

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, March 16, 2026, at 6:00 PM in the Ellsworth City Hall Council Chambers

Meetings will be broadcast live on:

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

Public Access/Spectrum Channels 5 and 7

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:
 - February 17, 2026, Regular Meeting
5. Presentation of Awards.
 - EHS Cheerleading Team – Big East Champions, PVC Champions, Northern Maine Champions and 4 time State Champions
 - Matt Mattson – Big East Boys Co-Coach of the Year
 - Jovin Pesek – 100 wins in Wrestling
 - Caitlin Jenkins – Indoor Track, new school records in Long Jump and 55 meter Hurdles
 - Boris Felix – Class B State Runner Up in High Jump
 - Toni Ryan – 5 years of service
6. City Manager's Report.
7. Committee Reports.
 - Arbor Commission: Request to appoint Austin Schuver as a member of the commission with a term expiring 6/30/2026.
 - Historic Preservation Commission: Request to appoint alternate member William Fogle as a regular member with a term expiring 6/30/2027.
 - Ellsworth Housing Authority: Request for appointment of Sarah Bowden to the Ellsworth Housing Authority Board of Commissioners with a term expiring 1/2029.
8. Citizen's Comments.
9. Councilor Comments.

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 #032600, Reservation of the City of Ellsworth's right to harvest alewives.*

NEW BUSINESS

11. Public Hearing and action on the application(s) for renewal for the following license(s):

- Eagles Lodge Motel, 278 High Street, for renewal of a City Lodging License.
- Brian Muir d/b/a Josie's Country Store, 126 Surry Road, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, and IV) Malt Liquor, Wine, and Spirits Liquor License.
- Yuki Abra LLC d/b/a Finelli Pizzeria, 12 Downeast Highway, for renewal of City Class C License (Victualer and Liquor) and renewal of a State Liquor License.
- Casa Jalisco, 205 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III and IV) Liquor License.
- American Dream Pizza Hut LLC d/b/a Pizza Hut, 211 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal for a State Liquor License.
- Crazy Sumo LLC d/b/a Crazy Sumo, 75 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Liquor License.
- Riverside Café, 151 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Liquor License.
- Cresswell Investments, LLC d/b/a Finn's Irish Pub, 156 Main Street, for renewal of a City Class B License (Amusement, Victualer and Liquor) and renewal of a State Restaurant (Class III and IV) Malt, Vinous Liquor License.
- Sanctuary Inn Investors LLC d/b/a Sanctuary Inn, 33 Birch Avenue, for renewal of a City Lodging License.
- Sanjeeva Abeyasekera d/b/a Palmyra, 116 State Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class III and IV) Malt and Vinous Liquor License.

12. Council Order #032601, Public Hearing and action on the request of the Economic Development Director for the creation of the Central Corridor Omnibus Municipal Tax Increment Financing (TIF) District.
13. Council Order #032602, Public Hearing and action on the request of the Economic Development Director to approve the City of Ellsworth Downtown Development Plan.

14. Council Order #032603, Public Hearing and action on the request of the Economic Development Director for the creation of the Downtown Corridor Omnibus Municipal Tax Increment Financing (TIF) District.
15. Council Order #032604, Public Hearing and action on amendments to the City of Ellsworth, Code of Ordinances, Chapter 34, Personnel Ordinance.
16. Council Order #032605, Discussion and action on the request of the Police Chief to accept Criminal Forfeiture funds.
17. Council Order #032606, Public Hearing and potential action on amendments to the City of Ellsworth City Council Remote Participation policy for subcommittee meetings.
18. Council Order #032607, Public Hearing and action on the request of the Parks & Recreation and Facilities Director to award phase 1 of the Knowlton Park Playground replacement.
19. Council Order #032608, Discussion and potential action on a new City of Ellsworth Procurement policy to govern Request for Proposals, Requests for Information, Request for Bids, and Request for Quotes.
20. Council Order #032609, Discussion and potential action on awarding the contract for the Ellsworth Track and Soccer field replacement by the City Manager and the Superintendent of Schools.
21. Council Order #032610, Discussion and potential action on a contract for bus/city vehicle storage and staff facilities.
22. Executive Session to discuss personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.
23. Adjournment.

ELLSWORTH CITY COUNCIL REGULAR MEETING MINUTES

Tuesday, February 17, 2026 – 6:00 PM City Hall Council Chambers

1. Call to Order Chair Patrick Lyons called the regular monthly meeting of the Ellsworth City Council to order at 6:00 PM.

2. Pledge of Allegiance The Pledge of Allegiance was recited by all present.

3. Rules of Order Chair Lyons noted that the body follows Robert's Rules of Order alongside local rules of order. He requested that all presenters and members of the public address their comments to the chair and the council.

4. Adoption of the Ellsworth City Council Minutes: The Council considered the minutes from the January 20, 2026, Regular Meeting.

- **Motion:** To accept the minutes as presented.
- **Moved:** Councilor N. Smith. **Seconded:** Councilor White.
- **Result:** Approved unanimously.

5. Presentation of Awards: Awards were announced for five years of service for Brandon Leavitt (Fire Department) and Robert Angelo (Police Department). Neither recipient was present; Police Chief Troy Bires accepted the award on behalf of Robert Angelo.

6. City Manager's Report: City Manager Pearce reported that the city's application for the downtown to be placed on the National Registry of Historic Places was approved. He credited the Heart of Ellsworth for their significant work on this project. He also discussed upcoming ordinance reforms to make land-use rules more "business-friendly" and readable, as well as the progress of several large-scale private investments in the city, including a \$20 million Hilton Home2 Suites.

7. Committee Reports:

- **Arbor Commission:** Councilor White announced a panel series on the emerald ash borer starting March 4 and noted the city secured a \$20,000 Project Canopy grant for a summer intern.
- **Historic Preservation:** Councilor Martineau reported that the commission will not have a February meeting and at their last meeting they approved a Certificate of Appropriateness in part for 71 Main Street.

8. Citizen's Comments: Toby Stevenson thanked the council and city staff for their hard work, stating that many citizens appreciate the effort put into the community.

9. Councilor Comments: Councilor O'Halloran highlighted a recent onboarding session at the Police Department, specifically praising Officer Wilmot for his extensive grant-writing efforts,

which brought in over \$300,000 in five years. Councilor White thanked the Moose Lodge for starting a citywide volunteer roster and noted that Heart of Ellsworth raised \$62,000 for the historic designation application.

10. Public Hearing and Action on Updates to Chapter 56 (UDO) and Chapter 14 (Licenses and Permits) – Cannabis Performance Standards: Urban Planning and Development Director Danielle Gift presented revisions to address adult-use cannabis performance standards and medical cannabis licensing. A public hearing was held with no comments.

- **Motion:** To approve the request to revise Chapter 14 and Chapter 56 as presented, effective immediately.
- **Moved:** Councilor White. **Seconded:** Councilor M. Smith.
- **Result:** Approved, 6-1 (Councilor O'Halloran opposed)

11. Public Hearing and Action on New Business License: Ellsworth MV, LLC d/b/a Marijuanaville: The council discussed a medical marijuana dispensary license for 71 Main Street. Chair Lyons expressed concern regarding a recent State medical cannabis patient advisory for products sold at this business that were found to contain high levels of pesticides. Additional concerns were raised about the location's proximity to parks and its non-conformity with the city's new cannabis overlay zone.

- **Motion:** To deny the new business license for Ellsworth MV, LLC d/b/a Marijuanaville.
- **Moved:** Councilor Shea. **Seconded:** Councilor Martineau.
- **Result:** Denied, 6-1 (Councilor O'Halloran opposed)

12. Council Order #022600: Special Municipal Budget Validation Referendum Election: The request was to hold the election on June 9, 2026.

- **Motion:** To approve the request of the Deputy City Clerk to hold the election on June 9, 2026.
- **Moved by:** Councilor N. Smith; **Seconded:** Councilor M. Smith.
- **Result:** Approved Unanimously.

13. Public Hearing and Action on License Renewals (Atlantic Coast Inn and Governor's Restaurant): The council reviewed renewals for a lodging license and a Class C Victualer/Liquor license. A public hearing was held with no comments.

- **Motion:** To approve the business license renewals for Atlantic Coast Inn and Ellgovs LLC d/b/a Governor's Restaurant and Bakery.
- **Moved:** Councilor Shea. **Seconded:** Councilor O'Halloran
- **Result:** Approved Unanimously.

14. Council Order #022601: New Ellsworth Recount Policies and Procedures Manual: Deputy City Clerk Katlyn Miller and Social Services Director/Deputy Clerk KaTina Vanadestine presented

a new manual designed to codify the successful procedures used during a recent close municipal election recount.

- **Motion:** To approve and adopt the policy and procedures for the recount process for the City of Ellsworth as presented.
- **Moved:** Councilor M. Smith; **Seconded:** Councilor Shea.
- **Result:** Approved Unanimously.

15. Council Order #022602: Update on Surplus City Properties: Tax Collector Sue McLean provided an update on a new state-mandated process for selling tax-acquired properties through realtors. She is currently compiling a comprehensive inventory of all city-owned properties.

- **Result:** Informational only; no action taken.

16. Council Order #022603: Amendment to City Charter – Library Trustees” The Library Board of Trustees requested to increase the number of trustees from five to seven to better distribute the workload.

- **Motion:** To approve the request of the library board of trustees to amend the Ellsworth City Charter to increase the number of trustees from 5 to 7.
- **Moved:** Councilor White. **Seconded:** Councilor M. Smith.
- **Result:** Approved Unanimously.

17. Council Order #022604: Charter Amendment to June 9, 2026, Municipal Election: The board requested the proposed trustee amendment be sent to the June ballot.

- **Motion:** To approve the request of the library board of trustees to send the proposed amendments to the City Charter to the June 9, 2026, municipal election.
- **Moved:** Councilor M. Smith. **Seconded:** Councilor O’Halloran.
- **Result:** Approved Unanimously.

18. Council Order #022605: Proposal to Lease a Building for City Operational Needs: Discussion centered on leasing a building (the Jordan property) to house school buses and other department equipment and house the Water and Parks and Recreation departments. Some councilors and citizens argued for building a city-owned facility in Ellsworth rather than leasing in Hancock. Superintendent Amy Boles emphasized the immediate need, as current bus storage is inadequate and the lease expires in May.

- **Motion:** Not to authorize the City Manager to negotiate lease terms for the Jordan property and return to the Council with a proposed agreement for review and approval.
- **Moved:** Councilor Shea. **Seconded:** Councilor O’Halloran.
- **Result:** Failed, 2-5
- **Motion:** To authorize the City Manager to negotiate lease terms for the Jordan property and return to the Council with a proposed agreement for review and approval.
- **Moved:** Councilor N. Smith; **Seconded:** Councilor Martineau.

- **Result:** Approved, 5-2 (Councilors O'Halloran and Shea opposed)

19. Council Order #022606: User Rates for Ellsworth Water Department: A two-step rate increase was proposed for July 2026 and July 2027 to generate 14% more revenue for upcoming debt service on a new treatment plant. A public hearing was held with no comments.

- **Motion:** To approve the water department's water rate increase per the rate case filing.
- **Moved:** Councilor Shea. **Seconded:** Councilor N. Smith.
- **Result:** Approved, 6-1 (Councilor O'Halloran opposed)

20. Council Order #022607: Creation of New Tax Increment Financing (TIF) Districts: Economic Development Director Twila Fisher presented plans for new "Central Corridor" and "Downtown Corridor" TIF districts to capture revenue from recent growth for infrastructure and housing projects.

- **Result:** Informational only; no action taken.

21. Council Order #022608: City Hall Security and Safety Plan: Deputy City Manager Sara Devlin recommended implementing phased security upgrades at City Hall due to a recent increase in disruptive and intimidating interactions directed at staff.

- **Motion:** To authorize the City Manager to implement phased recommendations from the City Hall physical security and safety plan.
- **Moved:** Councilor Shea. **Seconded:** Councilor M. Smith.
- **Result:** Approved, 6-1 (Councilor O'Halloran opposed)

Councilors unanimously agreed to move item #23 before #22 as it was the first step in security measures approved in item #21.

23. Council Order #022610: Enhanced Security and Access Control Measures: IT Administrator Jason Ingalls requested \$18,000 to upgrade City Hall to a modern web-based access control system with key fobs and video intercoms.

- **Motion:** To authorize \$18,000 from the City Hall reserve account for the purchase and implementation of enhanced security and access control measures.
- **Moved:** Councilor M. Smith. **Seconded:** Councilor White.
- **Result:** Approved, 6-1 (Councilor O'Halloran opposed)

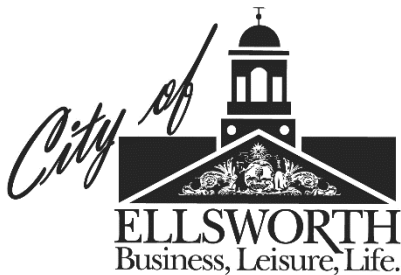
22. Council Order #022609: Bid Proposal for City Hall Window and Door Replacement: Parks and Recreation and Facilities Director Roddy Ehrlenbach presented a bid from Mainly Vinyl for Phase 1 repairs to leaking original 1935 windows and a non-compliant south door.

- **Motion:** To authorize acceptance of the bid from Mainly Vinyl in the amount of \$39,565, plus up to \$12,000 for hardware, not to exceed a total of \$51,565 from the City Hall reserve account.
- **Moved:** Councilor Shea. **Seconded:** Councilor O'Halloran.

- **Result:** Approved Unanimously.

24. Adjournment

- **Motion:** To adjourn.
- **Moved:** Councilor N. Smith. **Seconded:** Councilor Shea.
- **Result:** Approved Unanimously.



Arbor Commission

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 667-2563

ellsworthmaine.gov

Memo

To: City Council

From: Arbor Commission

Date: March 16, 2026

Re: Appointment of Austin Schuver to the Commission

Suggested Motion:

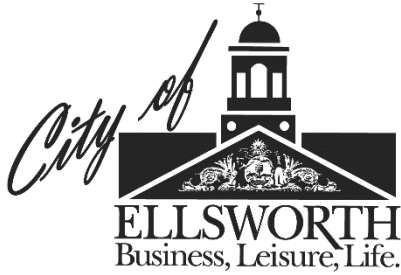
Move to approve the request of the Arbor Commission to appoint Austin Schuver as a member of the commission with a term expiring 6/30/26.

Background:

The Arbor Commission has had a vacancy since last fall and would like to recommend adding Austin Schuver as a new member. His appointment would be until 6/30/2026 to be in line with all the current terms, until the commission sets their membership guidelines.

Below is Austin's bio:

Austin Schuver is the Director of Land Protection for Frenchman Bay Conservancy, Ellsworth's local land trust. FBC manages 2,894 acres of conserved land in Ellsworth including FBC-owned preserves like Jordan Homestead and easements like the 447-acre conservation easement on the Branch Lake Public Forest. Austin first started at FBC in 2017. He was a member of the steering committee that wrote the Ellsworth Green Plan in 2021. Austin has led or been involved in multiple town-partnered community conservation projects in multiple states, including several in Ellsworth. Austin holds a Master of Science in resource conservation from the University of Montana with original research on climate adaptation and a degree in human ecology from College of the Atlantic. Austin lives in Hancock where he serves on the resilience planning committee and the appeals board.



Historic Preservation Commission

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 667-2563

ellsworthmaine.gov

Memo

To: City Council
CC: Charles Pearce, City Manager
From: Historic Preservation Commission
Date: March 16, 2026
Re: Approval of Membership Changes

Suggested Motion:

Move to approve the request of the Historic Preservation Commission to appoint alternate member William Fogle as a regular member with a term expiring 6/30/2027.

Background:

William Fogle was appointed as an alternate for the Historic Preservation Commission on 2/18/25. He was a past member of the commission and has been a longtime admirer and supporter of historic buildings. He was the President of the Ellsworth Historical Society from 2019-2022 and 2025 to present, past vice chair of the Historic Preservation commission, Champion/leadership of rehabilitation of the 1886 Old Sheriff's home and jail, a past board member of Heart of Ellsworth and a researcher/writer of several articles on endangered Ellsworth properties.

His appointment as a regular member would fill their vacancy and keep their terms expiring on staggering years.

Mount Desert Island and Ellsworth Housing Authorities

80 Mount Desert Street, Bar Harbor, Maine 04609

Phone 207-288-4770 | Fax: 207-288-4559 | TTY 207-288-4770

February 4, 2026

The Honorable City Council Members
The Honorable City Manager, Charles Pearce
City of Ellsworth
1 City Hall Plaza
Ellsworth, ME 04605

Dear Mr. Pearce and Ellsworth City Council Members:

The City of Ellsworth Housing Authority respectfully requests your consideration of the appointment of Ms. Sarah Bowden to the Ellsworth Housing Authority Board of Commissioners. Her term would start immediately and expire in January of 2029, at which point she could then seek a five-year term reappointment.

Ms. Bowden is a resident of the City of Ellsworth. She is the founder and Executive Director of the Community Closet, in Ellsworth, a non-profit that provides access to clothing and hygiene products at low or no cost to vulnerable, low-income residents. As one who is familiar with volunteer service, community outreach, and non-profit organization and administration, her service on The Ellsworth Housing Authority Board would be an asset.

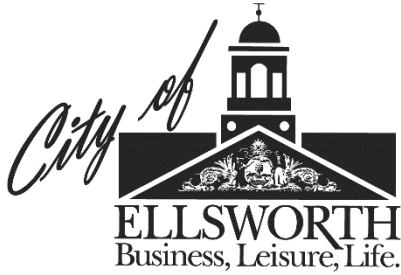
We appreciate your consideration; the Commissioners and I agree that her appointment would benefit The Housing Authority, and the City of Ellsworth, and that she'll serve with diligence and integrity.

Sincerely,



Weston T. Brehm
Executive Director

WTB/tlh



Memo

To: Ellsworth City Council

CC: Charlie Pearce, *City Manager*

From: Roddy Ehrlenbach, *Director, Parks, Recreation & Facilities*

Date: March 16th, 2026

Subject: Recommendation to Notify the Commissioner of the Department of Marine Resources of the City's Intent to Harvest Alewives

Suggested Motion

Move to authorize the City Manager to notify the Commissioner of the Maine Department of Marine Resources of the City of Ellsworth's intent to exercise its right to harvest alewives from the Union River pursuant to Maine Revised Statutes Title 12, Section 6131.

Background

Alewives are an anadromous fish species that migrate annually from the ocean into freshwater rivers and lakes to spawn. Maine law provides municipalities with the authority to regulate and harvest alewives in waters within their jurisdiction.

Under MRSA Title 12 §6131, municipalities may exercise the right to take alewives from rivers, streams, and lakes within their boundaries provided that the municipality formally notifies the Commissioner of the Department of Marine Resources, prior to April 20th of each year, and manages the fishery in accordance with applicable state regulations.

Historically, the Union River has supported alewife runs, and the exercise of municipal harvesting rights can:

- Support sustainable fisheries management
- Provide economic opportunity through the sale of harvested fish
- Contribute to ecological stewardship of river systems
- Maintain local oversight of an important natural resource

Existing Contract to Lease Harvesting Rights

The City entered a contract with Mr. Richard Welch of Franklin, now residing in Eastbrook, in March of 2017. In September of 2021 the contract was amended to add Mr. Alan Atherton as a

secondary party or successor. This contract leases the right to harvest alewives to Mr. Welch and Mr. Atherton under the following conditions:

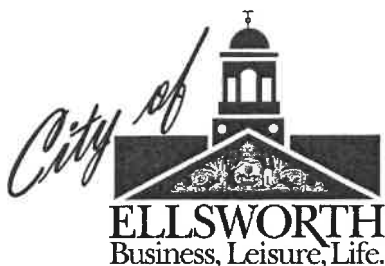
- Lessee shall provide all equipment, personnel, training and insurances necessary to conduct harvesting operations.
- Lessee agrees to abide by all federal, state and local rules and regulations regarding the harvesting of alewives.
- Lessee shall sell the harvested alewives pursuant to the agreement and the City shall receive 50% of the proceeds.
- Lessee is an agent of the City and shall comply with any harvesting plan approved by the Department of Marine Resources.
- The City will annually exercise its right to harvest alewives.

Of note; This contract is due to expire in March of 2027 but does contain a clause allowing a 5-year extension. It is the responsibility of Mr. Welch / Mr. Atherton to notify the City of their desire to extend it 6 months prior to the expiration of this contract.

Proposed Action

The City Council authorizes the City Manager, or their designee, to formally notify the Commissioner of the Maine Department of Marine Resources that the City of Ellsworth intends to exercise its right to harvest alewives from the Union River, in accordance with MRSA Title 12 §6131.

Upon approval, City staff will coordinate with the Department of Marine Resources to ensure compliance with all regulatory requirements and to develop appropriate operational and management procedures for the fishery.



Harbor Commission

1 City Hall Plaza • Ellsworth, ME 04605

Phone (207) 667-2563

ellsworthmaine.gov

To: Ellsworth City Council

From: Ellsworth Harbor Commission

Date: March 16th, 2026

Subject: Recommendation – Municipal Alewife Harvest Rights on the Union River

Recommendation

The Ellsworth Harbor Commission recommends that the Ellsworth City Council authorize the City to notify the Commissioner of the Maine Department of Marine Resources of the City's intent to exercise its municipal right to harvest alewives from the Union River pursuant to Maine Revised Statutes Title 12 Section 6131.

Benefits to the City

Supports Harbor Operations

Revenue from the alewife harvest supports harbor operations and waterfront infrastructure. The fishery generated approximately \$40,000 in revenue during the last fiscal year, providing a valuable funding source for harbor-related activities.

Local Resource Stewardship

Municipal participation ensures the fishery is managed responsibly in coordination with the Department of Marine Resources while supporting long-term sustainability of alewife populations.

Working Waterfront & Economic Value

The fishery supports local marine industries and maintains the historic use of the Union River as a productive marine resource.

Harbor Commission Position

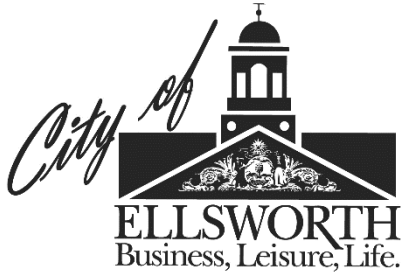
The Ellsworth Harbor Commission supports continued municipal management of the alewife fishery and believes exercising the City's authority under MRSA Title 12 §6131 protects an important natural resource while generating revenue to support harbor functions.

Respectfully submitted,

Ellsworth Harbor Commission

A handwritten signature in dark ink, appearing to read 'Mark Remick', is written over a horizontal line.

Mark Remick, Chair



City Clerk's Office

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 669-6680

edowling@ellsworthmaine.gov

Memo

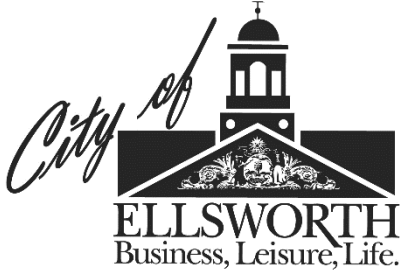
To: City Council
CC: Charles Pearce, City Manager
From: Ebony Kramp-Dowling
Date: March 16, 2026
Re: Business License Renewals

Suggested Motion:

Move to approve the Business License renewals as presented.

Background:

All licensing fees have been paid, inspections done and licensed signed off on by all required departments.



Director of Economic Development

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 812-1853

ellsworthmaine.gov

Memo

To: City Council

From: Twila Fisher, Economic Development Director

Date: March 4, 2026

Re: Proposed Ellsworth Central Corridor Omnibus Municipal Tax Increment Financing District and Development Plan, DECD application, and City of Ellsworth TIF Committee

Suggested Motion

- *Move to approve by Council Order the creation of the Ellsworth Central Corridor Omnibus Municipal Tax Increment Financing District and Development Plan as requested by the Economic Development Director and the City Manager, and creation of a TIF committee.*
- *Move to authorize submission of the Central Corridor TIF application to DECD on or before March 31, 2026.*

Overview

Ellsworth is a service-center city with full-time fire and EMS, regional schools, downtown infrastructure, and municipal water and sewer systems serving a population well beyond its resident count. While Ellsworth's mill rate and median tax burden remain comparatively low, to other rural service center cities in Maine, the pace of growth is placing increasing strain on roads, sidewalks, stormwater systems, traffic infrastructure, and downtown facilities.

Establishing the Central Corridor TIF at this time of expansion addresses these challenges and preserves options for the City at no immediate cost, while positioning Ellsworth to address infrastructure needs without shifting the burden onto existing taxpayers. Failing to fully maximize the benefits of TIF that currently secures a \$.58 on the dollar value for the City for TIF-eligible projects is fiscally inefficient -- like declining a tax credit while paying full price for expenses that qualify for a discount.

The proposed Central Corridor Omnibus Municipal Tax Increment Financing District and Development Plan ("Central Corridor TIF") creates a new TIF district for 32 properties along or in proximity to High Street, Downeast Highway, and Douglas Highway and includes

approximately 350 acres. The district will capture up to 100% of the increased assessed value from properties in the district with the two-year lookback permitted by the State of Maine and will use these TIF revenues for municipal projects and expenditures outlined in the development plan, including roads, sidewalks, stormwater systems, traffic improvements, public facilities, grant matches, and economic development activities within the district, as necessitated by creation of the district, and in some instances, in the greater Ellsworth community. The City will continue collecting full base taxes to support the general fund and services, and any unused TIF tax revenue capture will return to the general fund. There are no credit enhancement agreements (CEAs) proposed for the district at this time. Any future requests for CEAs will be brought to Council for consideration and approval. At all times, City management commits to full transparency and reporting requirements with Council and the public. To this end, as part of the TIF application approval, a new TIF Committee is recommended for immediate instatement, comprised of 7 members initially but can include up to 9 members appointed by Council, including:

1. City Manager or designee (Chair)
2. Economic Development Director
3. Finance Director
4. Planning Board Member
5. City Council Liaison
6. Representative of the business community
7. Ellsworth resident with relevant experience

**Additional non-voting technical advisors may participate as needed.*

The City Manager, staff, and Council liaison can approve applicants for the final two seats (business community representative, and Ellsworth resident.)

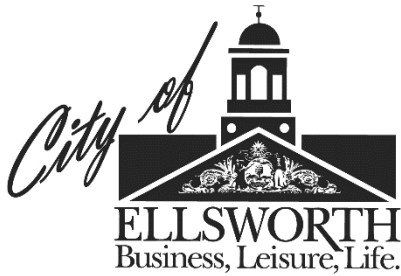
The Central Corridor TIF is designed to be flexible, transparent, and fiscally prudent. If Ellsworth does not strategically capture and reinvest a portion of new valuation growth the City could face:

- Infrastructure costs will increasingly fall on existing taxpayers
- Deferred maintenance will accelerate
- Slow or stalled growth due to inadequate public facilities
- Declining State revenue sharing and school funding as valuation rises without corresponding local reinvestment
- Difficult tradeoffs between infrastructure investment and core services, including public safety and education

The state of Maine encourages the creation of TIF districts to support growing communities that strategically deploy TIF. Municipalities that do so are better positioned to reinvest in infrastructure, stabilize tax rates, promote new housing development, maintain public safety services, and preserve state aid.

Recommended Action

1. Vote to approve by Council Order the proposed Ellsworth Central Corridor Municipal Tax Increment Financing District and Development Plan and creation of a TIF Committee.
2. Authorize the City Manager and/or assignee(s) to submit the application for the Central Corridor TIF district to DECD by March 31, 2026, following required public notice and hearing at the March 16, 2026 City Council meeting.



Director of Economic Development

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 812-1853

ellsworthmaine.gov

Memo

To: City Council

From: Twila Fisher, Economic Development Director

Date: March 4, 2026

Re: Proposed 2026 City of Ellsworth Downtown Development Plan

Suggested Motion

Move to approve the 2026 City of Ellsworth Downtown Development Plan as requested by the Economic Development Director and the City Manager.

Overview

Downtown Ellsworth is at an important moment in its evolution. The City's current downtown planning framework was established through the 2008 Downtown Revitalization Plan, which provided valuable guidance for nearly two decades and helped support several improvements to the downtown environment. However, that document needs updating to better reflect the economic conditions, housing needs, redevelopment opportunities, and implementation tools available to the City today.

Since the adoption of the 2008 plan, Ellsworth has experienced significant growth and change. Population increases, regional economic expansion, housing shortages, and the growing importance of Ellsworth as a service and commercial center for Hancock County have all created new pressures and opportunities within the downtown corridor. In addition, the City has recently completed several major planning efforts and was the recipient of the Maine DOT Village Partnership Initiative program that all identify the downtown as a priority area for investment and redevelopment. Updating the Downtown Development Plan ensures that these more recent planning initiatives are coordinated into a single, actionable strategy.

Adopting the proposed 2026 City of Ellsworth Downtown Development Plan is particularly important as the City applies for the Ellsworth Downtown Corridor Omnibus Municipal Tax Increment Financing District. Under Maine law, a clearly articulated development program is necessary to guide how TIF revenues will be invested and to demonstrate that captured tax increment will be used to stimulate economic growth, expand employment opportunities, and strengthen the local tax base. An updated downtown plan provides the policy framework and project priorities needed to support that effort. It identifies strategic infrastructure investments,

redevelopment opportunities, housing initiatives, and public realm improvements that can be implemented using TIF resources.

Specifically, DECD requires the following components to be strategically addressed the Downtown Plan, which help to hold the City responsible for how it uses the downtown TIF revenues:

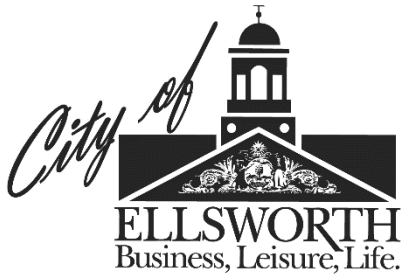
- Capital Improvement Program (CIP) projects designated for the downtown
- Employment opportunities
- Inventory of retail/commercial space
- Infrastructure availability and condition
- Maps, including an inventory of parking spaces
- Public input from prior studies and ongoing community engagement
- Recreation opportunities
- Available residential units in the downtown
- Review of zoning and ordinances impacting the downtown
- Active transportation/walkability considerations
- Survey (existing or forthcoming) of buildings and their conditions

The updated plan also reflects current best practices in downtown revitalization, emphasizing mixed-use development, workforce housing, improved walkability, waterfront access, small business support, and coordinated public-private investment. By clearly outlining a 10-year vision and implementation strategy, the plan provides a roadmap for leveraging public investment to attract private development and expand Ellsworth's role as a regional economic center.

Adopting the 2026 Downtown Development Plan modernizes the City's long-term strategy for downtown revitalization, aligns with recently completed planning efforts, and establishes the foundation necessary to implement a Downtown Corridor TIF district. Taken together, these steps position Ellsworth to guide future growth thoughtfully, strengthen the downtown economy, and ensure that new investment benefits residents, businesses, and the broader community for years to come.

Recommended Action

1. Vote to adopt the proposed 2026 City of Ellsworth Downtown Development Plan.



Director of Economic Development

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 812-1853

ellsworthmaine.gov

Memo

To: City Council

From: Twila Fisher, Economic Development Director

Date: March 4, 2026

Re: Proposed Ellsworth Downtown Corridor Omnibus Municipal Tax Increment Financing District and Development Plan

Suggested Motion

- *Move to approve by Council Order the creation of the Ellsworth Downtown Corridor Omnibus MTIF and Development Plan as requested by the Economic Development Director and the City Manager.*
- *Move to authorize submission of the application to DECD on or before March 31, 2026.*

Overview

Ellsworth is a service-center city with full-time fire and EMS, regional schools, downtown infrastructure, and municipal water and sewer systems serving a population well beyond its resident count. While Ellsworth's mill rate and median tax burden remain [comparatively low](#), the pace of growth is placing increasing strain on roads, sidewalks, stormwater systems, traffic infrastructure, and downtown facilities.

Establishing the Downtown Corridor TIF at this time of expansion addresses these challenges and preserves options for the City at no immediate cost, while positioning Ellsworth to address infrastructure needs without shifting the burden onto existing taxpayers. Failing to fully maximize the benefits of TIF that currently secures a \$.58 on the dollar value for the City for TIF-eligible projects is fiscally inefficient -- like declining a tax credit while paying full price for expenses that qualify for a discount.

The proposed Ellsworth Downtown Corridor Omnibus Municipal Tax Increment Financing District and Development Plan (“Downtown Corridor TIF”) creates a new TIF district for 300 parcels along or in proximity to Main Street, Water Street, State Street, Bucksport Road, Franklin Street, Elm Street, Pine Street, Hancock Street, and Deane Street, and includes 314.5 acres. Creating this District aligns with the 2012 amended Beckwith Hill TIF that foresaw the benefit of a future downtown TIF district, designating up to \$100,000 to be “ported” for costs associated with infrastructure improvements in the Downtown. Securing the Downtown Corridor TIF now allows the City to begin using these portage funds to address immediate infrastructure concerns, like the Bayside Road – also outlined in the Beckwith Hill Development Plan.

The Downtown Corridor TIF will capture up to 100% of the increased assessed value from properties in the District with a two-year lookback permitted by the State of Maine and will use the sheltered TIF revenues for municipal projects and expenditures outlined in the 2026 Downtown Development Plan, including roads, sidewalks, stormwater systems, traffic improvements, public facilities, grant matches, and economic development activities within the district, as necessitated by creation of the district, and in some instances, in the greater Ellsworth community. The City will continue collecting full base taxes on the District parcels to support the general fund and services, and any unused TIF tax revenue capture will be returned to the General Fund at the end of each fiscal year. There are no credit enhancement agreements (CEAs) proposed for the district at this time. Any future requests for CEAs will be brought to Council for consideration and approval. At all times, City management commits to full transparency and reporting requirements with Council and the public. The Downtown Corridor TIF activities and expenditures will be governed by City Council and the City of Ellsworth TIF Committee.

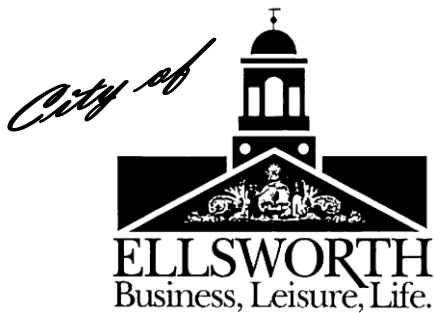
The Downtown Corridor TIF is designed to be flexible, transparent, and fiscally prudent. If Ellsworth does not strategically capture and reinvest a portion of new valuation growth the City could face:

- Infrastructure costs will increasingly fall on existing taxpayers
- Deferred maintenance will accelerate
- Slow or stalled growth due to inadequate public facilities
- Declining State revenue sharing and school funding as valuation rises without corresponding local reinvestment
- Difficult tradeoffs between infrastructure investment and core services, including public safety and education

The state of Maine encourages the creation of TIF districts to support growing communities that strategically deploy TIF. Municipalities that do so are better positioned to reinvest in infrastructure, stabilize tax rates, promote new housing development, maintain public safety services, and preserve state aid.

Recommended Action

1. Vote to approve by Council Order the proposed Ellsworth Downtown Corridor Municipal Tax Increment Financing District and Development Plan.
2. Authorize the City Manager and/or assignee(s) to submit the application for the Downtown Corridor TIF District to DECD on or before March 31, 2026, following required public notice and hearing at the March 16, 2026 City Council meeting.



Office of Human Resources

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6603 ▪ Fax (207) 667-6633

www.ellsworthmaine.gov

Memo

To: City Council
From: Kerri Taylor, Human Resources Manager
CC: Charles Pearce, City Manager
Date: March 10, 2026
Re: Amendments to City of Ellsworth Code of Ordinances, Chapter 34, Personnel Ordinance.

Potential Motion:

Move to adopt Amendments to the City of Ellsworth Code of Ordinances, Chapter 34, Personnel Ordinance as presented.

Purpose

The purpose of this memorandum is to provide the City Council with information regarding a potential amendment to Chapter IV, Compensation, Section 2, Overtime of the City's Personnel Ordinance.

The proposed amendment would add the following language:

"Except as otherwise permitted by policy adopted by the City Council [or City Manager], exempt employees are not eligible for overtime."

This memo is intended to outline the background of the issue, explain the potential implications of the amendment, and provide considerations for the Council as it determines whether or not to proceed with the proposed change.

Background

Under the current Personnel Ordinance, employees whose positions are classified as exempt are not eligible to receive overtime compensation. This approach aligns with common wage and hour practices and reflects the expectation that exempt employees perform the duties of their position regardless of the number of hours required.

However, for several years the Police Department's administrative staff (Chief, Deputy Chief, and Captain) have occasionally covered patrol and dispatch shifts during operational staffing shortages. When performing these duties, they have been compensated with overtime pay.

While this practice has occurred operationally for some time, it is technically inconsistent with the current ordinance language, as these administrative positions are classified as exempt employees.

Finance Committee Review

This matter was discussed with the Finance Committee prior to consideration by the full City Council.

During that discussion several points were noted:

- The use of exempt police administrators to cover patrol or dispatch shifts can provide operational flexibility during staffing shortages.
- The current Personnel Ordinance language does not allow for overtime compensation for exempt employees, creating a technical inconsistency with the existing operational practice.
- There are no federal or state laws prohibiting a municipality from compensating exempt employees with overtime, provided the municipality chooses to allow it.

Proposed Amendment

The proposed amendment would clarify that:

- Exempt employees remain generally ineligible for overtime, consistent with the original intent of the ordinance.
- The City Council or City Manager could authorize exceptions through policy when operational circumstances warrant it.

This approach would maintain the overall framework of the ordinance while allowing for limited administrative flexibility if the Council chooses to permit such exceptions.

Considerations for the City Council

As the Council considers whether to adopt the proposed amendment, there are several potential advantages and concerns to weigh.

Potential Advantages

- Clarifies and aligns the Personnel Ordinance with current operational practices that have developed within the Police Department.
- Provides flexibility to address staffing shortages or emergency coverage situations.
- Establishes a formal mechanism for authorizing exceptions rather than continuing a practice that technically conflicts with the ordinance language.

Potential Concerns

- Allowing overtime for exempt employees could be viewed as inconsistent with the traditional purpose of exempt classification, which is generally based on salary rather than hours worked.

- Establishing exceptions could create expectations for overtime eligibility among other exempt employees in the organization.
 - Depending on how frequently such coverage occurs, the practice could create additional personnel costs for the City.
 - Policy-based exceptions may require clear guidelines to ensure consistent application across departments and avoid potential perceptions of inequity.
-

Conclusion

The issue before the Council involves determining whether the Personnel Ordinance should remain unchanged or be amended to allow for limited exceptions to the prohibition on overtime for exempt employees.

The proposed language is intended to address an operational practice that has developed over time while preserving the overall structure of the City's compensation policies. The City Council may determine whether to adopt the amendment as presented, modify the language, or maintain the existing ordinance.



ELLSWORTH POLICE DEPARTMENT
416 HIGH STREET
ELLSWORTH, MAINE 04605
Tel. 207-667-2133 Fax 207-664-0521



Chief Troy Bires
tbires@ellsworthmaine.gov

Deputy Chief Shawn Willey
swilley@ellsworthmaine.gov

Memo

To: City Council
CC: Charles Pearce, City Manager
From: Troy Bires, Police Chief
Date: March 16, 2026
Re: Forfeiture of Funds

Suggested Motion:

Move to approve the request of the Police Chief to accept Criminal Forfeiture funds.

Background:

On April 8, 2024, The Ellsworth Police Department conducted a joint investigation with MDEA into drug trafficking at the Hawthorn Inn, located at 215 High Street in Ellsworth. As a result, a suspect from Lewiston, Maine, had been arrested for drug trafficking, drugs and cash in the amount of \$566.00 was seized as evidence.

On February 11, 2026, I received the attached notification from the State of Maine Attorney General's office stating the \$566.00 in cash has been ordered forfeited by the court and the money needs to be approved by the municipal legislative body authorizing the release to the municipal law enforcement agency, (Ellsworth Police Department).

Thank You for Your Attention in this matter,


Troy Bires, Chief of Police

AARON M. FREY
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

125 PRESUMPSHOT ST., SUITE 26
PORTLAND, MAINE 04103
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

February 11, 2026

Chief Troy Bires
Ellsworth Police Department
416 High Street
Ellsworth, ME 04605

RE: State of Maine v. Asa J. Polk
Hancock County Unified Criminal Court
Doc. No. CR-24-337
Criminal Forfeiture
Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

Dear Chief Bires:

Enclosed please find a draft Approval form for submission to the municipal officers.

Please inform the municipal officers that:

A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) **if subsequently ordered forfeited by the Court;**

B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture "approval" and a "continuing resolution" of approval cannot be accepted;

C. As with all forfeitures, an approval of a transfer by the municipal legislative body does not guarantee either that the Defendant(s) In Rem will in fact be forfeited or, if forfeited, that the Court will order the item(s) transferred to the approving Department, Agency, County or Municipality. The municipal legislative body's approval only signifies that, if the Defendant(s) In Rem are in fact ordered forfeited and, if the Attorney General and the Court agree to a transfer of all or part of the Defendant(s) In Rem to a Department, Agency, County or Municipality based upon the "substantial contribution" of that Department, Agency, County or Municipality, then that entity is in fact, willing to accept the Defendant(s) In Rem or portions thereof. In order to streamline what is

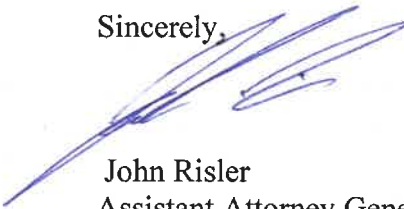
otherwise a cumbersome forfeiture process, it is our practice to seek State, county or municipal approval in anticipation of the final order of forfeiture. However, final forfeiture is not guaranteed and both the municipal legislative body and the law enforcement agency involved are **cautioned** that they **should not encumber** funds or property until a Final Order granting them lawful title to the property is delivered to them;

D. Under the provisions of the Forfeiture Statute, if the municipal legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund.

Assuming your municipal legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is "embossed" with the seal of the municipality. Then, please return the **original** to me for filing, and retain a copy for your records.

My sincere thanks for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



John Risler
Assistant Attorney General

JR/ml
Enclosure

STATE OF MAINE
HANCOCK, ss

UNIFIED CRIMINAL COURT
ELLSWORTH
Docket No. HANCD-CR-2024-00337

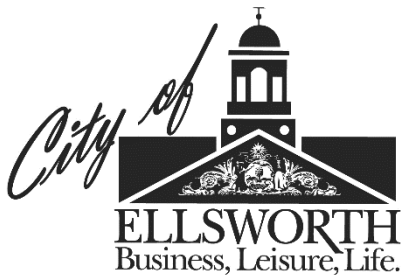
State of Maine	}	
	}	
v.	}	Municipality of Ellsworth
	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3)
Asa J. Polk	}	
Defendant;	}	
	}	
And	}	
	}	
\$566.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the Municipality of Ellsworth, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, namely \$566.00 U.S. Currency, or any portion thereof, on the grounds that the Ellsworth Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the Municipality of Ellsworth, Maine, does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Ellsworth municipal legislative body on or about

Dated: _____

Municipal Officer
Ellsworth, Maine
(Impress municipal legislative body seal here)



City Clerk's Office

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 667-2563

ellsworthmaine.gov

Memo

To: City Council

CC: Charles Pearce, City Manager

From: Ebony Kramp-Dowling

Date: March 16, 2026

Re: City Council Remote Participation Policy for subcommittee

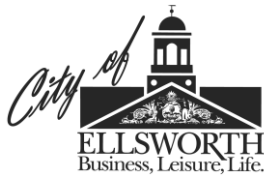
Suggested Motion:

Move to approve the amended City of Ellsworth City Council Remote Participation Policy as presented.

Background:

Several recent Finance Committee meetings have been canceled due to snowstorms. A question was raised regarding the ability to conduct these meetings remotely, similar to regular City Council meetings. The City Attorney has advised that the current policy is legally sufficient to cover Council subcommittees; however, clarifying the language by explicitly including them would be advisable.

I have reviewed the policy and incorporated language to expressly address Council subcommittees. The City Attorney has reviewed the proposed revisions to ensure they are legally adequate.



City of Ellsworth City Council REMOTE PARTICIPATION POLICY

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named City Council adopts the following policy to govern the participation, via remote methods, of members of the Council and the public in the public proceedings or meetings of the Council **or their subcommittees**.

Members of the Council **or subcommittee(s)** are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the Council **or subcommittee(s)** to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair of the Council **or subcommittee(s)**, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair of the Council **or subcommittee(s)** as far in advance as possible.

Remote methods of participation may include telephonic, or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

If public input is required at the meeting, an effective means of communication between the Council **or subcommittee(s)** and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire Council **or subcommittee(s)** to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The Council **or subcommittee(s)** will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the Council **or subcommittee(s)** to meet using remote methods of attendance.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of

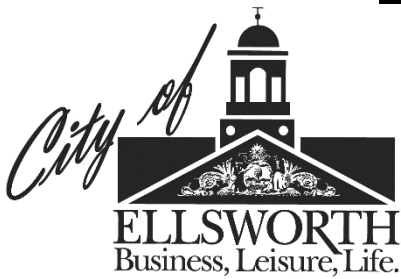
the Council **or subcommittee** and the public. A member of the Council **or subcommittee(s)** who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: 08/15/2022

Adopted 8/15/2022

Amended 3/16/2026



Parks & Recreation and Facilities

1 City Hall Plaza ▪ Ellsworth, ME 04605

Phone (207) 667-2563

ellsworthmaine.gov

Memo

To: City Council

CC: Charles Pearce, City Manager

From: Roddy Ehrlénbach, *Director, Parks & Recreation and Facilities*

Date: March 16th, 2026

RE: Recommendation to Award Proposal, Knowlton Park Playground Upgrade (Phase I)

Suggested Motion

To acknowledge the Recreation Commission's selection of GameTime as the selected vendor for the Knowlton Park Playground Upgrade and to authorize the City Manager and the Parks & Recreation Department to issue a Letter of Intent to begin preliminary design, engineering, and budgeting discussions for a project anticipated for installation in Spring 2027.

Background

As part of the City's ongoing efforts to replace the aging 22-year-old playground at Knowlton Park, the Parks & Recreation Department conducted a community playground needs assessment during the 2025 Autumn Gold Days Family Fun Zone. Children under the age of 12 were asked to identify their preferred play features from a selection of twenty illustrated amenities. The most popular selection was a cabled-system climbing structure, which has been identified as the proposed centerpiece of the Phase I installation.

The Department issued a formal Request for Proposals (RFP) for the procurement of a commercial-grade cabled-system climbing structure suitable for municipal park use, as Phase I of this project. The RFP also included design and pricing for the removal and replacement of the existing playground structures as Phase II. The anticipated schedule is for the Spring 2026 installation of the cabled system climber, to act as the centerpiece of our upcoming fundraising efforts. Removal, disposal and replacement of the existing playground is intended for Spring 2027.

Proposals were received and reviewed in accordance with the evaluation criteria established in the RFP.

Evaluation Process

Proposals were evaluated by a scoring committee comprised of members of the Recreation Commission, and Planning and Parks & Recreation staff. The committee reviewed submissions based on:

- Equipment quality and suitability
- Compliance with specifications and safety standards
- Cost competitiveness
- Vendor experience and qualifications
- Warranty and durability
- Delivery and installation timeline

Proposal	Maine Rec & Design	Ben Schaeffer	GameTime	Pine State Rec	UltiPlay
Scorer:					
Kim F.	86	93	100	87	94
Melinda W.	80	70	75	85	75
Brittany M.	77	70	88	84	86
Roddy E.	87	78	93	80	89
Totals:	330	311	356	336	344

Based on the scoring results, the committee favors the proposal submitted by GameTime, having achieved the highest composite score and offering the proposal determined to be in the best interest of the City.

Financial Considerations

While the project was initially anticipated to be funded through a combination of Knowlton Park capital funds, Knowlton Property funds, and reserve accounts, current financial conditions require the City to carefully manage existing capital allocations.

At this time, the Department does not believe it would be prudent to expend funds currently allocated to Knowlton Park capital improvements that may be needed to address budget overages within the Miscellaneous City Property cost center.

For this reason, the Department is not recommending contract award or expenditure of funds at this time.

Proposed Path Forward

Although the project is not recommended to proceed to construction in 2026, the Recreation Commission believes it would be beneficial to continue advancing the planning phase of the project.

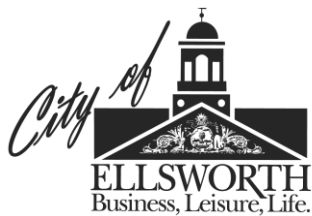
The Commission therefore recommends allowing the City Manager and Parks & Recreation Department to issue a Letter of Intent to the selected vendor for the purpose of continuing discussions regarding:

- Conceptual design
- Engineering considerations
- Refined cost estimates
- Budgeting strategies

Advancing this work now will position the City to move forward efficiently with a planned playground replacement and installation in Spring 2027, while also supporting future fundraising and capital planning efforts associated with the broader Knowlton Park improvements.

Recommendation

The Parks & Recreation Department respectfully recommends that the City Council acknowledge the Recreation Commission's selection of GameTime as the preferred vendor and authorizes the City Manager and the Parks & Recreation Department to issue a Letter of Intent to continue with design, engineering, and budgeting discussions for the Knowlton Park Playground Upgrade.



To: Ellsworth City Council

From: Charlie Pearce, City Manager

Date: 3-12-26

Re: Modernization of City Procurement Policy and Draft Ordinance for Initial Input

Background:

In December, the city council authorized contracting with OpenGov on a new digital procurement and contract management system to modernize and streamline how the city does purchasing. Staff have been working on this effort to increase over the past several months as part of the City's broader modernization of financial systems.

As part of this effort it has become clear that the city's procurement policy will need to be updated significantly to reflect modern procurement policies and utilize all aspects of the new system. The City's current procurement policy largely reflects practices developed decades ago when most bids were handled through paper submissions, mail distribution, and in-person bid openings. While the fundamentals of fairness and competitive bidding remain important, the operational mechanics of procurement across municipalities have evolved significantly. Modern procurement systems now allow cities to digitally manage solicitations, vendor outreach, evaluation scoring, contract tracking, and audit documentation, all in a centralized platform.

Updating our policy to align with these modern tools will allow the City to:

- Increase transparency and fairness in procurement processes
- Expand the number of vendors participating in City bids
- Reduce administrative time spent drafting and managing bids
- Provide clear audit trails for evaluation committees and decision making
- Track contract expiration and renewal deadlines
- Improve compliance with federal and state procurement standards
- Ultimately generate cost savings through increased competition and better purchasing practices

The OpenGov system is now operational at a basic level, and staff are continuing to build templates and workflows. As part of that process, we are proposing a full rewrite of the City's procurement policy so that the policy logic aligns with how procurement will actually function in the system.

Before bringing a finalized policy forward for adoption, there are several areas where I would appreciate early Council input for consideration.

Key Policy Areas for Council Discussion

1. Use of Cooperative Purchasing Contracts

Modern municipal procurement often allows municipalities to “piggyback” onto existing competitively bid contracts through cooperative purchasing organizations such as:

- State of Maine procurement contracts
- Sourcewell
- Pavilion
- VeriFirst / Verisource type contracts
- Other regional government cooperative purchasing programs

We recently saw the benefit of this approach with the sidewalk snow plow purchase, where the City was able to purchase equipment significantly below MSRP through an existing cooperative contract, at a price local vendors were not able to match during the initial solicitation.

Using these contracts can allow the City to obtain nationally negotiated pricing that is often substantially lower than small municipal bids.

However, cooperative purchasing also raises important policy questions about balancing cost efficiency with support for local businesses, which leads to the next discussion topic.

2. Supporting Local Businesses While Maintaining Legal Compliance

Many communities express a desire to ensure that local tax dollars support local businesses whenever possible. While this is an understandable policy goal, there are significant legal constraints.

Our legal counsel has advised that formal geographic bidding preferences are generally prohibited under the interstate commerce clause and state procurement law, particularly when:

- federal funding is involved
- the procurement exceeds certain thresholds
- competitive bidding statutes apply

While some municipalities attempt to structure local preferences informally, these approaches can expose the City to legal challenge or accusations of favoritism, particularly if a local bidder receives an award at a substantially higher cost.

The City's procurement policy must therefore strike a balance between:

- encouraging local participation in bids
- maintaining open and fair competition
- ensuring the City receives the best value for taxpayers
- avoiding legal risks related to geographic preference

Council guidance on how strongly the City wishes to prioritize this policy objective would be helpful as staff finalize the draft policy.

3. Procurement Approval Thresholds

The City's current policy requires City Council approval for purchases over \$15,000.

Our finance consultant, Sue Lessard (former Bucksport Town Manager), has recommended that this threshold be increased in order to align with practices used by many municipalities in Maine.

Many cities now operate with thresholds closer to:

- \$25,000
- \$50,000

These thresholds allow staff to handle more routine procurement efficiently while reserving Council approval for larger contracts and capital purchases, especially for items or initiatives already approved during the budget process.

However, Ellsworth's Council has historically taken pride in maintaining close oversight of procurement decisions.

For that reason, my recommendation at this time is to keep the \$15,000 threshold in place, at least during the initial implementation of the new procurement system.

Because the OpenGov system will significantly increase transparency, documentation, and auditability, we may wish to revisit this threshold in the future once the system is fully implemented and confidence in the process has been established.

4. Council Notification of Bid Openings and Awards

Another area for discussion is how Council would like to be notified of procurement activity.

Options include:

- Providing Council with notification of all sealed bids upon opening (typically including vendor name and price)
- Providing staff memos summarizing Request For Proposal (RFP) and proposal-based procurements, which often contain proprietary or negotiable elements that are not typically released publicly at the initial stage.
- Providing periodic procurement summary reports through the OpenGov system.

Because RFP proposals often involve scoring, negotiation, and qualitative review, they are typically summarized in staff memos rather than distributed in full at the initial stage.

Council feedback on preferred notification practices would be helpful.

5. Pre-Solicitation Market Research (RFI Process)

Modern procurement often includes a pre-solicitation market research phase, sometimes called a Request for Information (RFI) that can be formal postings or informal conversation with existing or potential vendors.

This process allows staff to:

- estimate project costs
- determine whether vendors are interested in bidding
- refine technical specifications
- determine whether engineering or design services are needed

Formal RFIs can improve procurement outcomes but also require additional staff time.

Council input on whether this tool should be encouraged in certain types of procurements would be helpful or if specific guidance on do's and don'ts for informal discussions on interest and price for projects from potential vendors is acceptable.

6. Potential Future Finance Department Procurement Intake

Another best practice in municipal procurement is the creation of a centralized procurement intake function within the Finance Department.

Under that model:

Department heads would describe their operational needs, but procurement staff within Finance would manage the solicitation process, including:

- drafting bid documents
- managing vendor communications
- ensuring compliance with procurement law
- maintaining procurement documentation

This structure is widely used in larger municipalities because it:

- standardizes procurement practices
- reduces legal risk
- prevents accusations of favoritism
- centralizes expertise in procurement compliance

Without this type of centralized intake, municipalities sometimes face allegations that individual departments are “prejudicing” a procurement process, even when no wrongdoing occurred.

This is a longer-term structural consideration that may warrant future discussion and it has budget implications which may not be feasible this year.

Council Role in Procurement Processes

As part of the updated policy, we may want to include language clarifying the appropriate role of City Council and other elected officials in procurement processes.

Procurement activities are administrative functions carried out by City staff in accordance with adopted policies and legal requirements.

In order to maintain the integrity and legal defensibility of procurement processes, elected officials should avoid direct communication with bidders or potential bidders during an active solicitation.

Contact between elected officials and vendors during an active procurement process can:

- create the appearance of favoritism
- undermine the fairness of the competition
- expose the City to legal challenge from other bidders

For this reason, once a solicitation is issued, all vendor communication should occur through designated staff and the official procurement platform.

This protects both the City and Council from allegations that the procurement process was influenced improperly.

Next Steps

Following Council discussion and feedback, staff will finalize the updated procurement policy and bring it back for formal Council consideration and adoption with multiple potential rounds of discussion at upcoming workshops. Besides staff costs, what the city procures is our most significant expense and doing so with sound policies is a major priority for us.

The goal of this modernization effort is to ensure that Ellsworth's procurement practices are:

- transparent, efficient, defensible and aligned with modern municipal standards

Most importantly, these improvements will help ensure the City consistently obtains the best value for taxpayer dollars while maintaining public trust in the procurement process.

Ellsworth Procurement Workflow (Proposed OpenGov Process)

Step 1 – Department Identifies Need

Department Head identifies operational need and prepares a **procurement request** including:

- description of goods or services
- estimated cost
- funding source
- recommended procurement method

Request is entered into the **OpenGov Procurement System**.

Step 2 – Finance Review

Finance Department reviews request to confirm:

- budget availability
- appropriate procurement method

- compliance with federal or state funding requirements

Finance confirms procurement pathway and releases solicitation.

Step 3 – Solicitation Issued

OpenGov publishes the solicitation to vendors.

Distribution includes:

- OpenGov vendor network
- local and regional vendors who have signed up on our portal
- optional newspaper notice when required

The system automatically:

- distributes documents
- records vendor downloads
- tracks bidder communications

Step 4 – Vendor Questions and Addenda

Vendor questions are submitted through OpenGov.

Staff responses are issued as formal addenda, so all bidders receive identical information.

This prevents:

- unequal access to information
- accusations of favoritism
- procurement challenges.

Step 5 – Bid or Proposal Submission

Vendors submit bids electronically through OpenGov.

The system automatically:

- timestamps submissions

- prevents late bids
- stores documents securely.

Step 6 – Bid Opening

At the designated time the system records the bid opening.

For sealed bids:

- vendor name
- price

are recorded.

For proposals:

- submissions move to evaluation stage.

Step 7 – Evaluation Committee

Staff evaluation committee reviews submissions.

Committee typically includes:

- Department Head
- technical staff
- finance representative when appropriate.

OpenGov records:

- scoring criteria
- evaluator scores
- final rankings.

This creates a complete audit trail.

Step 8 – Award Recommendation

Department prepares award recommendation memo including:

- evaluation results
- cost analysis
- justification for recommended vendor.

Memo reviewed by Finance and City Manager.

Step 9 – Approval

Procurement approval occurs based on thresholds:

Amount	Approval
Under \$15k	Staff
\$15k+	City Council approval

Council receives staff memo summarizing procurement process and recommendation.

Step 10 – Contract Management

Once approved, the contract is stored in **OpenGov Contract Management**.

The system tracks:

- contract expiration
- insurance certificates
- renewal deadlines
- vendor performance history.

Automatic alerts are generated for expiring contracts.

Ellsworth Procurement System

Current Process vs Modernized Process

Current Procurement System	Modernized Procurement System
Paper and email based solicitations	Digital procurement through OpenGov
Bids distributed manually to limited vendor lists	Automatic distribution to large vendor networks
Specifications drafted from scratch for each bid	Standardized bid templates

Vendor communication through informal email
Evaluation scoring often done offline
Limited documentation of procurement decisions
Contract expiration tracking done manually
Difficult to audit procurement processes
Limited vendor participation
Higher administrative workload for staff
Greater risk of procurement disputes

Centralized communication within procurement platform
Documented scoring committees with audit trails
Complete digital procurement history
Automated contract expiration alerts
Transparent procurement audit records
Increased vendor participation and competition
Streamlined procurement workflows
Strong legal defensibility



MEMORANDUM

To: City Manager Charles Pearce, Assistant City Manager Sara Devlin, and City Councilors
From: Ellsworth School Department Superintendent Amy Boles
Date: March 8, 2026
Subject: Del Luce Stadium Track Project Bid

PROPOSED MOTION: Move to authorize the School Superintendent and the City Manager to enter into a contract with Rekortan for track and field installation services in the amount of \$749,565, to be funded through the FY 26 BAN/Bond, for the installation of a new track and the leveling and reseeding of the existing soccer field.

Background and Current State of the Track:

To help orient new City Council members, I am providing historical information regarding this project as well as the bid selection information. The track at DelLuce Stadium was originally installed in the late 1980s, resurfaced once, and patched in select areas over time. Currently, the track is in a severe state of disrepair, with significant safety concerns, including:

- Cracking and crowning throughout the surface
- Slippery conditions when wet due to lack of grip
- Bare pavement showing in multiple areas
- Uneven and non-flat surfaces impacting usability
- Long jump runways lacking grip, requiring the use of a portable runway
- High jump area consisting of two different surfaces, cracking, and unsafe for jumping
- The soccer field within the track is not level, with water pooling in goal mouth areas

At the October Council meeting, the City Council approved a Bond Anticipation Note to account for $\frac{2}{3}$ of the estimated cost of the project, in the total amount of \$770,500.00

Proposed Repairs and Scope of Work

An RFP went out in January 2026 that included the following scope of work:

Project Description: The Ellsworth School Department (“Owner”) invites bids for the removal of the existing asphalt running track and the design, construction, and installation of a new, all-weather 400-meter track and in-field events area (the “Project”). The new facility must meet National Federation of State High School Associations (NFHS) specifications for competition. The facility is intended for both community access and high school athletic use.

Existing Facility Details:

Current Track Type: 8 lane asphalt base

Approximate Age of Current Surface: 37 years (Track built in 1988.)

Existing Base Condition: Track crack and crowned in areas. Slippery surfaces throughout.

Scope of Services: The Contractor shall provide all necessary labor, materials, equipment, and supervision to complete the Project, which includes, but is not limited to:

1. Site Assessment and Design:

- Conduct necessary soil borings and core sampling to verify subsurface conditions.
- Final engineering design for sub-base, drainage, pavement, and surface to ensure a minimum 20-year design life.
- Provide stamped drawings and specifications signed by a Maine-licensed Professional Engineer.

2. Demolition and Site Preparation:

- Safe removal and legal disposal of the existing track surface, curbing, and any damaged asphalt or sub-base materials.
- Repair or replacement of the existing drainage system as required by the new design.

3. Construction and Installation:

- Installation of a properly graded and compacted aggregate sub-base.
- Installation of an impervious asphalt base course (binder course and surface course).
- Installation of a new, federally-certified all-weather synthetic track surfacing system (e.g., Full Pour Polyurethane, Structural Spray, etc.), including long jump, triple jump, pole vault, high jump, shot put, discus. Bidders must specify their recommended system.
- Final line painting and marking per NFHS standards for all track and field events (long jump, triple jump, pole vault, high jump, shot put, discus).
- Installation of new track and field curbing and associated site amenities (e.g., drainage catch basins, access paths).

4. Quality Assurance and Warranty:

- Provide a comprehensive product and workmanship warranty for a minimum of five (5) years.
- Certification of the installed track for 400-meter length and performance to applicable athletic standards.

Selection of Bids: A committee of city and school officials reviewed the two bids received and participated in the scoring process. Both vendors were interviewed as part of the process. The selection of the bid went to Rekarton with a total bid amount of \$749,565.00. Rekarton was the low bidder on the project. They are a reputable national turf/track company. Prior to execution of a final contract, all references will be checked. Work is expected to begin as soon as the ground is ready and throughout the summer of 2026.

Respectfully Submitted,



Amy J Boles
Superintendent of Schools
Ellsworth School Department



