

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, September 16, 2024, 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

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meeting:
 - August 19, 2024, Regular Meeting
 - August 26, 2024, Emergency Meeting

Motion to adopt C Hanson, seconded by T Mote, passed 7-0

5. Presentation of Awards.
 - Amanda Ray – 5 years of service
 - Brian Luce – 5 years of service

6. City Manager's Report.

Infrastructure planning – as discussed during budget cycle there were several key infrastructure investments left out in order to explore longer term bonding options, particularly for road projects. Drawing from prior infrastructure plans an best practices from other municipalities we aim to chart a sustainable path forward. We are developing a 1, 5 and 10-year infrastructure plan to present a comprehensive view of the city's needs. In the short term the priority is to identify key projects for the coming year that need immediate funding through ban bond options. At the September 27th Finance Committee meeting an initial list of infrastructure priorities will be presented to the council as well as a finance memo outlining the bonding capacity.

Courthouse – we have received 10 proposals relating to alternative locations for the courthouse project. The state has issued an RFP for an architect applicable whether the courthouse stays at the Surry Rd location or moves to an alternate location. Community Workshop is being scheduled for September 26th at 6pm, where we will review the submitted applications with council and open the floor for citizen input. Also at the workshop we hope to outline the next steps for the process and decision making timelines.

Six-month performance review – per CP request, Council will go into an executive session to review his performance over the last six months. It is an opportunity for him to receive constructive feedback

on what is working well, what can be improved and any areas that require more attention. Setting clear goals and metrics is essential as well as accountability for achieving results.

Maine Organics – we are waiting to hear back from the DEP to schedule a workshop on smell mitigation options. Staff is also visiting other composting facilities across the state to gather insights into additional mitigation strategies. After the workshop we will hold a follow up session with the residents most affected by the smell and following that the council and possibly the legal team will meet to discuss next steps and determine whether the issue should be added to the agenda for formal discussion with potential action options.

7 Fairgrounds Rd – following the dangerous building designation by the council, staff continues to explore options to address the situation and we are open to working with the property owners if they can secure financing and contractors for the necessary repairs. Have had some communication with the family but nothing definitive has been arranged. At the October council meeting we will present a more detailed report from Code Enforcement outlining potential next steps including cost estimates and processes for either moving forward with the family or pursuing demolition if necessary.

Unsung heroes – there is a new office being constructed in the front office area, the utilities coordinator is being brought back from the wastewater treatment plant to City Hall, to improve customer service in our billing department. Special thanks to Jim McLean, our facilities director, who built the office from scratch. His craftsmanship saved the city money and we are fortunate to have such a skilled and dedicated professional on our team. It is tax season and would like to recognize the front office staff for their hard work in processing payments. He has received glowing feedback about our Deputy Tax Collectors Ginny and Jim for their outstanding customer service and helping residents navigate the process; we are lucky to have such a dedicated team.

7. Committee Reports.

C Hanson – on Thursday August 19th the Arbor Commission is holding a special workshop at the University of Maine extension and on Zoom at 3pm about Beech Leaf disease, which is sweeping the area.

N Smith – Historic Preservation Commission is updating their ordinance to be in compliance with State recommendations to align with becoming a certified local government through the National Park Service. The value of being a certified local government is that Ellsworth is demonstrating our interest in preserving, protecting and enhancing our unique cultural historic assets. This does not increase the rules of property compliance but will clarify the commission's process in fulfilling the role. The benefits of earning the designation will be increased access to funding, including sub grants from the state commission of National Park Service funding, as well as some grants that are available only to certified local governments. There is also access to State Historic preservation commission technical assistance and training. The value of this is the sustainability of the community that there are generally higher property values, better walkability and a greater sense of community. The next meeting is September 17th, where the draft ordinance will be reviewed. Also, receives a newsletter from the Maine Association of Planners and at their annual meeting for their 2024 annual awards, citizen planner of the year was awarded to Richard Lyles of Ellsworth.

P Lyons – Finance Committee, the Finance team has done a lot of work in the last 6 months and have made a lot of progress and now the second Friday of every month they go through a real time analysis of the city's financials and will be publishing a report once a month and available online.

J Stein – Broadband fiber and other connectivity in the Graham Lake area. Residents in the area thought they would be able to connect to fiber through Fidium and the work never ended up getting done. Just learned through some research by the Economic Development Department and former councilors that though Rivahnet did have that area described as being connected with fiber on their map, it actually was in error so it isn't connected. The connection displayed on the map disqualified that area from receiving grant funds, so they are working on fixing the map so they can apply for grant funds that would hopefully allow connectivity in that area.

8. Citizen's Comments.

Zabet, Program Coordinator for the Heart of Ellsworth – would like to invite you to Maine Craft Weekend, October 4th-6th. It is a statewide event and Ellsworth is a featured city, there are several events happening within Ellsworth. The featured event is Friday at 5pm and it is an Open Studio and ribbon cutting ceremony at the new Maker's Space at 16 Main St. The ribbon cutting will be followed by a show by the Ellsworth High School art students, the show theme is the life of the river.

John Linnehan – here to announce officially that he is running for City Council and the main reason why. He is running on a very simple platform, to reduce Ellsworth property taxes. In 2021 his taxes were \$9,268.63 and in 2025 his taxes were \$14,441.62. That is an increase of \$5,172.99 or 55% in just four years; an average property tax increase of 13.9% annually. He has a simple four word campaign platform, reduce Ellsworth property taxes, and he promises that he will vote no on any council area that will increase taxes.

9. Councilor Comments.

S O'Halloran – has received several phone calls regarding tax related issues in the last week and a half with some discomfort with the amount that taxes have gone up in the last two years. One call asked him to express an interest or comment about some department heads living in the city that perhaps they might be more accountable to the expenses if it involved their tax bill, he is not sure that he is on that page but did state that he would bring it to the council's attention. Another item he would like to mention, and has not experienced this before, last Friday he received several calls about the area at HCTC, that the odor was horrible from Maine Organics. Students were coming out of the bus with their nose in their shirts because the odor was so bad.

J Stein – would like to respond a little regarding the phone call about department heads living in the city, it is important to express again that the taxes are a reflection of a lot of things and

a lot of the yes or no decisions come down to the council. He would remove the department heads, they take the council's decisions and run with them as best they can.

UNFINISHED BUSINESS

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.

10. Council Order #092400, Request of the Deputy City Clerk to approve the time polling places will be open for the November 5, 2024, State of Maine Election and the City of Ellsworth Municipal Election as 7:00am. *

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

11. Council Order #092401, Request of the Deputy City Clerk for appointment of Wardens and Ward Clerks for the four voting districts within the City of Ellsworth for the November 5, 2024, State of Maine Election and City of Ellsworth Municipal Election. *

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

NEW BUSINESS

12. Public hearing and action on the application (s) for renewal 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.
- ~~Louise Joy and Thomas Joy d/b/a Edward Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile Graveyard Permit.~~
- James B. Card II d/b/a Jimbo's Junkin, 62 Kylies Way, for renewal of a City Junkyard/Automobile Graveyard Permit.
- Ryan Lounder, d/b/a Strike N Slice, 25 Eastward Lane Suite 6, for renewal of a City Class C License (Victualer and Liquor) and State Liquor License (Class I, II, III, and IV).
- Margs Mex Ellsworth LLC d/b/a Margaritas Ellsworth, 191 Main Street, for renewal of a City Class B License (Amusement, Liquor, Victualer) and renewal of a State Class A Restaurant/Lounge Malt Liquor, Wine, Spirits (Class XI) Liquor license.

Motion to approve C Hanson, seconded by J Stein, passed 7-0

New Business

- Corporate Chefs, LLC, 21 Kingsland Crossing, for a new City Class C License (Victualer and Liquor) and a new State Qualified Catering License.

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

13. Council Order #092402 Announcement and Presentation of the City of Ellsworth's designation as a Main Street City.

Tabatha White and Karen Otto, board members for Heart of Ellsworth and Executive Director Cara Romano – here to share some very exciting news; tomorrow September 17th Maine Street America and Maine Downtown Center will announce Ellsworth's designation as Maine's Main Street Community and Maine's 11th Main Street community. The process started in October 2023 and will culminate at the award ceremony at the Maine Downtown Center's annual meeting, November 7th in Biddeford. Looking forward to a citywide celebration that will hopefully be held in early 2025, with date, time and place to be determined. There are a couple benefits of being a Main Street Community, that start immediately tomorrow, we will have a live page on Main Street Maine. The website will also provide a link, language and logos for Heart of Ellsworth's website as well as the city to post on our website and discover Ellsworth's site. Main Street America will be adding Ellsworth to their website in January 2025. Also, starting tomorrow we will have immediate access to economic and community development resources, will be eligible for the CDBG support points and funding opportunities that support city projects and save taxpayer dollars to bolster all of Ellsworth, not just the downtown. They appreciate the council's dedication to learning about the Main Street America approach over the past nine years. Each member has taken the time to consider our city's distinctive circumstances and has independently recognized that this designation will strengthen our city. It will sustain partnerships, raise awareness of opportunities and create a collaborative framework that city staff, Ellsworth Chamber, Heart of Ellsworth and other regional partners can leverage for the city's overall development and our developmental success. Ellsworth is the first community to be recognized in both Hancock and Washington counties. Belfast is the next closest Main Street community and there hasn't been a new Main Street designation since 2016. We were the first Main Street to be brought on by the Maine Downtown Center's current staff and the first to use their new enhanced process.

14. Council Order #092403 Request of the Fire Chief to purchase new hydraulic extrication tools.

Fire Chief Scott Guillerault – this is a continuation from the budget during the capital improvement processed they were approved to purchase new rescue tools, this would be replacing 25year old hydraulic tools. They have gone through three vendors and demoed with the fire crews and have decided that Bergeron is the most appropriate. The total amount of the purchase would be \$58,299.05 and does include the maintenance plan for the first year.

Move to approve the request of the Fire Chief to purchase new hydraulic extrication tools from Bergeron Protective Clothing in the amount of \$58,299.05 funding from Capital Outlay, C Hanson, seconded by P Lyons, passed 7-0

15. Council Order #092404 Request of the Historic Preservation Chair to re-establish a cemetery committee. (Sponsored by Councilor Smith)

N Smith – there is some additional information sent out on this, a memo from the City Manager and part of the packet. Would like to thank Charlie for a really thoughtful exploration of the ways that the city can best address the management of cemeteries that are under our supervision. There is a need to inventory and map them and update bylaws and other organizational work to make sure that we are doing the best we can both for those interred there and the people who care about them. The city does have a cemetery ordinance, which is very old, and it calls for a commission which we haven't had in quite some time.

M Beal – was asked to read a citizen's letter who was not able to attend the meeting. After she read the email, she responded to clarify for the citizen that we are trying to do something that used to be in the city and it is for all cemeteries that are owned by or overseen by the city. Having worked with the cemeteries before, it is not an easy thing and having a committee that can pay attention and the Historic Preservation Committee that has the knowledge of the cemetery and the stones within and the people who are buried there, including our veterans, is a great idea.

C Hanson – agrees with Chair Beal and the reason that Juniper came to us is because nobody stepped up at the time, so if we have a commission this will create a safe baseline for how all the cemeteries are cared for.

Jen Sala, chair of the Historic Preservation Commission – worked with Charlie and Sue to come up with this idea as an alternative to the Juniper Cemetery committee because Juniper is not alone in needing someone to pick up where the former groups left off. Higgin's cemetery on the Bucksport Rd recently contacted the city again and said we have been trying for years to get help but the staff here doesn't have the ability or capacity to take care of something like this.

Councilors are concerned that this is going to end up being a lot bigger of a project because there are a lot of cemeteries in Ellsworth and are worried that open and active cemeteries will reach out for help. They think that we will need to have more follow up to what the actual requirements for the city. The committee could be a holding place for resources, connections and answer questions about what the laws are; a resource to support not to take away any that are being cared for.

Move to create a Cemetery Commission for the City of Ellsworth, which will temporarily be chaired by Jen Sala due to her role as chair of the Historic Preservation Commission. This commission will be responsible for overseeing the maintenance, financing and long-term infrastructure and strategic planning for Ellsworth cemeteries under the city purview. Initial priorities will include recruiting appropriate residents of Ellsworth to be nominated to the city council to be on the standing commission working with the Finance department

and City Clerk's office on policies regarding cemetery reserve funds, preparation of an inventory of current cemeteries and developing a comprehensive future cemetery plan, focused on rehabilitating the Old Burial Ground, enhancing historic signage and landscaping, N Smith, seconded by P Lyons, passed 6-1 (S O'Halloran opposed)

16. Council Order #092405 Request of the City Manager to enter into an agreement to install electric vehicle charging stations.

C Hanson – as an electric vehicle owner this is a fantastic idea, being able to charge somewhere that you can walk around and go to a park or out to lunch is great.

We would start out with level 2 chargers and then hopefully add on some level 3 chargers. It would be a profit generator for the city having it downtown because people could park and charge and then go shopping or go out to eat.

C Hanson – has had an electric car since 2019 and used to be able to go anywhere on the east coast and now the owners of electric cars are out pacing the options for charging, so it has gotten significantly more difficult to travel.

N Smith – loves that this is coming up after we have heard about the Main Street designation from Heart of Ellsworth because it is in the downtown and is walking distance. The charging stations on Franklin there is no charge for them, the city is paying for the electricity. The city has the ability to set its own rate to what the market demands but EV sites often make 15 to 30% of each bill as additional revenue to the city.

Move to approve the request of the City Manager to sign a contract with Revision Energy and apply to Efficiency Maine for an award program which will help fund the installation of four EV level 2 charging stations in the City of Ellsworth, C Hanson, seconded by N Smith, passed 6-1 (S O'Halloran opposed).

17. Council Order #092406 Request of the Public Works Director to purchase a used plow truck.

Move to table T Mote, seconded by P Lyons, passed 6-1 (S. O'Halloran opposed).

18. Council Order #092407 Request of the IT Systems Administrator to purchase a vehicle detection system for the High St and Beechland Rd Intersection.

Jason Ingalls, IT Director – here to request the purchase of a video detection system for the intersection at Beechland Rd and High St to replace the failed in ground loop detectors that are currently there. Our practice has been when the loops fail to replace them with camera systems. We have been demoing a unit for a couple months now and are very happy with it. Grid Smart support has not been up to standard, we have had two units fail and they take three to four months to get returns, so would like to try Miovision. It is a different system but has the same ultimate function.

Move to approve the request of the IT Systems Administration to purchase a new vehicle detection system for the High St and Beechland Rd intersection in the amount of \$17,500

from Coastal Traffic funding to come from the traffic signal maintenance budget, C Hanson, seconded by N Smith, passed 7-0

19. Council Order #092408 Public Hearing and potential action on Resolution to authorize the City Manager to submit an application for a Community Enterprise Community Development Block grant in the amount of \$100,000, and if awarded, to accept said funds to carry out a program to make façade improvements to downtown buildings.

Matt Williams, City Planner – in April there was a vote on this previously to allocate match and then to submit the letter of intent to apply, essentially like phase one of this process. The city got approval for that and also to go through phase two, which was getting approvals from different state, federal, local committee and commissions and boards. We have moved through that process, so the application is full and ready to submit and that is why we are here tonight to have the council authorize the City Manager to submit the application for \$100,000 to CDBG program.

Move to adopt a resolution to formally apply for and accept funds from the Community Enterprise CDBG Community Development Block Grant program in the amount of \$100,000 to establish a façade improvement program, J Stein, seconded by C Hanson, passed 7-0

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

Motion to enter executive session C Hanson, seconded by T Mote, passed 6-1 (S O'Halloran opposed).

Motion to exit executive session at 8:52pm T Mote, seconded by Lyons, passed 7-0

21. Adjournment.

Motion to adjourn T Mote, seconded by C Hanson, passed 7-0