Council, Adam Wilson, Highway Foreman here tonight to request an award of a bid we sent out RFPs for a replacement hardtop trailer. And we did receive three back the lowest bid is HP Fairfield. With your blessing we'd like to execute that. we budgeted 52,000 The bid come in at 45,544.

Tammy Mote

Is an option with HP paraphilic about the dual burner option for additional 300. Is that something that you're going to need or

Adam Wilson

no and the reason why is the last one we had in 2011 It was a diesel hot tub trailer. And we had a lot of trouble with the condensation in the tank. This is a propane burner one.

Tammy Mote

What are we doing with the replacement trailer? Are we selling I

Adam Wilson

would love to if we, if you know anybody. It's you know, it's it's, it's, in essence, it's like a huge furnace. And it's heated up and cooled off so many times that there really is nothing left. I mean, it's it's totally good frame. But the Hotbox itself is well past its life.

Tammy Mote

So when you're using our scrap, right hot top, so do you have like a bunch of it? Yeah, we

Adam Wilson

have a huge pile. The issue with doing that is it does not have as good a product as heating the patch in the wintertime. You know, because we can heat the patch up with this. And it's gonna have some longevity to the holes.

Jon Stein

It sounds like this was a total surprise meeting this new trailer? No, no, but it wasn't also on a capital improvement. Yeah.

Steven O'Halloran

What did you use this year if the one you have is not working

Adam Wilson

coal patch? As fired year, far greater expense to put just cold patch out all the time.

Steven O'Halloran

And it's this what time of year? What time of year? Do you use this?

Adam Wilson

We can use it this time of year with a hot top and aprons and such because it'll keep the hot top, hot all day long. In the wintertime, we can heat hot tops. I mean, that's going to be the biggest use of it is in the fall. In the winter.

Steven O'Halloran

How many years have you done cold patch?

Adam Wilson

I started 99. And we were using cold patch then.

Steven O'Halloran

Okay, so help me with that little bit if you're using cold patch when you don't have this product that works,

Adam Wilson

right, so this product is a Reclaimer and a hot patcher at the same time. So we'll do both products. When we don't have this, it's literally it's cold patch exactly what it sounds like. And the warmer that is the better it is to the hot top. So you're using

Steven O'Halloran

it raw right now as opposed to getting the bang for the buck. Right.

Adam Wilson

Creating that stickiness. No, I have not ever seen that where we could even lease it.

Michelle Beal

use old hot top and remount it. Yes. So you're reusing recycling for

Adam Wilson

the majority of the time Yes. To purchase or as much right.

Tammy Mote

Move to approve the request of the highway Foreman to award the bid for an asphalt trailer to each be fair for him for an amount of \$45,554 to be paid from the highway department capital account 9090 9005 9004.

Casey Hanson

Second,

Dale Hamilton

motion a second further discussion.

Steven O'Halloran

All of these bids were under your budget. Yes, sir. Is this a value purchase or a price purchase?

Adam Wilson

Both it's the all of the machines are comparable. There's the higher prices have a little bit more of a PTU on that. But for the overall product that's more than meets what we need. Thank you.

Dale Hamilton

All those in favor? Yes. Thank you.

Dale Hamilton

Item 16. Council order this council order number 091803 request to the Harbormaster and harbor commission to amend the harbor fee schedule. Chapter Three a fee schedule is not subject to a public hearing.

Adam Wilson

Good evening Council Adam Wilson Harbormaster. We'd like to increase the fees at the harbor at the last harbor commission meeting. They voted unanimously in favor of raising them. The last rate increase was in 2019. And this would not take effect until close to season 2024. So increase of 10%. And I think in your packets, I made it so that it was all pretty easy to understand.

Tammy Mote

Have we done a comparison of other harbors similar to us? And are we within range?

Adam Wilson

We're still quite low. But the reason why we're quite low is you have to want to be there and we're a long ride up the river where we are incomparable with our moorings, which is why that one did not increase. Now, sorry. Yeah, we're comparable with the moorings and do increase that, but the rest of it we're still pretty cheap. We're there as a surplus.

Casey Hanson

Move to approve the amended Harbor fee schedule as presented.

Gene Lyons

Second,

Dale Hamilton

motion a second. Any further discussion? All those in favor? Unanimous. gonna stick around for the next one.

Dale Hamilton

Item 17 public hearing and action on council order number 091804 request from the finance director to authorize 8,680,000 of city bonds to finance sewer and storm drainage improvements with pump station upgrades and 4,900,000 of city bonds to finance water main replacement projects.

Anne Laine

Okay, so the first one is, for multiple, they're actually both for multiple projects. I wanted to take advantage of the 8.68. As we discussed in Finance Committee, the terms are just excellent at 1%. We're not going to get that in the market. And we have some pretty big projects to fund for the next couple of years. So the one for water is for the Surry Street project, Oak Street and then lead and copper.

Michelle Beal

We don't have like a given amortization schedule or anything that says how much this is going to cost us per year or not. Yeah, annual.

Anne Laine

I don't have it yet.

Dale Hamilton

Do you need to have authorization before you can apply? So you can't get that information? So is this? are you requesting authorization to apply but not necessarily?

Anne Laine

have to have authorization to apply. So but you'll see the terms before we sign off on anything.

Dale Hamilton

So there would be a second second vote to actually

Anne Laine

it's a CWSRF loan. We have several of them. So I'm seeing that they're fairly familiar.

Michelle Beal

The orders authorizing issuance of the bond is not authorizing application.

Tammy Mote

Because of any SRF funding, you have the interest rates really low, but you also are paying a little bit more for the administrative fees. So sometimes it works to our benefit if we did go to the open market.

Anne Laine

But not 1%. We won't get anywhere close to that in the open

Tammy Mote

No, I agree. But I would be interested to see what the admin fees are for. Do you know Brent? What they're going out in the market? No, for through the bond bank. Sorry.

Woodard and Curran

typically 1% loan it's a one and a half percent of the time you add in fees and stuff like that. It ends up being effectively about one and a half percent of the time you add in Maine bond bank and to everything else. Thank you.

Glenn Moshier

Right, actually, even before you sit down, can you just maybe shed some light on some of these projects that these funds will be earmarked to address? Because I know you knew and wouldn't occur. And I've done a lot of the legwork putting all these projects together. So might be valuable for the folks to understand what exactly we're talking about. This money being spent for

Woodard and Curran

talking about the water piece first. So the \$5.9 million of water. So for different projects, and so Surry Road, which is currently under design right now, 90%? Yes, excuse me,

Steven O'Halloran

you said 5.9. Okay, thank you. Thank you for that. More than norm,

Woodard and Curran

4.9. So what those are for different projects, and so that the city had submitted for funding for the drinking water SRF program for the Surry Road project. And you were awarded that funding last year. And so we're 90% done that design right now, we've got a couple of issues with easements and a few things working out. But so that projects under designed to go out to bid. So you received \$1.9 million towards that project last year. And that was made up of a principal forgiveness amount, which is basically a grant that it doesn't have to be paid back, and then a loan amount. So that that was the survey project, the Oak Street project. So Oak Street Project is a more comprehensive project MDO T is certainly instigating the Oak Street project, of which the city will have their own water, sewer storm drain components to it. And so the last year, because of that project, the city also submitted to the drinking water SRF program for the Oak Street project, so they can be anticipating their efforts as far as the MDOT upgrade. And so on the Oak Street project, what typically happened is, they would give you some money to design it. There was an extra money last year. And so they gave you basically all the money, they gave you the 1.6 billion, they gave you all the money for the Oak Street project last year in the form of a loan and a grant. And so 1.9, 1.6 and 29 1.6. And also the drink water program, because there were such a significant concern about lead and copper services and the impacts on water quality. They also took those two projects and gave the city a few \$100,000 Extra to address lead and copper services while they do in that project. And so the city submitted for the Oak Street Project, which is a few years off now to be done. They submitted for the Surry road project. And then they threw in some lead cooper are 4.9 of the total, which 1.8 of that total is a principal forgiveness. And so by the time the bill comes to pay 1.8 of that will be forgiven and effectively like a grant, you asked for the 4.9. They don't make you pay back the 1.8. So what effectively is a \$3.1 million loan for the Surry road in the Oak Street Project. So that's the water project. So the city's already submitted for those to receive funding in the form of loan and principal forgiveness. The city's obligation is on the loan piece they need to submit to the main bond bank so that you can get the long term financing for those projects. And that's what that 4.9 represents is the long term funding for Surry road and Oak Street.

Michelle Beal

And so we already have it in writing that of the 4.9 will have 1.8 Forgiveness and principal forgiveness.

Woodard and Curran

Yes. you got that on June 27 of this year was the whole rundown of how everything will be done. So you have it already. Yes.

Michelle Beal

And then and we also it's guaranteed it's a 1% loan. Yes. And that's with the consideration the forgiveness.

Woodard and Curran

All the loan amount is just 1%. Okay, so and then as as Tammy had said it's it ends up being effectively one and a half percent of the time you add in mainline bank fees and things like that.

Dale Hamilton

Is this project all funded within the enterprise accounts? Yeah, yes. So it's all so it ends up being a rate payer issue. Just in terms of the loan itself,

Tammy Mote

which I believe was part of the discussion when we raise the rates last time they had built this to it.

Dale Hamilton

So this was built into that project was built in

Glenn Moshier

would have absolutely been I'm not sure about Oak Street, but could have been I'm not 100% sure on that the rate when they did the rate case study, it may

Woodard and Curran

not be I think, on Oak Street, what happened was you submitted in they had some because of the infrastructure, they had some extra money. So they funded all of Oak Street, even though oak tree does a couple years out now. So it's well in advance, they're not going to do anything on Oak Street until 2006. But because they had some extra money, the drinking water program thought that they'll fund the entire project for you, not just the design phase. And so that's what they put out there. And so it was they didn't know how much money they'd have two years from now. You had to define project and so so I don't know when whether or not the Oak stree project is in the

Woodard and Curran

questions on water,

Michelle Beal

we must have guesstimated that the cost in order to have it we've increased

Woodard and Curran

Wastewater so we're sort of project two years ago, the city put an application into the clean water SRF program. So in spring of last year, and what that defined was the city it identified that there were storm drain issues as far as over town, there was a disrepair that need to be addressed. There was some concern about on the wastewater side continuing infiltration and the infiltrate the infiltration and inflow into the into the sewer system that are creating some issues as far as you know, too much water in the system, as well as you also have the Water Street project which is finishing on now and the High Street pump station project which are gone. So the Clean Water SRF application that went in last year, took all those into account. And so the city put an application in it said all of those things together, add up to about \$10.8 million. The DEP last year said we have some available whenever right now we have \$2.2 million worth of grant money to give you. And so we'll give you grant money, no strings attached. You don't have to borrow any money from us in order to get the 2.2 million. What you what the city is using that money for is we started last year the stormwater work. So all the work has been in town as far as cameras down the pipes and stuff like that. I can talk more about that. So we started that investigation work on on the storm drain system last year as well. And what the city is using that balance of money is

to offset the local costs for the Water Street project and the High Street project. And so because what you said in your application was stormwater work, sewer system work, pump station work, as long as it stayed within those contexts is that money's as good. So that 2.2 of grant you got last year, you're using to kind of offset some of the costs you have for the two pump stations projects that you have, as well as the stormwater work that we did. Or we're finishing up right now as far as. So what that did is you submitted 10.8, they gave you 2.2 of grant that left you with \$8.6 million of available SRF loan money. And so the way that DEP works, is I'm sorry, I've been a little long winded way DEP works, you have until the September of the year following the award, in order to say whether or not you want that money. For instance, this last year, there were \$55 million worth of needs and \$13 million for the grants as far as DEP was concerned. So DEP is beginning to run out of money, loan money, not just grant money, loan money, because of the needs. And so what what the DEP said is, hey, if you don't want this money, we'll give it to other communities, and you can apply again in the future. And so that was because you gotta last year, you had to decide by September 30 of this year, to be able to do you want the opportunity for that money. And so I think the city inside like, while we were doing the stormwater study, we're evaluating things we certainly have needs within the within the system to be fixed, as well as, again, continuing issues as far as the two pump station project you've got and then sewer improvements that can be done as we as we investigate and find them. And so the purpose of this is, you're kind of under that deadline to be able to say you want the money. And then the Maine bond bank has an application right now so that they can keep that money available for Ellsworth. So as opposed to, you have a chance to turn it back, so another community can get it. Or you can keep it for Ellsworth. And then as you define the projects that you need to do, because you don't have any really the other than the two pump station projects right now, and the stormwater study you're doing, you don't have any defined projects attached to this money, other than when you do it, then you come and say, Well, this is a stormwater project, it costs x amount of dollars, and we'd like to use this money to be able to do it. And so it's really having the money available for the work that will be done. As an outcome of, for instance, the stormwater work that we're doing right now.

Glenn Moshier

I just, I would just like to take just a second. Thank you, Brent, for all of that. But I think it's critical that the council and the community understand that, without this funding, a lot of the work, major infrastructure work that we have, that needs desperate attention in the city of Ellsworth is, is going to either fall solely on the backs of the taxpayer, or it's not going to get done. And when he talks about the stormwater drainage, that's been an issue in the city for longer than I've been involved with the city. And we've got drainage systems that then the study will will show, we've got their drainage stormwater drainage systems that have collapsed, some that are that were abandoned years ago that are no longer that they're no longer operable. We've got serious drainage issues, from the River all the way up to in and around the hospital, that all need to be addressed. And the thing about these drainage issues is it's not only a matter of the stormwater that's detrimental to people's residences, flooding basements, and so forth. But it's also extremely detrimental to our roads. And a lot of the reasons we have such poor road conditions throughout our city is because of drainage issues. And when we look at Oak Street, specifically that project, the D O T is coming through there and the city's responsible for water, wastewater and stormwater throughout that project. And it's going to be expensive and the stormwater from that you can't just necessarily look at the stormwater on Oak Street and say, Okay, we're gonna put some new basins and we're gonna put some drainage in and be done. Well, you can't do that,

because the storm water is coming down the hill from up at the hospital, and it's going to continue, it's got to go somewhere from Oak Street, which means we got to address the down the downhill portions of the stormwater and the drainage. And so that's going to take extensive work, in order to upgrade that whole system to be able to handle the amount of water that, you know that that we currently have. And with, you know, the concerns for, you know, increased amounts of water, like we've seen in the last two weeks alone, these issues need to be addressed for the longevity and the and for the better interest of the city. The wastewater, some of the wastewater issues, again, Oak Street will be a major concern, we currently have a large over project on red Bridge Road, that some of this funding, because again, it's stormwater related, could be utilized to fund that project. So the funding at this rate, the 1%, the one and a half percent, is, is not something that we're going to be able to achieve in the market as we start to tackle these projects. So I think it's really critical that we take advantage of this opportunity to get this funding so that we can continue the work that we've really started over the last three or four years of really focusing on tackling some of these major infrastructure needs that the city has, which is, you know, as we grow, and as we continue to encourage businesses to move to town, you know, if we don't have the infrastructure to support them, then we're just wasting our time. So I think it's, I think it's critical, and this funding is, is a great opportunity for us to continue this work.

Michelle Beal

So this is similar to a construction loan that you pull it down as you need it, correct? Yes. And it's guaranteed at that 1% For as long as we like to do we have a timetable that we need to borrow for a point says

Woodard and Curran

you'd have a you have three years. And so if you were to borrow right now, that likely to use and in by 2026 and 2026 You can ask for an extension, but right now to keep its revolving loan and so what they'd like to do is have you use it to pay it back so others can have that opportunity. So if you were to say yes, you haven't told 2026 No to obligate the funds not spend it, but obligated towards a project. is

Dale Hamilton

the study that you're currently percentage wise? How close are you to finishing that?

Woodard and Curran

We've completed Adam might disagree. But we've we've, Adam would say we've done 90%. I'm going to say we've done 90%. So we've completed the entire study. So we've sent cameras up all the pipes, and we've checked all catch basins and manholes. So we've we've completed the condition assessment. So the stormwater study has two parts. Number one is what's the condition of the pipe and doesn't need to be repaired. And the second part is a model that you do that looks like When water hits all this system isn't overwhelmed or not just the pipe need to be bigger. And so we're in the process now doing all the modeling work. So we'll be done by I'm going to say by Thanksgiving, we'll have all of that work will be done, the assessment work is done. The modeling work is done. We'll have a report that talks about all the critical areas. What's the worst case? What's the where would you start down by the river and start building back up? So we'd have a capital plan by November timeframe

Dale Hamilton

is that I know this jumping way ahead for the project. But in terms I'm just thinking of that three year timeline. So the engineering that would be required for those projects that come out of the study? Is that a realistic the three years realistic to take what you have what you find your recommendations, to identify the project to then have it engineered in terms of the work that needs to take place, the RFP process all of that, would we be able to do all of that as a community within a three year timeframe?

Woodard and Curran

I would say yes, with the caveat that you don't have to have the work done. But you have to have to work obligated. So if you were in in the fall of 2026, if that's when Oak Street was going to come in you were doing and you were using this money for the stormwater and the sewer on Oak Street, as long as you were able to obligate that money during that period of time. You can you can spend it after that. But you have to have it obligated within that three year period. So I would say yes, you could

Steven O'Halloran

have a question for the finance director. So in a in a round conversation \$13,580,000 at let's say 2%. You're saying one and a half, let's call it 2%. What is the payback period of these in a typical form? This is a 20 year payback 20 Year 20 years. So what is that we thought about what the payment is to Mr. or Mrs. Ellsworth?

Anne Laine

I don't know yet. It's too soon, but I can have that for you.

Steven O'Halloran

Okay. But it's it's typically 20 years. Yes. And in round terms, we're borrowing 14 million coveting to borrow 14 million bucks to get \$2 million of free money.

Glenn Moshier

No, no, we already got the \$2

Anne Laine

We already got that.

Glenn Moshier

Okay. And there's no, there's no borrowing required to get to the \$2 million. Okay,

Michelle Beal

that's on the 8.6. But we have we will get 1.9 on the 4.91 point.

Anne Laine

1.8 on the 4.9. The principal forgiveness and the 8.6. There's no principal forgiveness.

Steven O'Halloran

No, yeah. So um, I can't be too far off here. 14 and two, because we don't have the tool yet. Right?

Glenn Moshier

We do.

Steven O'Halloran

We already got the two right. But you're talking

Steven O'Halloran

to an additional tool using round numbers.

Anne Laine

They got two last year.

Steven O'Halloran

Right. And you're not getting another two in this appointment.

Anne Laine

That's 1.8 is forgiveness,

Woodard and Curran

right? A principle of the water side? One point eight.

Steven O'Halloran

Okay, I'm using round numbers

Woodard and Curran

I think typically 20 year terms. I know we work with several communities so walls a model 30 year terms. I know some companies don't like to borrow that long. pipes in the ground have a longer duration than mechanical equipment. A lot of times when you're doing upgrades and you're talking about pumps and controls and instrumentation doesn't last 30 years doesn't mean last 20 years. But when you do in pipes in the ground, that typically have a longer life of that. If if the if the city would determine that the The bind bank will do 30 year terms. So just to say that, not to say sometimes committees don't like to obligate themselves that long, but they will do. But they will do 30 year terms.

Gene Lyons

So, think a better question of A, if we did not do this, don't do the drainage, every bit of work to do to the rose is gonna be fun. It's gonna be demolished in five years instead of 30 years. And if we don't do it, says pay the road and the road degrades and this wastewater system and everything degrades under it, you get to the road back up the ladder again, which is gonna be on the taxpayers wallet completely, because at this point, we're trying to get ahead of the game and go along and get more done.

Glenn Moshier

Yeah, I don't know that I would put it as though we're trying to get ahead of the game, I think we're playing serious catch up. Right? serious infrastructure needs that haven't been addressed for a long time

Gene Lyons

we go fixing roads and not addressing the infrastructure, which is doing nothing, and leave the road and just let it collapse,

Glenn Moshier

emergency repairs are a lot more costly than scheduled planned repairs. So if you if you do nothing, and you're going to continue to have a system that's deteriorating, and you're going to have to continue to have roads that are collapsing underneath, underneath the weight of this, continued stormwater, and you're going to have potential for water main breaks, sewer main breaks and things that that you're hopefully going to be eliminating, by going through and replacing old and aging pipes with new.

Gene Lyons

If in my last three years, I've learned nothing else, I've learned that if something breaks, you got to fix it. And if you don't, it's gonna cost 10 times as much when you decide it's time to fix it. So

Dale Hamilton

it's the principal forgiveness is that prorated based on how much is actually spent already is it all or none, you have to use the 4.9 to get the one point

Woodard and Curran

that is prorated. So if you were if you didn't use the 4.9, you'd get it would be prorated. So rather than the one point eight, you'd get less than four, so you don't, don't lose it. It's all proportionate.

Dale Hamilton

And so, you know, I think what we know as a city, I think everybody knows this is that all the work that you just talked about, there's work that has to be done, there is going to be costs, what whatever the project is, unfortunately, we have a lot of projects that need to be completed. And what this does is it presents a funding resource, that is the best financing that we could possibly get. We're not going to get financing from traditional financing where you're going to get \$1.9 million of principal forgiveness, that's not going to happen. So we can not have this available to us and then spend 4.9 million at whatever the interest rates are. We don't have to expend this, if we don't have a project. What we what we do is that we apply for it, we have it in reserve, and then we look at it and the council at that time will have conversations and decide whether that project is worthy to dry down these funds or not. If we don't apply, then we will never have this kind of resource available in this kind of financing available. And for the sake of pretending that we're saving money by not applying for this is really false thinking because we're not obligated to spend it. But we do have a lot of projects, and there probably will be I believe there are projects that we would say yeah, let's use this funding. Otherwise, the city will be borrowing at a much higher rate. This will not be available. So I think we have to massage the wording a little bit in

terms of saying that, talking about it from the authorizing to apply and then we'll have a second the council will have a second vote to utilize the later time but those are my thoughts

Michelle Beal

I agree with you. I mean, it's an opportunity. And if we're not obligated to borrow at all, if we don't have a project, it's kind of two funds the same idea. The only thing that I would ask is that and I know that the finance director is working on this, but we really need a good debt service plan. And we need a really good capital improvement plan to prioritize these projects so that the council can approve the projects as they come down and that we don't just start doing a whole bunch of projects and then the council doesn't authorize the drawdown of any of these I think it's the best way you get \$13 million should be done on a priority list decided by everyone and a good plan not a list but a plan

Dale Hamilton

So this is a public hearing so I'll open the public hearing public hearing is open and if they would like to comment on this they may do so just step to the podium say your name and an opportunity to speak

Dale Hamilton

seeing then I will close the public here of appearing slow

Dale Hamilton

that's gonna that's gonna be coming up on at that time, you can Oh, okay. No problem.

Tammy Mote

I'll take a stab at it. So the order authorizing the application of \$8,680,000 and cities follows finance, sewer and storm drainage improvements with pump station upgrades and order authorizing the application of 4.9 million of the city's bonds to finance water main replacement products.

Gene Lyons

Second,

Dale Hamilton

motion second further discussion. All those in favor, aye. All those opposed? Motion passes.

Dale Hamilton

Item 18 public hearing and action on council order number 091805. request to the fire chief to establish an ordinance for the billing and collection of user fees and beneficiaries for emergency medical services.

Scott Guillerault

Evening Council Scott Guillerault fire chief city of Ellsworth. Tonight what I have for proposal is EMS billing ordinance. Just the history for people listening earlier this spring, the council the direction of the city was for us to pursue an ambulance and to start offsetting the contract and provided by being able to provide transport service. Last month, you authorize us the ability to go ahead and start transporting this proposal is to create an ordinance to allow us to create a fee structure for billing right now. We can't build. So with this, this identity This outlines what that would be you would also outline what the fee

schedule would be. And in doing so we would use a third party billing service to be able to collect those fees. I believe you all have received a copy of the proposed ordinance. The way that was done is we we looked at a couple of different. We looked at a bunch of municipalities around us and we compare to what their rates were. And we set our rates at an average in the middle as opposed to being on the high or the low end. So we average that out in the middle. We did set it to the city attorney for review and received it back. So what's presented from you is what's been approved by the attorney

Dale Hamilton

as somebody who is very familiar with billing, insurance and Medicare, this is absolutely the right way to go. And and I think very economical terms of doing it if the city tried to take this on. It would be very expensive and get out of control very quickly. So I think having this kind of percentage based system makes a lot of sense that will bring in revenue to the city and so I think the definitely the right direction.

Casey Hanson

This is a tiny thing, but there's just a typo on the third page mutual aid primary user fee.

Scott Guillerault

We can correct that.

Steven O'Halloran

So is there any thought or any way to provide this free

Scott Guillerault

you want my blunt, honest opinion.

Scott Guillerault

That's what I'm asking.

Scott Guillerault

No, the cost, the cost of services, the cost of medical supplies, the cost of salaries, for the additional people that we would need to be able to do it on a full time basis, we could, we would be asking you for a higher and higher budget every year to cover the cost of medical supplies.

Casey Hanson

No ambulance is free and Medicare will pay in certain circumstances.

Dale Hamilton

I'm assuming a fee schedule will be established so that individuals who don't have insurance are not going to be left with a huge bill that,

Scott Guillerault

yeah, the fees. What we have there is for a fee is a fee schedule that has been and we've tried to keep it very fair. Again, we tried to make sure that we were in the middle and not at the high end. And again,

for what we're providing right now. We're we're a supplemental service to the city because we already pay for a contracted service.

Steven O'Halloran

That's why I asked if if this is supplemental, and the city has been forging the cost to send personnel out anyway, prior to this purchase. I'm just wondering if it's supplemental, how much supplies will be used well, or a way to benefit the citizens of Ellsworth.

Scott Guillerault

So here, so we'll use what basically the last two budget cycles, we have increased our budget for the EMS medical supplies 100%, we went from a \$5,000 EMS budget to a \$10,000 EMS budget. And that's just to cover the cost of supplies that we're using, we don't get any return to be able to do that. And if we continue to do this, the cost of supplies continues to go up. So we're actually costing the city more and more money, and asking for more money each year, in order to pay for those costs.

Casey Hanson

And so we contract with whom Northern light right now. And if an elder citizen calls and calls 911, an ambulance comes in Northern Light transports you to the hospital, you're still gonna get billed for that

Scott Guillerault

correct from Northern Light.

Casey Hanson

It's not like the city is paying for you to be transported by Northern Light. But for us, no matter what ambulance you take to the hospital, you're gonna get billed for that.

Scott Guillerault

And in fact, the citizen right now is paying one is paying taxes to have that third party service and then is also paying for their ambulance ride.

Casey Hanson

So we're paying more to use them than we would be to use ourselves.

Tammy Mote

No, I was just asking you about the designation of the count of funds, I think it would be good to make sure that the council or at least the Finance Committee is getting some sort of quarterly breakdown of how much money is going to be going into that reserve. And then at budget time, I think it's important for us to take a look at that account to help offset those costs for the added expenses. Absolutely.

Scott Guillerault

That's what we have been working with the finance director on establishing that, okay.

Jon Stein

And that contract with Northern Light runs out

Scott Guillerault

when July June 30 2025.

Jon Stein

And the plan then is to transition just into the local service or continue to use that

Scott Guillerault

we have not developed a plan moving forward. Yeah.

Dale Hamilton

And that's one of the things the future in terms when we think about the billing, setting that up. It's important to set that up on the front end and not try to do it after the fact. And if the decision is made at some point for Ellsworth to operate a full ambulance for just the citizens of Ellsworth, the costs there were there are other costs, not just supplies, because then the hiring the the number of personnel that you will need to operate that will increase significantly. And will did there will be a cost there. So it's important for the city to have the ability to pay for this type of service. That's been part part of the discussion all along understanding that it's a high cost service. But it's also recognized that it's a much needed service, and one that we need to make sure that we're looking at all avenues. So this is kind of an iterative approach. And as you get closer to the contract expiration, you'll be in a much better position to know what decision is best for the city.

Michelle Beal

since we now have supplemental and then we're not 100%, relying on Northern Light and the surrounding is there any way of negotiating, negotiating that contract now with them? I think that they would have to reduce that since we're going to be doing something new.

Scott Guillerault

So last month, you gave us approval to start transporting on the 21st of August, we have done we have done one transport since they have now been readily available to us. So we have we have formally done one transport. And we've also done one, what we call an ALS intercept, where we put our personnel on their truck, because we had the higher level. So we've we've had two billable opportunities. And since we started here, last Council meeting. So

Dale Hamilton

this is also a public hearing. So I'm going to open the public hearing, public hearing is open. Anybody that wishes to speak on this agenda item can do so

Scott Guillerault

I don't have those statistics. That wasn't part of the agenda. He was asking what the demographics were for drug related calls.

Gordon Workman

is there way we can give some figures what it would cost for a person that doesn't have insurance for transport, compared to a person with insurance and what have you, is there a way of breaking that down so people can hear it, you know, watching

Scott Guillerault

I would have to talk with a billing provider to get the background information as to what exactly that cost is except for what we have for the actual physical fee structure. Because typically, Medicare is going to pay 60 to 80% of the total cost. And then the the the client is responsible for the remaining out of pocket expense. So it's dependent on the level of service that's provided to them, whether it's just an ambulance ride to the hospital, or whether there's medications and things involved. So the the fee schedule is, is based on that. So it could be a couple \$100. Or it could be more than that, it's really hard to make that call, I would have to get with whoever is going to do our billing, get a very broad breakdown and what that difference would be

Gordon Workman

So like \$5,000 and transport somebody that, you know, you need. I'm just curious, what would it break down with it?

Dale Hamilton

This item is to establish affordances later on in terms of the user fees that will be I would imagine a regular if not annual, maybe every couple of years, certainly where the council will be reviewing what the fee schedule and making those adjustments so that that will certainly be available in terms of initial and then the council can set it's not no one else had to it's the it would come from the city. So if there's a determination that it's too high, that could be discussions about that.

Casey Hanson

Yeah. And it's no matter what ambulance you take your if you're saying you basically looked around at all of the other services, you're you fit, you set this rate at kind of the average middle. It's not any different than any it's not like we're trying to make money where other ambulances aren't, it's basically just you're going to perform the service some of the time, we might as well reimbursed get reimbursed for the way every other ambulance company gets reimbursed.

Scott Guillerault

And typically, we know what the average rate of return is, from the insurance companies whether it's Medicare, Medicaid or or private pay, we know what the rate of return is. And that's how those fees work. We're we're kind of figured that we're not going to get we're not going to receive what we asked for, we're only going to receive a percentage

Michelle Beal

isn't your highest rate is \$1,500.

Scott Guillerault

Right? And that's very, very advanced level call. Very, very advanced level call

Michelle Beal

My husband had to have an ambulance in Massachusetts. And I can tell you and it was literally across the street, literally across the street. And it was way more than \$1,500. So I think I think your rates are very fair. that insurance companies are probably love you I

Glenn Moshier

think it's also important to remember that the actual transports are a fairly small percentage of the calls that they're going on. So for every 10 calls we go on, there may be an actual transport bomb. So they're to Mr. Helens point, the citizens of the city of Ellsworth are getting a significant amount of service for the few that will actually have to pay for transport to the hospital. Because when we go out, and there's no transport, there's no reimbursement. So that's solely on the citizens of the city to pay for those expenses. And the original idea with this whole ambulance and secondary transport was to in fact, begin to have a revenue source to start to help offset that cost of not only the transport calls, but also all those other calls that were going on where there is no transport and there is no opportunity to to bring in any money to the city. So

Dale Hamilton

So any other public comments? Seeing none, I will close the public hearing, public hearing is closed for further discussion.

Casey Hanson

Move to approve the EMS billing and collections ordinates.

Gene Lyons

Second, as written with typo fix.

Dale Hamilton

Second, any further discussion, you want to challenge that I was in favor of as opposed. Motion passes.

Dale Hamilton

Item 19. Council order number 091806 repressive attitude toward a bid for the safer grant recruitment and retention marketing program.

Scott Guillerault

So as you recall, back in, back on April, the city of Ellsworth and six other communities were awarded a safer grant for \$1.2 million, a portion of that grant was budgeted for recruitment or retention from marketing. Again, as the fire chief that that is a very, very intensive amount of work. So that was that was budgeted into the original application for the grant. We were budgeted 100. In the grant, it was a lot it for \$145,000, towards recruitment for the marketing side of things. You guys approved the grant accepted the grant in May. In July, we went ahead and started the process to put the bid out for the marketing plan, and to bring in and outside third party agency to do the the marketing aspect of it. Again, with six other departments involved in this, it's a lot a lot of work, we put the bid out, when we received three bids back, I believe you all have a copy of those bids. The lowest bid was first arriving,

which is actually a very experienced organization. And most of the members there were Fire Service individuals. And they came in at the 140 \$146,000. What that will do again, that'll come in, they'll come in and they'll do some website building for all six departments, all seven departments along with what they call a clearing house, which means somebody puts in an inquiry that they're interested in a fire department, it will immediately go to that specific department that's that has the interest. But we'll also come back to the recruitment and retention coordinator that is an employee of the city to help them start with that process also. So but this is just for the marketing side of this is not for an employee this is for a marketing company to come in and take care of that process

Michelle Beal

this is this is all grant money.

Tammy Mote

Was there a budget that was provided for the marketing?

Scott Guillerault

Yeah, well, it was broken down into three or four different categories but it totaled it out to was 145,000 for the total but after talking with the grant manager for our program, if we're not using money in one line item we can move to compensate if we need to use it another line because it's one big number as opposed to a very fixed budget line.

Glenn Moshier

I just feel feels important just to touch on counselor Beal and mentioned about this not being taxpayer money. Not only is it not taxpayer money, but the whole The premise behind this grant is for retention, recruiting and retention of volunteers. We're not recruiting and retention retaining paid firefighters. This is volunteer staffing. So, you know, this isn't this is an effort, all hands on deck for seven communities effort to really get that word out there and really try to bolster the volunteer resources that we all need so desperately in the fire service in order to be able to provide highest level of service for our communities. So critical that it's recognized is that we're trying to get volunteers paid people.

Casey Hanson

Move to approve the fire chief to award the bid to first arrive in for comprehensive marketing program in the amount of \$146,975.

Jon Stein

Second,

Dale Hamilton

motion, second further discussion. All those in favor, aye. All those opposed? Motion passes.

Dale Hamilton

Item 20. Council order number 091807 request of the fire chief to award a bid for the safer grant mobile LED sign trailer.

Scott Guillerault

So this kind of piggybacks off the whole marketing getting the word out. This is a trailer that can be moved around all seven fire departments. It's a digital digital display. 80% of the time, it's used for recruiting, letting getting the word out that we need people grab people's attention, while they're on the road, not distracting them. While they're on they're getting their attention while they're on. But it's exactly it's exactly that. It's meant to get the word out. This is again, a grant funded project. It's very popular across the country and utilize a lot of places. The last program that I was a part of, I didn't use the trailer instead, down south, they still use a lot of billboards. So I was able to use billboards down south. But here, this is our only avenue to get the word out beyond just website and print with the amount of people that travel through the Ellsworth area between all the other communities, getting that word out and saying, Hey, we're looking for volunteers in Trenton while they're traveling through Ellsworth, going back home, gets that word out to them that they may not necessarily necessarily go over to Trenton for the pancake breakfast every month. So it gets the word out to them on a regular basis. So that was again, part of the application process. It was a budgeted line item. And that was approved by FEMA. The other part of that is, as we'll use this weekend as a primary example. It has a what they call an ipaws integration, which means that we can get emergency notifications out from here remotely to that trailer anywhere. If there's an evacuation process or we're setting up shelter locations, we're able to get that message out to that trailer instantaneously from from here at the station. And that's one of those things that becomes an asset to us even after four years is we have that capability moving forward.

Casey Hanson

So we get to keep it we keep the trailer Yes.

Scott Guillerault

Yes. So what wasn't noticed wasn't mentioned as a part of it was, and I'm sure the questions come up, what's the timeline going to be? And do we have to go get it? No, we don't, it's going to be six to eight week delivery after we approve it. And they are delivering it.

Dale Hamilton

So again, it's the grant, it's grant funded. And the recruitment to the manager's point. recruitment of volunteers is important, because as long as I've been on the council, every year, they've been a request to hire more personnel. And because there's a need for that, and having volunteers allows for an efficient system that doesn't cost the taxpayers as much, but also provides resources when they're needed. When we when we talked about providing an ambulance service to the residents. We do that, because that's a real need. It's value added for the community. It's something that's needed. This is no different. And the fact that we have grant funding that costs the taxpayers absolutely nothing to try to enhance our resources for those times when that those individuals are going to be helping people at the time of the worst scenario for them, whether it's a fire and accident, weather condition, whatever that might be. We ended up having more resources to benefit people. I don't know why we wouldn't unanimously approve that kind of funding seems kind of absurd. But that's not to say that way. I

Casey Hanson

move to approve the fire chief to award the bid for mobile LED sign trailer, two signs plus for the amount of \$54,385.

Gene Lyons

Second

Dale Hamilton

more discussion. All those in favor? Opposed? motion passes. We will take a break here because I've learned so, we're going to take a five minute break because we've got a lot of agenda items and a lot of discussion ahead of us. So we'll just take a quick break and give everybody a minute to stretch.

Dale Hamilton

Item 21 discussion and potential action on presentation problems partisan Ellsworth on the main street application sponsored by council Beal.

Cara Romano- Heart of Ellsworth

Good evening. My name is Cara Romano. I am the Executive Director of heart of Ellsworth. We are an affiliate community of the Maine downtown center and Main Street America programs. Many of you probably know different events and initiatives that heart of Ellsworth has sponsored over the past eight years of our existence, but for some of you who may not know exactly what we do, we champion the city's downtown district through artistic, cultural education, economic, environmental and historic activities to provide a vibrant community for all residents, businesses, nonprofits, and local government. Many of you here may remember back in 2020, heart of Ellsworth received its affiliate designation making us one of 12 communities in Maine to hold this designation here in Hancock County. And there's one other community Bucksport is also an affiliate community. And now here in 2023, we are excited to come back to council to talk a little bit about the main street application process. In preparation, we reached out to the Ellsworth Rotary Club, the Ellsworth Area Chamber of Commerce, the City Planning and Economic Development, development offices, and all of them were in support of our Main Street America application. We are excited about the strategic partnerships and relationships that this process will ignite not only in the downtown community, but as well as around the city. And it's perfectly poised in the middle of the comprehensive planning process that the city is embarking upon now as well as the business attraction plan that that is also taking place right now. We are excited to update the council and members of the Ellsworth community that the heart of Ellsworth is ready to begin the process of becoming a main 11th Main Street Community. Some of the benefits of the Main Street accreditation are as follows. The accreditation provides the city of Ellsworth with an automatic three points on each community development block grant proposal for the state of Maine. Once we become a main street, it will be a total of four. We also one of the other great benefits to the city of Ellsworth is that the promotion of the city itself, Ellsworth will become part of Main Street office have Maine office of tourism state and nationwide marketing campaign that promotes all Main Street communities to tourists and visitors promoting events and visitation to year round authentic downtown's and the main street network. So for example, next week with the Ellsworth Area Chamber of Commerce's autumn gold celebration, that could be one of the things that heart of Ellsworth works to promote through the main office of tourism directing folks to come here to to downtown to visit our

community during that weekend. Additionally, it also provides funding opportunities. We've already taken advantage of some of these per being an affiliate community but there will be more that will be available to us after we become a mainstream community. Some just for the listening and tuning in community as well as had some members in the listening audience here this morning this this evening. Last year, the Ellsworth Historical Society received a \$200,000 revitalized me grant that helped the Historical Society begin its renovation process of revitalizing the old Hancock County Sheriff home in jail. that opportunity would not have been available to our city had the heart of Ellsworth and not been an affiliate community of the Maine downtown center. We also this year heart of Ellsworth received \$50,000 for entrepreneurial work to support downtown businesses in in our community. And again, that money would not have been available to us without the accreditation. And then the last example was we received \$29,000 to support Riverwalk north, from T Mobile. And again, that was an opportunity partnership between the Main Street America organization and T Mobile, the carrier, the internet carrier and cell phone provider. There's also a bunch of other smaller grants and funding opportunities that have come our way that we certainly could talk about, but too many to sort of sum up those are sort of the higher level ones. A lot of the other things are sort of more support for council, elected officials, businesses and and heart of Ellsworth itself. There's an online platform called the point, which is a networking platform for Main Street communities across the country to connect and share ideas and solutions, which we reference. Oftentimes, I would say each week, we're able to go in and just use the resource to kind of problem solve and to see how other communities around the country have dealt with similar issues in their in their downtown and to get ideas and to grab resources that are available to us. the last and most perhaps most of them, one of the important ones is the the nonprofit support that our organization provides the city is that we because we have a standalone staff that is not part of the city, we're able to save the city money by being on an outside entity, then it can apply for grants that perhaps the city may not be able to apply for that are inside the private sector. And we provide services to the city to businesses owned by independent business retail owners here in the city, that perhaps the city may not have time to, to to dedicate to each individual downtown business owner. Some of the values about our for the main street designation of like what we bring to Ellsworth, I've sort of picked the top four Main Street America has a political position in Washington DC is is one of only a few entities that can bring the diverse issues of America's Main Street to the governing and policy making process. Main Street is the historic core of the community. So healthy Main Street core protects property values and surrounding residential neighborhoods, while the commercial district offers convenience to neighboring residents. I know here in Ellsworth, oftentimes, we talk about being the city center and other surrounding communities coming in and using resources. And this just sort of further sort of puts value I think, on on Ellsworth as being the county seat here in our county. The downtown represents independent businesses that support local families support local community projects, such as teams and schools and keeping profits here in our town. It helps reduce sprawl by concentrating activity in the downtown area. And the last one is heard of Ellsworth is made up currently of four subcommittees. And those four subcommittees are populated not only by board members, but also by other folks who are very interested in getting involved in their community to make a difference. And so all of those four committees have anywhere from I would say, probably five to eight different committee members that then are tapped into help support, of course, at no cost to support endeavors in the in the downtown. I guess I'm going to stop there for a moment and ask if there's any questions. And if not, then I will start to talk about the application process.

Casey Hanson

So this, you're asking for our approval to move forward with the application process, because you need our support in order to move forward with the application.

Cara Romano- Heart of Ellsworth

Well, at the end, I have sort of a formal ask and the but we are trying to tonight to keep the council informed of the decision that the heart of Ellsworth board has made to move forward with applying whether or not we receive the applicant the the status of becoming a mainstream community will be remains to be seen. But the application process will start next month. So in October so at this point in time, we're working on forming a committee that is to include members of the heart of Ellsworth board, city agencies and or city Commission's business owners and prop Do you owners, and the commitment of folks who would serve on this committee is anywhere from, you know, one to two hours per month for 11 months of the application period. During the application process, we will work to establish an annual funding structure with the city of Ellsworth by working with the finance committee. And this will be to determine a funding plan that will work for our community for support for part of Ellsworth and support for the city in turn, with whoever it is that we decide that we are funded. There is a lot of space for us to make this part of the application process one that is specific to Ellsworth and suits Ellsworth needs. We have also been partnered up with Abby Levin, who is our downtown center advisory council member, and she will help us through the entire application process. Abby came here and she worked with Anne ball, our program officer at the main downtown center, and Sylvie PK, all three of them presented in January to you folks during a workshop, a council workshop. So in closing, the heart of Ellsworth was board of directors and staff invite a member of city staff and or council member to be part of the application team that will begin the Main Street application process in October. Our municipality is a critical partner in this effort. And we look forward to working with elected officials and staff throughout the process. So at this time, I'm happy to take any questions about any aspects of what we just covered. We did provide you folks with the full application process, as well as sort of kind of a double sided fact sheet about the main street program.

Casey Hanson

But I remember the presentation that they gave us in January and just seems like a really good program to be a part of and a way to make a small amount of money go a big way. And I think we all care about the city growing and developing and partnering with nonprofits to help us get the most bang for our buck makes a lot of sense to me.

Jon Stein

I've seen through the council, but also through committees like the Recreation Commission, as well, it's it's not always possible just throw some budgetary money at a plan or an event or a problem. Most of these things require a dedicated team and volunteers and time, things that the city can't necessarily focus on. So it's really important things like the free concert at the Franklin Street Park is incredible. It doesn't, you know, didn't cost the city, anything, which was great. It didn't cost people anything who went to the concert. Thanks for that. So

Michelle Beal

I have a statement. But I have a couple questions on your checklist, that the same as I received a lovely letter from one of our business owners on Main Street, who's a new business owner that was very appreciative of heart of Ellsworth, and the work that you did to help them get situated answered a lot of questions about that opening their business, and you really helped them as a startup. So that's appreciated, because that's, that's, you know, exactly what we look for, you know, especially for new businesses and Ellsworth meets business friendly concerns, what's appreciated, but on your checklist, I noticed that you need a municipal government resolution, which is highly encouraged, it says and I didn't know what that resolution was. But you also have to give a three year budget projection. Will you be coming back to us asking for specific support? And will that be like for the next budget cycle? Is that when you will be to do that?

Cara Romano- Heart of Ellsworth

So to take your first question, I think that a big part of what we're about to embark upon, and why we have been assigned a point person who is an advisory member of the main downtown Center's board of advisors, Abby Levin, who also works as a cultural tourism officer for the main office of tourism. The reason why we're paired up with these folks is so that they can help us and guide us through the application process. Because as you can see there, there's there's a lot to it. It's definitely an 11 month period worth of work. And I think a lot of these questions will be answered by Abby, and that one in particular, I can certainly get back to you. And then your second question about budget. I think there was a lot of discussion around this budget piece, hence why I sort of tried to outline some of the higher level grants that were able to bring in as a result of just being an affiliate. But I think that the main downtown center especially is very sensitive to this here in Maine. And speaking about the state in its entirety, you know, we're not perhaps as wealthy of a state, looking through the lens of municipalities as other states around the nation that are heavily a part of this program. And so there was a lot of talk, and even perhaps some flexibility, I, what I kept hearing was, there was the idea of us, perhaps working with the finance committee to start to figure out, you know, what it would look like for Ellsworth, and perhaps maybe even stretching it out from a three to five year plan, so that it was sort of a slower build. I have been told in so many words that nothing is steadfast. And if the Ellsworth City Council and the members of the community sort of are looking to start it here, whatever here looks like, then that's that's where we're starting, and that we would not be denied based upon that. They really are. And when I say they, I mean, both the main downtown center, but also Main Street, America, which we will be vetted through Main Street America, not the Maine downtown center, that they're very encouraging. And they want to work with municipalities, and they want to see, of course, they want to see more membership. And they also want to see more communities being a part of their network. So does that

Michelle Beal

it does I just because, you know, a budget is one year, and the council really can't tie Future Councils to a budget. So I just was wondering how that was how that would affect the application. And I know that other municipalities in Maine go through the same thing. So I'm sure that there's a way to do it. Just

Cara Romano- Heart of Ellsworth

And something else that you didn't ask about. But I know, Councillor Beal you and I have spoken about in the past is perhaps trying to figure out a couple of different avenues of where the money would come

from, so that it's not on the back of taxpayers. Because there are plenty of opportunities. There's very, there's quite a few creative thinkers at both the statewide level and of course, at the federal level of this. So it's sort of one of those things where every community does it differently. They do it through the lens of what works for their community. Thank you.

Casey Hanson

Thank you. Thank you very much.

Cara Romano- Heart of Ellsworth

Thank you folks very much.

Dale Hamilton

Item 23 discussion of possible action regarding an ordinance to govern panhandling sponsored by counter lines.

Gene Lyons

So how does it give the short version of I drive a 60,000 pound truck, it takes a lot to stop and it doesn't take much for a Volkswagen stop. At the end of the road by Lee Auto credit, Myrick Street. I'm driving the speed limit, of course. And the guy in front of me, the lights green, they stop dead in front of me to give somebody money that stand on the median. I almost plowed over them. I mean, so close. It's not even funny. I just think it's dangerous. For me, it was dangerous for the people in front of me. And it was definitely dangerous for the person standing there. Guys gathering up money. So I kind of like to see if there was something that we could do in order to stop that kind of thing going to call behavior. I mean, it could have been dangerous for three different people. I mean, the people in the car could have gotten killed the people, the guy standing there could have gotten killed, I mean. Yeah.

Glenn Moshier

So So Gene brought this incident and this information to my attention. And we've had some conversation about it. If you look, if you look across the state and really across the country, communities have taken efforts to put ordinances, rules in place to eliminate or to control panhandling as a reference, because that's in fact what was happening what was taking place this particular incident. Some have been successful while others have not. In our state, there is legal precedent that provides pain handling protection under the First Amendment, particularly the City of Portland, tried to enact it or did in fact, enact an ordinance that banned panhandling, and they were quickly sued and ultimately lost their lawsuit, the Supreme Court has not ruled on any such case to decide whether the Supreme Court of the land believes or agrees that that is protected speech under the First Amendment. So if the Council were interested in entertaining some action under this premise or to address this issue, ultimately, I think it could be done. But the crafting of the wording, and the crafting of the ordinance would have to be very specific, I think you could regulate time and place in the manner of panhandling without completely prohibiting the act. And as long as the ordinance is neutral, is contract neutral, and the people, the you know, it's not explicitly banning the the activity, I think there's some potential for us to be able to put some safeguards in place, potentially, to address more, I think the focus would be to address the safety concern more of have to be to address the safety concern, more than it would be the actual act of the of the Panhandle. So I think if it's something that the council was

interested in, there's more conversations that could certainly evolved from this initial, you know, initial conversation. And I think that it's something that, you know, probably would have to be potentially vetted out through some sort of workshop, and, obviously, some legal opinion to make sure that we don't set ourselves up for failure before a legal battle. To to impact the situation.

Michelle Beal

So that almost happened to me, too. But it wasn't a panhandler. It was three men that were saying they were collecting money for a reorganization or something like that. And they were running all over the street, and people were stopping at a green light. And I just, I don't, I wouldn't, I mean, if people are in need, I don't have any issues with them. Panhandling, I get it. But in an area where the DoD wouldn't even allow us to put sidewalks because it was too dangerous for pedestrians. You know, why is it I mean, it's got to be too dangerous to stand in a median. And especially when there's more than one person doing the same thing. It's just, I mean, if I wasn't, hadn't been paying attention to the press, I was trying to pay attention to person in front of me, and the three guys running around with signs trying to make collections. And it was, you know, it's chaotic. So unsafe.

Glenn Moshier

So I mean, there is I mean, we already do have some controls, I mean, there are laws and in on the books regarding impeding traffic, pedestrians impeding traffic, so, you know, those type of if the authorities are notified, police could go and make contact with the individuals and let them know that, you know, they have to stay in the media, and they can't go go into the traffic, you know, and those type of things to try to, you know, sort of tighten the reins a little bit on that. But as far as going and telling them right now, there's no, there's nothing, there's no law on the books that would afford us the opportunity to go and say, Okay, you can't be in this meeting and begging or panhandling or asking for money, regardless whether it's for your own personal consumption or for, you know, a benefit, nonprofit for recovery. Regardless, there's nothing that affords us the authority to do that currently. So, again, we could look at some sort of ordinance that would, you know, put some restraints around it, above and beyond what the, you know, what the law provides us currently, which, again, if they're out in traffic and impeding traffic, you know, there is there are steps we can take to address that. But the fact of the matter is, you're talking about if you're talking about this one specific intersection, which again, is something I think we could regulate time in place. Because if you're talking about what formerly was an individual who would sit on the corner of Walmart, and Walmart, entrance, and panhandle, as opposed to now that same individual moves down into the median at Myrick Street, and down east Highway, which is a busy intersection, four lanes going in, actually five lanes going one direction, two lanes going the other direction, turning traffic in each direction, confusion by all that drive that road as to where they're supposed to be, you know, so I think maybe under the guise of public safety, we can address individual for Perhaps individual intersections that are more dangerous than others without an outright ban on the activity of panhandling, so

Dale Hamilton

does anybody have any comments on this?

Tracy Hare

Everyone, Tracy here, I'm not actually a resident of Ellsworth. But I oversee a shelter here in Ellsworth. And I love where you're going. Outright banning people asking for help but for safety. And I've seen other I was I read about Portland. And what's interesting, you can put guardrails in place for public intoxication and jumping in front of traffic. But time and place is successful. Because essentially, if you move, if you ask somebody who's asking for help on a median, they're still going to be poor when they go around the corner to the next store and to the next traffic situation. So I think that's a really good use of or a way to, to ensure safety without violating somebody's freedom of speech, because you're also talking political signs, campaigning, lots of different things, that freedom of speech in the medium, I would encourage you to look at that. I'm happy to be a call for you guys. If you want to talk about or any input from homeless service provider, I've worked in homeless services for 19 years, I get the safety challenge, and happy to work on a way that we can keep drivers safe. The people asking for help safe. And it also there's public education. You know, don't stop in traffic when there's light, things like that. But I'm happy to be of service. If you need an input or would like any conversation about it, I think it's a good way to go to keep people safe.

John Linnehan

John Linnehan 157 Shore road Ellsworth. I don't think you need an ordinance for this. I'm hoping that the local police can just take care of it from a safety there must be rules or regulations already in effect that we just need to enforce. So that doesn't happen. I don't know what the law is. But it doesn't seem to me like anybody should be standing on that median in the middle of all those lanes of traffic, you just decide it must be some type of laws already in effect that we could already you guys could enforce that would make it safer for them to just step out in front of traffic and stop traffic.

Glenn Moshier

No, that's right. There's a law in place for any traffic, but there is no law preventing someone from standing in the media.

John Linnehan

isn't that impeding traffic,

Glenn Moshier

not if you're standing in the median, they're out. They're out of the crowd in the flow of traffic. They're not in the in the travel lane,

John Linnehan

and might be open to interpretation. I know I drive through there to that nobody's ever stood in front of me. But I'm always afraid of hitting somebody they have because they're leaning out in there. Right that so I'm not about the panhandling, are they asking there's a place for it. But safety wise, it seems like we already have enough existing laws that we should be able to keep people out of those places. These I'd encourage you to take a look at it anyway.

Glenn Moshier

I have. And I can tell you that there's nothing that prohibits from someone from standing in the median as long as they're not impeding traffic.

John Linnehan

just standing on their medium impedes traffic to me. I think his definition was more than anything else. I think your law can be defined to be traffic, I consider impeding traffic. I don't I'm not worried about the p&l. If they want to go to Walmart, that's fine, or wherever. And then just just my thought, I think it's a matter of definition where you shouldn't be covered already.

Gordon Workman

Basically, the mediums public way. So my question is your Gordon workman I live in Ellsworth sorry. But talking about Mr. Lyons issue is now what if he said someone stopped right? He almost hit the guy in front of them. insurance purposes. guy stopped for a pan handler. He hits the guy from either a brain damage the guy in his little VW or he kills him who's gonna be responsible for that the pan handler?

Glenn Moshier

be the person who rear ended the driver.

Gordon Workman

Even though the guy stopped even though he stopped short. See, then that would tell me that this time now where you have the right to change stuff as public right away

Glenn Moshier

issue is the issue is you can't penalize the pan handler for the actions of that driver. So that pan handler was standing where he has a legal right to stand doing what he has a legal right to do. And if that driver made a poor decision and decided to Jack on his brakes and stop in front of an 18 Wheeler, that's the fault of the driver, not the fault of the panhandler.

Gordon Workman

but the panhandler induce the action?

Glenn Moshier

he or she did not. Absolutely. All right,

Gordon Workman

I'm just looking at insurance

Glenn Moshier

presence in the median does not constitute the drivers for decision.

Gordon Workman

Okay, I'm just, I'm just wondering who someone that basically we should have known as saying, Do not stop for any pan handlers in Ellsworth whatsoever, because you're responsible for anything happens.

Glenn Moshier

You can, again goes back to the public education component, but people do ridiculous things on the on the roads every single day driving, and it's unlikely that you're going to get compliance with people who feel that it's more important that they provide that resource to that individual and aren't thinking about the consequences.

Gordon Workman

Okay, I just did not, there was another way of looking at it, to help his concerns. But

Dale Hamilton

I think the issue of the time in place and talking about that is the avenue that could be created. And and I do think that the issue is bigger than just one population. I appreciate the fact in terms of talking about, you know, somebody could be standing out there with advertising, whether they're running for local office or or selling something, we see that all the time. So that it is what we're talking about as a safety issue. And I think ultimately, the question is, do we do we have an issue in the city around some of those locations that we should address in a way that we can address and the laws of the law? And if we need to enact something to address the safety issue, then then we should consider that and I think the idea of having a workshop and talking about trying to figure that out is it's it's the right direction I think Council lions one I appreciate you raising the issue Muslim safety issue. And I think we've proven it would have been your faulty

Gordon Workman

So basically, what you say is the safest place we'll be in the future we'll be at the corner of Beechland road and outer high street.

Gene Lyons

So So is like they stand out with a sign that says hungry, isn't there a place they could go to get money for food or something? If they really truly, without having to stand out there? I mean, is there something in place? Like could they come to City Hall and say, Look, I'm got no money? Can I get some money for food? or so? Is there any kind of that

Jon Stein

I think some of these questions will be answered in the next or addressed in the next agenda item.

Gene Lyons

I mean, I don't want seen by go without eating. But I don't want to see anybody get killed because of that either. So that was my

Glenn Moshier

I would just I would just say that we do have resources, and several of those resources are here in the room. But you know, whether the true need is food or or money for other issues is remains to be seen. And that's obviously a case by case basis, which again, is why in order to address the issue, if you stick to the regulating time place, and again, the safety component as opposed to the the reason behind why they're there in the first place, then I think that's, that's for our lane to stay in. And then the reasons that

are driving the individuals to be there are resources that we can tap into both at the city and throughout the community through nonprofits to help help ease that burden on the reason why they're there. But ultimately for for the city. I think our first step is to identify it as a problem as a safety concern, and then address how we can best rectify that situation and then direct those people to the resources that are available when we need to

Dale Hamilton

Since you raised are you comfortable in terms of having city staff give some thought about a workshop and, and pulling something like that together and workshop doesn't have to be this elaborate thing. It's just an open forum and put some structure to it and and maybe out of that will come some recommendations that the council will be able to

Gene Lyons

I mean, just make sure you know there's something available for them. They really truly need food. I mean, I don't want to see anybody starve to death. If they're out there to get it. Money for alcohol and cigarettes and drugs? Well, I don't want to seem to get that either. So, I mean,

Dale Hamilton

we leave it at that last step to pull that together,

John Linnehan

I just ask one question. I agree exactly with what Glenn Moshier just said. And I'm wondering if our city attorney has been asked that same question. It seems like he could research illegal laws and solve that problem very easily. I would think. So just if it hasn't been done, I'd encourage Glenn to do that.

Dale Hamilton

That could be part of the workshop question.

John Linnehan

But if the law already comes in, you don't need to work. Well, I

Dale Hamilton

think I think it's a bigger issue in terms of letting other people in the community be involved in..

Dale Hamilton

All right, item 23 comprehensive look at homelessness and Ellsworth, the current situation and friends, presented by area groups and GA directors sponsored by Councillor Stein.

Jon Stein

So also, thank you to councilor Lyons, you brought up this issue about panhandling a few weeks back that also framed it around a general issue of homelessness, which I think is incredibly important to look at. So I think every time we dig into a part of it, we discover that there's a larger issue and it's only a matter of time before we start looking at specific bits of that larger context. We've seen recently main sweeps of homeless encampments. recently in the news, Portland, so called tent cities. Bangor City

Council recently discussed proposal for an 18 month plan to address homelessness as well which counselors said sounded like a good discussion, but that they needed to hear from experts before moving forward on anything concrete. And now we've seen reforms like LD 2003, aimed in part in accessible housing come through this council and the planning board. So we're now working on the Comprehensive Plan, which will look at how our city will grow for the next decade and the city is growing, and issues surrounding homelessness will grow as well. So in light of all that I invited some organizations here this evening to talk about homelessness, because I have seen questions like how many people are experiencing homelessness? Where are they? Who are they? What are their needs? What are the barriers to care for them? What is the situation actually like? What are the trends? So what I'd like to do is allow these experts to speak on all these questions to have them act after speaking as sort of a panel for us. I know there's a ton of information. It's been a long night. So it's, I don't want to be too current and ask everybody to keep it very, very brief. But instead we'd like to consider these experts as part of our community resources to move it to use moving forward to you know, consult for things like what should ordinances look like to protect the safety of people if they're panhandling, and things like that. So I'm hoping that their knowledge and their responses will inform some decisions that the council eventually will have to make, so that we can do so in a holistic way to address these issues as a whole. So here are Tracy Hair, shell and mass shelter director as well as home in Maine, senior with the city's general assistance fund, Shana Fraser, Executive Director of families first page Johnston from healthy Acadia, and Sherry Billings. So have Hancock County Habitat for Humanity and maybe some others. So they can introduce themselves.

Dale Hamilton

Yeah. Just as as you prepare to speak, one of the things I would ask is that if the points been made, to not make it again, so that we can make this efficient so because I'm sure you're all going to share very similar statements and information and that way we can keep this efficient and recognize everybody's times. So whoever wants to start, please step forward.

Tracey Crossman

I'm Tracey Crossman, I work with healthy Acadia, I'm the Housing and Community Resource Navigator. I work with people that are in the community unhoused incarcerated. So I just tried to pull some numbers together from October of 2021 Till now, I have worked with a total of roughly 315 individuals, of which 207 of those people are or did experience homelessness. Um, I currently have 36 unhoused from Hancock County 13 unhoused that are outside of Hancock County 19 that are incarcerated that were unhoused when they went became incarcerated, I have 81 that status is unknown. That's a mix of Hancock County and not Hancock County or from. And then I have 10 temporarily housed at a motel five that are in treatment or sober living and five that are deceased, they were homeless and then passed away. And then 30 People that have been housed, which are 18 households. I was gonna give just, I know, we're trying to be quick, but homelessness definition is living in a place that is not fit for human habitation. Living in an emergency shelter. living in temporary housing included but not limited to a hotel motel campgrounds, unlicensed campsite or rehabilitation facility, exiting a hospital or institution licensed under Chapter four or five or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habitation before entering the hospital, institution or Correctional Facility, losing the persons or

households, primary nighttime residents and lacking the resources or support networks to remain in that residence, or fleeing or attempting to flee violence and has no other residents.

Paige Johnston

I'm Paige Johnston. I'm the Community Health and sports director at healthy Acadia. I just wanted to speak to our experience with the homeless population and the warming center that we operated last year from December 23. Until April 30, we had 91, I did send you an impact report that's covers more, but I'll keep it brief. We had 91 unique individuals and a total of 1277. Bed stays cumulative bed stays. So some folks may be stayed most of that entire period and some transitioned through, we're able to work with our navigation resources to find another space. As you know, we had era funding available last winter. And so that was putting folks up in hotels that's not available this winter. I am expecting those numbers to be higher. At the city's requests, we actually just did a like a pop up temporary emergency shelter for hurricane Lee. And we had 15 folks during that 36 hour period that we were open. So and all but two of those were had zip code data for Hancock County. So those are just sort of some of the things we're seeing from that perspective. And while we do have resource navigation, Tracy is wonderful at what she does. She works with Tina all the time, who's amazing. But the problem is that even if you can get your hands on a voucher, or some general assistance, oftentimes, you know, even if I went out right now to go look for a rental, I might not be able to find one and I'm housed and I have a job and I have resources, folks that are currently experiencing homelessness, don't have those things. And it's even harder, they face many more barriers to becoming to moving through the continuum from on house to house. So this is definitely a broader discussion with many facets. That's going to require probably a lot more time than what we have right now. But I'd love to see more of this conversation happening at the city level.

And like we just heard this is definitely a multi layer large discussion. But I'll try to break down a little bit of what we're seeing. Currently, right now we have a combination of people who are on our waiting list for housing and or that we're working with via outreach and that's 66 families that are unhoused pregnant mothers, moms with kids, single parents, disabled individuals, people that have disabled children, people that have immediate housing needs where they're living in tents, they're living in their vehicles. They're getting immediately evicted. They don't have stable housing due to various reasons and we see this could be financial difficulties, domestic violence situations, substance abuse, additional situations include individuals that are seeking outreach assistance to transition from homelessness to public housing. And then people graduating from transitional programs such as ours, we have a residential program. But we find that there are no housing options for our people to go to when they graduate our program. And again, a lot of things, there's just a lot of layers to it. Some of the issues that we see out there, a lot of the rents are like \$1,500 or higher. Our population cannot afford that. There are low income apartments, but that's still contributing to the homeless population, because we have people that are on those lists for eight months, 12 months trying to get into low income housing. Again, with the transitional housing, we can't get them into housing after they're done with transitional housing. People who are chronically homeless, oftentimes have criminal history, which will be a huge barrier for them getting into public housing. I think that we could look at doing more reparative relationships with landlords, there are a lot of landlords that do not want to rent to low income families or Section Eight Families. 85% of our homeless people have had childhood trauma. A lot of people avoid public housing

at all costs, and we'd rather be homeless than living bubble comes in. So that's just a little bit of what we're seeing. It's just definitely a bigger conversation.

Tracy Hare

All right, so I won't I'll try not to repeat any of that. I'm Tracy Hare and we run. So Hancock County, we have four homeless shelters in our county, we have 53 beds for homeless services in Hancock County, 25 of those are here in the city of Ellsworth. Last year, we counted 82 people outside. We do a count every year in the whole state. And we walk out into the woods behind that I've been worked closely with the city as well, and other organizations to count folks and we got a number of 81 people. We have a 53 bed capacity in the county and 25 bed capacity in the city of Ellsworth. And so what's happening, what we're seeing now, homelessness in Maine has doubled. That's just a reality that we're facing. There's no city or town in Maine that hasn't experienced that crisis. What we're also seeing is a dramatic reduction in availability of housing for people. So we're not necessarily seeing a huge uptick in people with substance use disorder. What we're seeing is that there's there's no place for them to go. So they're, it's manifesting in the woods, it's manifesting on sidewalks, and so forth. We're really excited about the partnership that we've had with the city. We met with CFCs path workers and myself and others met. I think it was about a year ago losing track of time. And we tried to come up with a real plan to take this on. It's going to take a community effort. We can't homeless shelters can't solve it. Cities cancel that alone. We all have to do it together. But it really starts with understanding the problem. What's happening in Maine is we have 1300 beds in the whole state we have 4500 people experiencing homelessness on any given night. The math is not there. Those folks are cycling through systems. So their frequent uses of hospitals, jails, homeless shelters, to do the math, you may you may correct me on this, but it's about \$900 A Night to keep somebody in jail. It's a it's 1000s to keep somebody in hospital and it's about \$50 A Night to keep somebody in homeless shelter. We don't charge that's what it costs to serve, cost about \$33 A Night to provide a subsidized housing voucher for the entire year. What we've got going on in Maine, though, is a bricks and mortar problem. We were about 25,000 units, bricks and mortar units shy of housing in Maine, we can put about 1000 units online a year with a good funding package and out this 131 legislator has put more funding into housing than they've ever done before. You'll see some of that probably in Hancock County, I'm not sure what you're planning was looking at now. I know I've got some a project happening in Orland and others so you're gonna see more housing come online. But as rents continue to rise, mortgages continued to rise and our property valuations go with those higher higher home values. This problem means really at the precipice of unsheltered homelessness becoming normal. It's a solvable problem. I think Ellsworth is off to a really good start on my relationship with the city and with Tina, healthy Acadia, we've got a wonderful collaboration. We've got I'm not I'm not sugarcoating this, we've got a lot of work to do. In January of 2020, I went behind LL Bean into the woods and I found three tents, eight people last year of 25 tents. So that's that's what's triple the number of people experiencing homelessness in the shelter system, kind of absorb that what's happening here, and it's gonna call your chief Moshier but city manager Moshier and I talked about this the shelter we have here in Ellsworth, we opened that and I think it was 1979, early 80s. And it's not a low barrier shelter. So what that serves is individuals and families who present homeless with children. And what we're seeing is families with children who are homeless make up about 45% of the population. But we're also seeing on the other end of that people who have chronic mental illness who are chronically homeless, also needing homeless shelters and so as our organization we have to decide what what population can we serve the best because we can't

serve children in the same shelter as we're serving low barrier. So as an organization, we've had to make some really tough choices. So Emmaus homeless shelter serves the city well, but it's not serving our needs anymore. And Ellsworth. We have a problem with folks who are unsheltered due to severe and persistent mental illness and chronic substance use disorder. On top of that, shelters in Maine are wedding with massive deficits, the low barrier shelter in Bangor is running at an \$800,000 deficit. We've got five shelters in the state big shelters that are at risk of closing to run a low barrier shelter in the city. And maybe that's something the city is interested in. But it would require a nonprofit to pay very high wages, and it would require a different skill set than then my traditional the traditional shelters we're running now I've had to teach myself Narcan overdose reversal, is you have to have bathrooms that go both ways. So if somebody's overdosing in the bathroom, you can get in safely. There's lots of things that go with that. If we made a conscious decision at the Emmaus homeless shelter to only serve people with who are chronically homeless as a low barrier shelter, that vicarious trauma to the kids were serving would be big. So we chose not to do that in Ellsworth, because frankly, most of my staff are in Orland. So I lowered the barrier at the shelters we have in Orland but we're still not as low barrier. As healthy Acadias warming center was Maine has for low barrier shelters. Portland, Aroostook County just opened, just changed theirs last year. Hope House in Bangor, and mid maine homeless shelter in Waterville has just gone a low barrier that serves folks who are actively using or who are not program compliant. Most of our shelters, including the ones the for that home has, including a mass require some form of program compliance, meaning you have to work on your housing goals with us. And I know I've talked a lot this is probably a much bigger conversation. But I just wanted, if anything, the city of Ellsworth to understand, this is not an Ellsworth only problem. This isn't caused by anything anyone has done. We are in a crisis that I've been at this for 19 years. I've never seen people, so many people in the woods and Chief Moshier if you if you've seen that before, but this is a first in my career. I've I've found people on the stupid the library and bucksport. So that's where I live. And I'm actually running there for town Council. But it's an epidemic. And we can only do it together. I'm not asking for money. I'm just thrilled to be in this conversation with Ellsworth, happy to help. And I'm just thrilled that we've got all the right people at the table. So thanks. Yeah. And happy to answer any questions. Yeah.

Casey Hanson

I think we have one more person who's presenting now.

Dale Hamilton

What I'll do now is just have a very public comments or other comments and then we can have a discussion about so if anybody would like to speak on this, feel free

KaTina Vanadestine

Katina Vanadestine, City of Ellsworth GA Director. So I have drawn up a list and I wanted to give it to you all. So you can look at what's available in Hancock County, in a nice way. Everybody, I mean, want to first say I think I appreciate all your help in assisting with the unhoused. And you guys have pretty much touched base on anything I would say. However, I did want to just briefly state. We also have a small issue with our elderly. Currently, they may not be unhoused. But they are certainly running into some troubles financially, trying to decide whether they want their medicine or their food or what is most important to them. Due to such huge rise in food and housing, and it's causing them to reach out to me, I'm seeing a lot more of our elderly looking for assistance, because what they're receiving and Social

Security does not cover their expenses. So I besides our own house, that is a concern of mine, Yeah, so having that as another concern of mine. Currently, I am seeing a rise in the elderly asking for assistance due to not having the income to support themselves. So but if you guys didn't, if you have any questions over the resources list, or please, if anybody has any thing to add to it, or please contact me, you can call me email me. Or well, if anybody has any questions, I'm always available. Oops, that was not mine. Thank you so much. Thank you. Thanks.

Jon Stein

would the council be interested in in light of time, but also continuing this conversation a workshop. And with some of you are all you'd be available to set workshop some time where we have real time to dig into it.

Casey Hanson

And I can't remember is this item, one of the subcommittee items on the comprehensive plan and if not we should bring it to is Oh, Matt's here.

Dale Hamilton

Still, he's still here.

Matt Williams

Housing is a specific chapter in the comp plan. So I mean, as we housing will address homelessness in some capacity or unhoused, population some capacity. Which the steering committee meeting next week, you'll get an update on where we're at, in that the next stages of the plan. So more to come.

Michelle Beal

Yeah, well, that would that be put out to the public votes have to have this kind of a discussion? My thought is, I mean, I'm listening to everyone and I bet you know, you read Portland Portland's trying to do something bank was trying to do something in Ellsworth. But there's never a comprehensive like is the county trying to do something? So because I know that everyone that's homeless in Ellsworth isn't necessarily from Ellsworth. So I mean, this is the Moines problem. This is I mean, because I'm sure they have homeless but it seems like everyone's trying to do it independently, rather than can we get leaders from the entire county in the county government and and look at it that way to instead of trying to put it on one, each municipality trying to come up with their own thing to do because it is and I Tammy and I live in Bangor and it's a heck of a problem. I mean, we work in Bangor. does feel like and it's a it's a, it's a horrible problem there and they're trying to solve themselves. It's just like,

Dale Hamilton

I just want to echo that, I think, I think a workshop is important because this is extremely an extremely complex issue that requires discussion. And not, what happens is that just my human nature is that we tend to go to a portion of it that we see that we think we know. And we define that as the problem. And then we're trying to come up with a solution for something that is just a small piece of it, it's the wrong problems to solve. And so for example, talk to developers, talk to developers to find out why they can't develop affordable housing, to increase housing stock. It's not just about funding and grants. For those developers, it's also about restrictions that are placed on those developments, we need to have honest

discussions about that, what what prevents us, in this state in this country, from developing new resources, and then when we have those kinds of open conversations, and we bring everybody to the table, and we understand it from all those different points, we can come up with better solutions we can come up with, with ways to address the entirety of the situation and not just go to that one place that we might see as a member of the community. And so that that it really does, I appreciate you bringing this to the table, I think it warrants that kind of conversation beyond just a comprehensive plan. Because it is complex, it's dynamic, and it deserves the attention because it is something that is becoming worse. Tina, I appreciate the fact that you that you talk about the larger segment of the of the community, because again, this tends to be a perception of what homelessness is and who experiences homelessness. Reality is, is that it is becoming a growing issue. And it's not going to get solved one community at a time. It's not even going to get solved one county at a time, there's some big issues that we need to address, but we can start the discussion and we can lead that and and bring others along as we go.

Michelle Beal

Yeah, I agree. And just buying everybody or building everybody a tiny house is not going to take care of homelessness, because there are reasons that they're homeless. And the reasons are what's not being taken care of. And it's, it's a sad thing to watch, you know, because you hear people use a lot on his team, well, they don't just get a job. You know, some people can't. And so then you know, what happens, and some people can't live by themselves in an apartment and some people can't, you know, take care of themselves well, and so those are issues that have to be taken care of. It's not just being unhoused. It's having it's the reason that they're unhoused. And that's, it is complex. And I, I sit here thinking how in the devil with the city of Ellsworth, solve this issue? How would we even make a dent in that type of an issue by ourselves? And that's, it just seems like it needs to be. It needs to be a bigger discussion with a lot more people. And I mean, in money isn't even a solvable thing. And so I would love to have a conversation, I would love to be part of something like that. But it's, it's because as I'm sure there's no two people that are alike for the reason that they're in house,

Steven O'Halloran

if I may the gentleman in the back, you have told people here that you're homeless, correct? Could we just get you to come up and state your name and tell us just a quick story about how you become homeless? It looks like we have some education right here. (inaudible speaker. See full audio to listen)

Steven O'Halloran

Thank you very much.

Steven O'Halloran

Thank you. So workshop,

Jon Stein

we'll send some emails around workshop dates,

Dale Hamilton

so that we can sit or the other can handling as part of that conversation or Yeah, I think you'd be separate. It's a little bit different. But I don't know maybe the city staff can think about it in terms of weighing in that making a recommendation. I certainly would be

Michelle Beal

two different things.

Jon Stein

Some safety, safety issues and ordinance issues involved with where people are. Because there's any further questions on this one from the council since he was there, thank you so much. It was a meeting. Thanks for sticking it out.

Dale Hamilton

item 24 discussion and vote to submit the following proposition to be voted upon at the next municipal election. Do you favor Ellsworth opting into cannabis permitting including adult use medical cultivation and or testing facilities pursuant to chapter two pursuant to charter section 2.08 submission of propositions for popular vote sponsored by Councilor Stein and if you don't mind gentleman has been waiting to talk about this issue Can I have him come up? Have His say and then we'll we'll go from there. (same speaker followed. Audio not picked up for translation.)

Jon Stein

yeah, it's a hard act to follow. So I'm not going to be make I'm making a motion this evening. I spoke at length with our city planner, Matt, who's put a ton of work into this question. So thank you. What it seems like is that there's not appropriate time between now and the election to, for people to get the information, talk about the issues before the item will be put on a referendum this November, nor is there enough time to really compile the ordinance. So you know, how it's written here is not how we need to look in the final ordinance. So there's just not enough time. So instead, I'd like to just have a brief conversation here some of the work that Matt's been doing about what the actual process would look like. So moving this discussion away from should we shouldn't we should this go to a referendum to briefly what would this look like? What would the mechanisms be to push this forward? And anybody has thoughts on that? Otherwise, I would table the discussion to move forward this sordidness to some time in the coming year.

Matt Williams

Sums up pretty well. I mean, Glenn and Toni, Janna and myself have had a number of discussions and seeing the agenda item about how it needs to be set up. And so we've got neighbors like Sorry, who've gone through this before and maybe didn't do it properly. So like the adult use medically just needs to be split up either educate people on what the four categories for adult use are like cultivating manufacturing retail, the other one, and then medical marijuana is a little different, because Ellsworth already kind of addressed that. But, you know, the referendum could have served a purpose in terms of fact finding, you know, back in 2016, when Ellsworth state voted to legalize marijuana, Ellsworth was at 250, like 248, something like that split pretty close, but ultimately voted no, maybe getting a temperature of what the voting base is like now, referendum could be useful for that. But then once you

opt in, you kind of opted in. So you have to have time to prepare those ordinances and regulations and find out exactly what community actually wants to opt in for. It's hard to write ordinances if you don't know that piece, too. So just having a maybe a conversation separately about what that should look like if the council is interested in having staff spend time on it.

Dale Hamilton

Any any problem proposition that the council puts out for vote, whatever the results are, whatever the wording is, and the results, the council has to then implement that that is an absolute. So if the wording isn't, if people aren't clear on it, then they can run into problems in terms of knowing what they're voting on and the time to do that. So I think, you know, having more time is, is appropriate, it gives more time to to discuss it. And the other reality is, is the only proponents in terms of pushing this issue since I've been on the council are businesses looking to sell, I haven't had much in the way of the community pushing one way or the other. So I think having the community have the chance to learn more, and then having that process makes sense.

Jon Stein

also reaching out anybody who's watching this later, anybody in the audience, send us your thoughts, shots to the city. It's always helpful to hear what people what people think about these issues.

Glenn Moshier

In part of our conversations, one of our thought processes was we have a presidential election coming up, and to have this type of referendum or a referendum item on a presidential election where we're anticipating somewhere in the 90th percentile of all the registered voters participating in that as opposed to 40 ish in a regular Election. So if there is desire from the council to move forward with preparing what we need to do in order to see this on the referendum for next November, I think that would be the target date because that's going to get you your most, you know, information from the community because you're gonna get your highest participation in voting.

Steven O'Halloran

I just wanted to throw out that. Rather, it's this subject or another subject. I really liked the idea of putting it to Mr. And Mrs. Ellsworth for the report.

Jon Stein

Not to mention, you know, you don't want the city staff to do a ton more work without knowing that that's actually what the people want, as well. You've already got a ton of work, but that's a good point.

Gordon Workman

Gordon workman resident Ellsworth. Now there's already an ordinance in effect, correct? ordinance. 61. Is medicinal.

Dale Hamilton

This this is what Matt's talking about is that there's a difference because in those state law, there's medical marijuana. Right. And then there's recreational right two very separate.

Gordon Workman

61 is recreational right. Okay, because I thought it was got to do with you have to opt in. Okay, because we had a vote back in 2016. The city did already write about this whole deal for recreational

Glenn Moshier

the state to legalize adult use, but the state then put it on individual capacities whether you want to opt in and this city of Ellsworth has never opt in. Okay. All right. That's recreational use. All right.

Gordon Workman

I think he said it well. I don't have to say anything. Thank you.

Dale Hamilton

Item 25 discussion of possible action but the preservation of elsewhere its water resources, including recommendations for city actions relating to its great ponds the union River watershed and drinking water with presentation data by every conservation group sponsored by Councillor Stein.

Jon Stein

So this is more or less piggybacking off of last month's agenda, ordinance passing aimed at limiting overnight access to the great ponds, property owners brought up great points about limiting pollution protecting watersheds. I reached out to a number of conservation organizations, some of whom are here tonight. resoundingly. They were they were concerned about the issue, but they're more concerned about pollution, and watershed issues that come from the roads, the driveways and the properties themselves surrounding lakes. So it's worth taking another look at what some of the key issues are, and how we might address them. Keep in mind that some of these will eventually have to become staff work. So these would go through the comprehensive plan. So this is sort of a broad overview of the most important issues. We have Mary Blackstone of green new Ellsworth, Ellsworth, Greenland and various other organizations.

Mary Blackstone

Thank you, Harry Blackstone, Ellsworth resident and I'm here with the three other folks that are connected with with green Ellsworth, Mark Whiting, who is president of the Hancock County, Soil and Water Conservation District, and also water waterfront property owner and elsewhere. George Linebaugh and Dwayne Shaw, Dwayne Shaw is the executive director of the Danny salmon Federation and George is involved in green Ellsworth as a volunteer and on their board. So thank you very much, John, for for acting. So swiftly to pick up on a discussion that was really very interesting for me to hear at the previous council meeting. The as I recall, Well, the the discussion called for first of all come some sort of comprehensive ordinance that would address water resources generally and elsewhere. And counseling deals specifically mentioned that what we do in our ordinance relating to our public water supply should perhaps be extended to other other lakes. So this this sounded to me like somebody who was definitely on the green Ellsworth wavelength. It's this is a discussion that we've had extensively as we were working up to the Ellsworth green plan, and particularly the water chapter. It's it's certainly a timely discussion, because our we've moved from creating a plan to actually implementation. And so what I what I did in the handout that, that you each, I think everybody has a copy of the handout that that I've provided. I wanted to provide the specific recommendations that are in the green plan that

relate to our water resources center essentially focused on conserving water resources from a number of perspectives. The first thing I want to mention, though, is that an ordinance is one of several tools that a city can have in its path, to address water protection. And so I think it's important to think of actions as opposed to specifically to think about an ordinance exclusively. So what what I tried to do at the beginning of this handout is to focus on the scope. And I will say when councilor O'Halloran mentioned, the idea of having a comprehensive ordinance that addressed water, I had some concerns about such large reaching a wide reaching ordinance. But as I thought about it more, I sort of began to think that this may not be a bad thing, given the fact that we have a unified development ordinance that addresses land use regulations, water, just because it's fluid, is actually something that is perhaps well addressed in a comprehensive ordinance as opposed to little bits and pieces, because it's all connected in that in the first handout item on the handout. The scope of the resources is important to think about in the sense that the groundwater, which wasn't mentioned in the previous meeting, is all part of the package. And the groundwater feeds our lakes and ponds. And it's obviously part of our private water supply, which is, of course, the water supply that the majority of Ellsworth residents actually depend upon, as opposed to the public water supply. So obviously, the watershed is fed by that water that ultimately goes through the lakes into our, into our river. And what goes into that river flows right straight through the city of Ellsworth as a primary feature of our of our downtown. So all of these elements of the water resources that we're talking about, are profoundly connected. So the idea of starting perhaps with focus on aquifers and groundwater, as it feeds the lakes and ponds and whatever, is perhaps a good place to start. And so the idea of a unified approach, or a comprehensive review of how we deal with conserving water resources, is a good idea. And that includes a number of actions which, which I've listed as in addition to regulations, leading by example, public education, incentives and support, and then backing up the regulations with implementation and enforcement and partnerships and volunteers. And I think it's important to think about it as a package as opposed to simply ordinances and and looking at the regulations. And what's at stake, I think last time, councillors were very clear that they understood what's at stake, obviously, our drinking water, which is both private drinking water from groundwater and our public water supply. But in the last, prior to the most recent assessment, over a third of our property taxes came from waterfront property. You take that away, you have a major crisis, with respect to our water resources, and the city is in big trouble. Additionally, we need to think about our water resources as being one of our Also its major assets. It is in a lot of towns and cities would be blessed with one, maybe two, maybe three lakes, we have seven. And that doesn't count to impoundments, which we think of as lakes. We also have a river, a historic Salmon River, and Whitewater, wonderful whitewater rapids on those rivers on that river. We have wetlands which are accessible from right downtown Ellsworth as the connected through the connector, which takes people to the sunrise trail. And the wildlife in that in those wetlands are really extraordinary. We also have titled shore, Shore frontage. So all in all the water package, we need to think of that as Ellsworth major attraction, it's not just sum up something where people pass through and casually notice, it's a major attraction for visitors and for residents. It's a major attraction even further, if the city of Ellsworth, in contrast with other communities in say, the state of Maine immediately around us, if we enact significant protection measures, if we take actions to really preserve those water resources, then property shorefront property that's already highly valuable, will become even more attractive and even more valuable, because this city has made a stand with respect to protecting it, as opposed to potentially other places where people could buy. So that's approaching some of the some of the reasons some of what's at stake here. So what can the city do? Leading by example is one thing that's

that's mentioned in the handout. And there are a number of ways that the city can lead there, I will, I should mention that most of these are actually already on staffs, tables, they're already on the radar screen, some of the things have been mentioned by counsel or your committees. And so these are not distant things that that you're unaware of that that's very clear. But these are things that are not priorities at the moment, they've been set aside. Leading by example, is making them the top priorities. So that they're dealt with immediately. Or as soon as they can be given the fact that some of these are our broad scope. And some of these things really need to be dealt with before the city starts enacting further regulations. So we have snow dumps that are regularly used along the union River. They're in contravention of both EPA and DEP regulations. When we dump snow in a place on the river, where it drains immediately into the river. That's in contravention. And I actually was with our code enforcement officer when a DEP person was pointing out to him that those that the complaints about that had not been addressed. The city cannot put in place regulations that bring others to account, if it's in violation, so regulations itself. So those are things that the city that are varying levels of seriousness that city can do to lead by example.

Mary Blackstone

We're going to certainly help during Ellsworth was with respect to the public education approach, but the city has the best is in the best position to help with public education because it has it does regular mailings to taxpayers. So it's in a position to send out flyers, French, for instance, that educate people as to how they behave around the waterfront, how they treat their waterfront property to maximize the quality of of the water of the water. And city could put up a webpage to guide people on what they can specifically do. They could help with workshops or presentations that could address the way in which people who are property owners or users of the water could improve the way they treat the water. Incentives and supports. Certainly, as far as incentives are concerned, encouraging people to do the right thing on their property is probably a better approach than punishing them if they do something that that we don't want them to do. So the lake smart certification process is actually a good way to get property owners educated as to what they can do when they own property on the water. And Lake smart rewards people by giving them a certification. The city could also reward them and some communities do by giving them a little bonus. As far as tax relief is concerned on a one time basis, that's just a little carrot to help people encourage people to do something like Lake sparks certification the city already does, helps to support and applies for grants for courtesy boat inspections. It can extend that to other lakes by putting in a group application for a number of lakes, and working to help train people who are perhaps volunteers who might have a little financial bonus for doing the courtesy boat inspections. Another carrot another approach to incentives could be looking at impervious surfaces with card Brook, we have an urban impaired stream, which is certainly a serious problem and an ongoing problem for the city of Ellsworth. We have a problem in part because we have 96% impervious surface around card Brook. What can the city do to change that situation, while providing some sort of incentive for for commercial property owners to remove some of that impervious surface and to actually increase screen space around paardeberg? Would what the one way to do that? So I'm just running through this fairly quickly. But I want to hand over here to mark Whiting, who's going to talk a bit about what the regulations might look like. I'll come back and talk about implementation.

Mark Whiting

Thanks, Mary. I'm Mark Whiting. I'm a resident of Ellsworth and I'm also chair of the board for the Hancock County Soil and Water Conservation District. And I've been asked to talk a little bit about ordinances that would cover water quality for the city. I think a water quality ordinance should include all of our water bodies. I think that the city council kind of brought this up in the first place, and we were thinking about lakes. But also we have a number of other high quality water resources in our city as well. We should be looking at lakes, streams, rivers, tidal waters, wetlands, and groundwater. All of those are important. We often say that water is life, and that and that we need to protect these resources for elsewhere its future. I agree with Mary when she says that. Education is the primary way of getting people to take care of their environment, and take care of our homes. But ordinances are probably necessary too, because there are some people who don't know or don't care. And so you need a carrot and a stick. I think the goals of an ordinance would be to provide for monitoring and assessment work. It should provide for environmental protection and protect water for Ellsworth's future. Monitoring, just monitoring alone is a really big job that's more than the city can do. But Mary mentioned that there's a that there are many programs and partners that we can work with. And a lot of this work can be done by volunteers. So for instance, some of the partners that we could be working with our lake associations, like associations are already doing monitoring on these lakes. Not all of them have monitoring programs currently, but many do. The Conservation District is monitoring water quality monitoring is one of our specialties. Like stewards of Maine is another one and Maine DEP who do volunteer training work. DEP is also the database for the likes of Maine. So anyone who does monitoring work, all of your findings all of your data can go on this website that's managed by the state. A data is important because data is what you need to manage resource. I mean, basically, you just can't manage a resource that you don't understand or don't know. And then what might be an ordinance? Well, that's why we need a committee and a group to discuss this. But some things that we thought of were borrow pits. So the state regulates borrow pits, but only those over five acres in size. And DEP is pretty good at this. But they also have staff shortages, and they can be very slow to respond. So having our own ordinance and and allows us to act more quickly if we need to. And also, there's the question of the gravel pits, the borrow pits that are smaller, and under the state radar. A very small gravel pit can make a very big mess. And so we may need to intervene and something like that. Another thing, we noticed that float planes are allowed. On branch Lake, this is our water source for the city of Ellsworth. floatplanes trucks are allowed on winter ice during ice fishing. So two of the major ways that you can get fuel into a lake is when a truck goes through the ice, and the entire tank of diesel or gasoline can go right into the lake. Flow planes can hit an obstruction and flip over. I think there was a recent accident in Maine where someone was killed just that way. So this happens, it's a real thing. I'm not saying that we should regulate, keep floodplains at a branch leg. But it's something that that an ordinance would allow us to consider. water extraction rules have been an issue in other parts of Maine, where large companies have moved and started to bottle water and sell it. You know, this is our water, we may not want somebody to come in and do that. The state has shoreland zoning and it provides for buffers on most wetland and water resources. A small streams don't get that protection. And again, our streams go right into the lake or why didn't light it right into our water supply. Maybe we would want an ordinance that would provide buffers for those smaller streams. So anyway, those are some examples. And as I say, the actual decisions are going to be made by others. But there's some ideas. So thank you for your time.

Dale Hamilton

in terms of just from my understanding, What do you envision for this figure? Because part of this is feeling like a workshop. And I'm just wondering what you're looking for us tonight, so that as I'm listening to it, I have a better understanding. Because if you're heading towards a workshop, then I think this might be better suited there. But I don't know what your what you envision,

Jon Stein

similarly to a couple agenda items to addressing homelessness. I mean, there's so much to unpack here that it should, the vast majority should go to workshop. And I'd love to see that happen. So bright. So far, we've heard these examples starting to talk about it, we saw that it took several years of hard work for the branch Lake ordinances to come through. And so these are also going to take a long time. So having this conversation started tonight so that we are aware of most pressing issues. I just learned a dozen things that are important that I had no idea were happening as well. So I think yeah, I think this is we can sort of wrap it up and agree to the council, so wishes to talk about dates, later time for a workshop to more deeply addresses.

Mary Blackstone

That That sounds like a great idea to us. Certainly if you want if you want to do a workshop, I think it would be given the length of time that it took to get the other ordinance which was really very small and focused. This is this is potentially something large, either rebuilt, revising a whole bunch of ordinances and adding new ones or making something the equivalent of the Udo for water. So I just I think it would be really helpful to start it now seriously, and so it runs parallel with the comprehensive planning process. So some of the practical questions that come up when you actually try to do an ordinance will actually feed into the comprehensive planning process. And and into this, so maybe the first thing that you could do or enact, after passing the comprehensive plan is to follow up with this ordinance. That might be the right timing, I think Dwayne just wanted to say one thing about about branch lakes.

Dwayne Shaw

Excuse me, I just wanted to reinforce the fact that my name is Dwayne Shaw, Downeast Salmon Federation, as I said earlier, but water is the home for fish, obviously. So it's more than our drinking water. And it's more than a place that water runs downhill and ends up but the fish move through the water. Branch Lake is a popular fishing spot. And of course, the river is as well in, there's some important things that are on your plate. Now. And that is where these two things come together. And that is branch Lake Dam, for instance, that you own. As a city, it's the drinking water supply. That dam is needs repair seriously. And there's money now available. So our organization works closely with communities from Meddybemps to Castine, where we're really across the region working with towns that have dams, culverts, and so on. So in the case of branch Lake Dam itself, recently, I attended a meeting here with your planning staff and city manager, in which the the contractors, the engineering team that's looking at that we're exploring, patching it, rebuilding it and assessing overall the, the needs there. And in one element of that could be fish passage. So thinking in terms of revenue, the town city currently receives revenue in the form of I live harvest in the river currently produces about a million alewives a year that come back to the river, they of course have to go up and over and around with a trap and truck situation, that's going to change in the years ahead. But at branch lake itself, now would be the time to put fish passage in, in the only way in which you would get perhaps the 7 million I wives

annually, would be to provide fish passage in other places, up and around the watershed. So organization can assist this the city with applications and the technical aspects of that. Such that you might qualify for additional grants, for instance, that would help pay for a portion of the dam to be rebuilt, that would include the fish fish way, and that would relieve some costs and that the city might otherwise not have access to. So that's just one example. And I guess just the second thing that is won't wait for a comprehensive plan is the relicensing of the Brookfield dams. And I think you're all somewhat familiar with the situation. The dam those types of dams federally, Federal Energy Regulatory Commission, licensed dam gets a license for 40 years, sometimes more. Now is the time this process has been going on for over eight years. It's now in court because the Brookfield has appealed up through DEP board of environmental protection. And has gone into the courts in the AGs offices now. reinforcing what DEP and BEP had said, now you've got to modernize these dams, you've got to maintain water levels and more natural state and that will improve fisheries and real estate values and recreation, many other things so the city can participate, I think more aggressively in those in that particular conversation. And again, it won't wait wait for the comprehensive plan. So thank you, and we're more than happy to participate in workshops and so on around this and to support the city.

Dale Hamilton

I'm 26 Councillor comments

Dale Hamilton

seeing none, Item 27 adjournment.

Michelle Beal

Moved

Tammy Mote

second

Dale Hamilton

all those in favor are adjourned