

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, September 21, 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:
 - August 17, 2026, Regular Meeting
 - August 31, 2026, Special Meeting
 - September 8, 2026, Special Meeting
5. Presentation of Awards.
 - Zachary Chandler – 5 years of service
6. City Manager's Report.
7. Committee Reports.
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.

NEW BUSINESS

10. Public Hearing and action on the application(s) for renewal for the following license(s):
 - Hannaford Supermarket & Pharmacy #8123, 225 High Street, for renewal of a City Class C License and renewal of a State Agency Liquor Store License.
 - Alicia Card, P.R. d/b/a Jimbo's Junkin, 62 Kylies Way, for renewal of a City Junkyard/Automobile Graveyard License.
 - Daron Goldstein 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.
 - Shaw's Supermarket #57, 175 High Street, for renewal of a City Class C License and renewal of a State Agency Liquor Store License.
11. Council Order #092600, Discussion and potential action on the Public Comment/Question Process (Sponsored by Councilor Lyons).
12. Council Order #092601, Public Hearing and action on the request of the Public Works Director to award the contract for the Bayside Road Municipal Partnership Initiative Design and Engineering Contract.
13. Council Order #092602, Public Hearing and action on the request of the Public Works Director to award the contract for the Merrill Lane Extension (Hancock County Judicial Center) Project.
14. Council Order #092603, Public Hearing and action on the request of the Public Works Director to award the bid for local roads and sidewalks.
15. Council Order #092604, Request of the Public Works Director to accept \$6 million in Drinking Water State Revolving Funds to be put towards the Water Treatment Plant project.
16. Council Order #092605, Discussion to convert the City of Ellsworth from a weak mayor form for government to a strong mayor form of government with the first election of mayor in November 2028 (Sponsored by Councilor O'Halloran).
17. Council Order #092606, Discussion and potential action on the creation of a City of Ellsworth Food Sovereignty ordinance (Sponsored by Councilor O'Halloran).
18. Executive Session for discussion of labor contract and negotiation matters regarding a proposed side agreement to the Clerk's Collective Bargaining Agreement between the City of Ellsworth and the Laborer's International Union of North America (LIUNA), pursuant to 1 M.R.S. section 405(6)(D).
19. Council Order #092607, Action on the proposed side agreement to the Clerk's Collective Bargaining Agreement between the City of Ellsworth and the Laborers' International Union of North America (LIUNA).

20. Council Order #092608, Discussion and potential action on the request of the City Manager to make a budget reallocation from the City Manager's FY27 Payroll line to the City Clerk's FY 27 Payroll line.
21. Executive Session for consultation with the City Attorney concerning the city's legal rights and duties and pending or contemplated legal matters involving Maine Organics, including potential continued enforcement or legal action, pursuant to 1 M.R.S. §405(6)(E).
22. Council Order #092609, Discussion and potential action regarding Maine Organics' compliance with the City's odor ordinance, including documented odor complaints, ongoing or alleged violations, enforcement options, and any addition action the City Council may determine appropriate.
23. Adjournment.

City of Ellsworth Regular Council Meeting Minutes

Date: August 17, 2026

Time: 6:00 PM

Location: Ellsworth City Hall Council Chambers

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

- Councilors Lyons and N. Smith absent.

2. Pledge of Allegiance: The Pledge of Allegiance was recited.

3. Rules of Order: The Council proceeded under Robert's Rules of Order.

4. Adoption of Minutes: The minutes of the July 20, 2026, Regular Meeting were presented for adoption.

- **Motion:** To adopt the minutes as presented.
- **Moved by:** Councilor O'Halloran; **Seconded by:** Councilor Martineau.
- **Result:** Passed Unanimously.

5. Presentation of Awards:

- **Frank Pierson** – 30 years of dedicated service as a member of the Harbor Commission.
- **Chad Wilmot** – 25 years of dedicated service to the Police Department.
- **Joshua Stewart** – 10 years of dedicated service to the Police Department.

6. City Manager's Report: City Manager Charles Pearce provided several key operational and administrative updates:

- **Municipal Elections:** Nomination papers remain available in the Clerk's Office for City Council, School Board, and Library Trustee positions. The submission deadline is Friday, September 4, 2026, at 12:00 PM. Signage will be posted to facilitate entry into City Hall on Fridays.
- **City Hall Reorganization:** To improve public navigation and accessibility, the Planning, Assessing, Code Enforcement, and Economic Development departments have relocated to the first floor. Special appreciation was extended to the facilities team (James and Daniel) under Facilities Director Roddy Erlenbach for their hard work.
- **Staff Recognition:** Roddy Erlenbach was thanked for performing "triple duty" over the spring and summer as Facilities Director, Harbor Master, and in managing community partnerships to organize the Thursday night concert series.
- **Bridge Hill Water Main Break & Road Closure:** Public Works Director Mike Harris presented a detailed report on the water main break that occurred on Bridge Hill the previous Wednesday. The break washed out underlying gravel, cracking the pavement and

requiring Bucksport Road to remain closed. A second line break occurred during the bypass process but has since been repaired. Road repairs are tentatively scheduled to start Thursday, August 20, 2026, pending confirmation from a milling and paving company. If paving cannot be completed by Friday, the road will be temporarily compacted as gravel and paved early the following week.

- *Councilor Discussion:* Councilor O'Halloran expressed concern about laying down multiple lifts of expensive asphalt before the roadbed settles and asked if the road should sit as gravel for two weeks to compact. Public Works Director Harris and City Manager Pearce explained that heavy traffic would destroy a temporary gravel road and that the underlying fill under Bridge Hill consists of low-quality ledge, logs, and debris rather than compacted sand or stone. Pearce noted that emergency procurement clauses may be utilized, with the financing burden likely falling on water ratepayers, pending quotes and bond evaluations.
- **Short-Term Rentals:** The City Manager and Council thanked residents for participating in the recent Short-Term Rental (STR) listening session. Feedback and online survey data will be compiled for an upcoming council workshop.

7. Committee Reports:

Arbor Commission Appointment: The Commission requested the appointment of former City Planner and Tree Warden Danielle Gift.

- **Motion:** Move to approve the appointment.
- **Moved by:** Councilor O'Halloran; **Seconded by:** Councilor M. Smith.
- **Result:** Passed Unanimously.

Commission Update: Councilor White reported that citing is underway for the second phase of the IRA tree planting grant in October, focusing on Harbor Park and the Union River Estates. This is an unmatched federal grant utilizing volunteer labor.

Solid Waste Committee Appointments: Public Works Director Harris recommended three appointments to support solid waste initiatives.

- **Motion:** Move to approve the appointments.
- **Moved By:** Councilor O'Halloran; **Seconded by:** Councilor Shea.
- **Result:** Passed Unanimously.

Committee Update: Councilor White noted that the Solid Waste program is currently operating at a net loss of roughly \$400,000 annually, subsidized by property taxpayers. The committee is actively meeting to examine self-sufficiency options and partnership models prior to the expiration of the Casella Waste disposal contract in June 2027.

Harbor Commission: Councilor M. Smith announced one vacancy on the Harbor Commission.

Recreation Commission: Councilor M. Smith announced two vacancies on the Recreation Commission. Initial Milton Park playground redesigns have been submitted to the Playground Committee.

Historic Preservation Commission: Councilor Patterson-Martineau announced two vacancies and noted that drafting is underway for the City Seal RFP.

8. Citizen's Comments:

- **Deborah Gillespie:** Stated that property taxes went up significantly without an on-site reassessment. She raised ongoing issues regarding whether Boggy Brook Road is public or private, noting a previous City Manager stated it was public while current tax records label it a "way" (indicating private). She requested a public apology from the assessor following a disrespectful telephone call.
- **Tiffany Gaspar:** Expressed serious concern over the August 10, 2026, Finance Committee meeting, citing the CFO's statement that accounts are not fully reconciled and that a financial turnaround is required to "keep the plane in the air". She questioned passing the 2027 budget without reconciled accounts and pointed out discrepancies in alewives sales revenue and GL accounting entries.
- **Gordon Workman:** Highlighted City Charter Article 7, Section 701, which mandates the City Manager submit detailed monthly financial statements to the Council, which he claims has not been done. He suggested the Council rescind the 2027 budget and requested updates on school fundraising for the track and the source of funds for the Merrill Lane Extension.

9. Councilor Comments:

- **Councilor Shea:** Commended the respectful tone of the STR listening session. He addressed Bayside Road driving habits, the age and cost of repairing the city's sub-surface infrastructure and supported compacted asphalt over gravel patches.
- **Councilor O'Halloran:** Defended the budgets of public safety departments (Police, Fire, Public Works) as essential core services, arguing that municipal budget overruns are caused instead by a "top-heavy administration".
- **Councilor M. Smith:** Spoke positively about summer community events, noting that live music concerts in the Parklet bring diverse community members together.
- **Councilor White:** Expressed appreciation for the open back-and-forth dialogue at the STR listening session. She urged councilors to actively participate in implementing the action items of their respective committees rather than delegating all administrative burdens to a small city staff.

Consent Agenda

10. Council Order #082600: Request of the Deputy City Clerk to hold a City of Ellsworth General Municipal Election on November 3, 2026.

- **Motion:** Move to approve the Consent Agenda.

- **Moved By:** Councilor O'Halloran; **Seconded by:** Councilor Shea.
- **Result:** Passed Unanimously.

11. Business License Renewals: Public Hearing and Action on renewals for Jennifer Wing Goodrich d/b/a Pepper's Pub, Aargh Inc. d/b/a Pat's Pizza, and Wal-Mart Stores East LP d/b/a Walmart #1932. No public comments were received.

- **Motion:** Move to approve the license renewals as presented.
- **Moved by:** Councilor M. Smith; **Seconded by:** Councilor O'Halloran.
- **Result:** Passed Unanimously.

12. Council Order #082601: Moratorium on RV Parks: Councilor White introduced this item to address a regulatory gap between current rural zoning and the Comprehensive Plan. A proposed commercial RV campground ("Anchor In Campground") at 566 Bayside Road is currently pending final Planning Board review on September 2, 2026.

- **Public Comments:**
 - **Kelley Brackett:** Asked for a temporary pause to align ordinances with the newly adopted Comprehensive Plan.
 - **Cindy Mangan:** Presented a draft 180-day moratorium ordinance prepared by independent legal counsel.
 - **Kristen Braun:** Challenged why the Comprehensive Plan was finalized in November 2024 without first aligning local zoning ordinances.
 - **Ian Braun:** Expressed concerns regarding inadequate septic/water details, wetlands impacts, and an ongoing EPA investigation regarding tree clearing on the site.
 - **Carla Cantor:** Encouraged the Council to use this opportunity to implement a "new vision".
 - **Heather Dorr:** Stated that relying on a retroactive moratorium post-Planning Board approval creates unnecessary legal risks.
 - **Kim Smallidge:** Urged the City to adopt multiple rural zones (e.g., rural residential vs. rural commercial) to prevent commercial sprawl.
 - **Wyatt Braun:** Stated 150 opposing signs have been distributed and noted a total lack of developer outreach.
 - **Tim Mangan:** Noted that property values have already decreased due to the proposal, and the purpose of government is to prevent individual interest from usurping the rights of the many.
 - **Russ White (State Representative):** Supported a moratorium to allow the Council to study the impacts and hear from the public.
 - **Elizabeth Zielaznicki:** Supported the moratorium to protect the quiet, rural character of the neighborhood.

Councilor Discussion: Councilor Martineau voiced support for the moratorium to resolve ordinance alignment issues. Councilor O'Halloran strongly opposed, noting that the property owner did due diligence under active rules and a comprehensive plan is not a law. Councilor Shea expressed aversion to moratoriums but acknowledged feeling conflicted. City Attorney Pease and City Manager Pearce confirmed a moratorium could legally be enacted retroactively up to 45 days post-approval, but recommended postponing action to preserve Planning Board independence.

- **Motion:** Move to table until the September Meeting:
- **Move by:** Councilor O'Halloran; **Seconded by:** Councilor Shea.
- **Result:** Motion failed 2-3. (Councilors White, Martineau & M. Smith opposed)

- **Motion:** Move to direct the City Manager to draft moratorium language and schedule a special meeting on August 31, 2026, to formulate recommended language.
- **Moved by:** Councilor Martineau; **Seconded by:** Councilor Shea.
- **Result:** Passed 4-1 (Councilor O'Halloran opposed).

13. Council Order #082602: City Seal Update: Roddy Erlenbach updated the Council on the stabilization and replacement project for the historic wooden City Seal on City Hall. The 3D printing project with the UMaine composites lab stalled after their primary contact left the university. Staff are preparing a Phase 1 RFP (estimated at \$13,000–\$28,000) to safely remove, stabilize, and store the deteriorating seal in a climate-controlled facility. The City will actively pursue a Revitalized Maine Downtown grant (requiring a 20% match) before the October 14, 2026, deadline.

City Clerk Sue McLean clarified that a shattered portion of the seal which broke off a year prior could not be saved as it had disintegrated.

14. Council Order #082603: Data Center Moratorium: City Manager Pearce presented a draft moratorium, noting that other municipalities are actively adopting similar language to ensure robust safeguards.

- **Public Comment:**
 - **Leanne Sullivan:** Spoke in favor, citing the massive electricity and water consumption of AI data centers, the industry use of non-disclosure agreements, and the sudden, high-stakes nature of these developments.
 - **Kelley Brackett:** Did not oppose but urged the Council to consider the potential regional economic benefits of GE Bangor's expansion to supply data centers.

Councilor Discussion: Councilors M. Smith and Martineau supported the moratorium to allow the City to address infrastructure, ecological, and decommissioning standards proactively before a developer approaches the town.

- **Motion:** Move to adopt the data center moratorium ordinance as presented, with an immediate effective date.
- **Moved by:** Councilor M. Smith; **Seconded by:** Councilor Shea
- **Result:** Passed 4-1 (S. O'Halloran opposed).

15. Executive Session: The Council entered executive session for consultation with the City Attorney regarding legal rights and duties under 1 MRS Sec. 405(6)(E).

- **Motion:** Move to enter executive session.
- **Move by:** Councilor M. Smith; **Seconded by:** Councilor Martineau.
- **Result:** Passed 4-1 (Councilor O'Halloran opposed).
- **Motion:** Move to exit executive session.
- **Moved by:** Councilor Martineau; **Seconded by:** Councilor M. Smith.
- **Result:** Passed Unanimously.

16. Adjournment:

- **Motion:** Move to adjourn.
- **Moved by:** Councilor Shea; **Seconded by:** Councilor Martineau.
- **Result:** Passed Unanimously.

SPECIAL CITY COUNCIL MEETING MINUTES

Monday, August 31, 2026

6:00 PM Ellsworth City Hall Council Chambers

1. Call to Order

Chair Patrick Lyons called the Special Meeting of the Ellsworth City Council to order at 6:00 PM in the Ellsworth City Hall Council Chambers.

2. Council Order #083100: Public Hearing and potential action on a moratorium on RV Parks in the City of Ellsworth.

Staff Summary & Introduction

- **City Manager Recap:** The City Manager provided background on a proposed 29-site RV campground on Bayside Road currently progressing through Planning Board review. He outlined that municipal legal counsel reviewed the proposed moratorium language and confirmed it is legally defensible under municipal authority regarding alignment with the Comprehensive Plan and prevention of public harm. The City Manager reiterated his recommendation to allow the Planning Board to rule on the project first under existing ordinances, noting that the statutory 45-day retroactive window preserves Council authority. He also highlighted memos from the City Planner and Code Enforcement Officer recommending against enacting the moratorium while Planning Board review is underway. He addressed potential scope edits, including whether the moratorium would apply citywide or be restricted strictly to the rural district, and expressed concerns over potential chilling effects on economic growth and development.
- **City Planner Report:** City Planner Brittany Merrill summarized that campground applications are evaluated under established criteria including stormwater, traffic, lighting, and landscaping, noting that Ellsworth's current campground ordinance (covering projects over two sites) is stricter than state standards. She stated that the Bayside Road application was deemed complete at preliminary review and was scheduled for final review at the September 2nd Planning Board meeting. She cautioned that enacting a moratorium before the Planning Board completes its review sends a message of distrust toward the board and urged Council to "trust the process". In response to Council questions, she addressed buffer zone parameters and state legal constraints.
- **Code Enforcement Officer Report:** Code Enforcement Officer Robert Grant remarked that the draft moratorium language was heavy-handed regarding septic and wastewater provisions. He noted that Unified Development Ordinance (UDO) Section 806.13 already mandates engineered septic systems designed for engineered capacity, as well as enclosed rubbish containers. He added that this application is the first to test the 2012 campground ordinance framework.

Public Hearing Testimony

Chair Lyons formally opened the public hearing, establishing structured speaking intervals for the organized opposition group, the applicant, and general public commenters.

Neighborhood / Opposition Presentation

- **Kelly Brackett (Speaking on behalf of Alton Avenue and Bayside Road neighbors):** Presented a detailed statement opposing the campground and advocating for the moratorium. She identified key ordinance gaps, specifically a lack of neighborhood protections in the campground standards and an overly broad rural zone. She emphasized that the request is not anti-development, but a plea for time to allow ordinance alignment with the Comprehensive Plan. She detailed serious concerns regarding increased traffic, road safety, egress, noise, light pollution, aquifer water drawdowns, wastewater/septic loading near Union Bay, stormwater run-off into wetlands, solid waste management, and inadequate buffer zones. She argued that Council sets policy while the Planning Board enforces rules, and urged Council to act proactively before a final decision is issued. While supporting a citywide moratorium scale, she provided draft motion language restricting the scope to the rural district should Council prefer a narrower approach. She concluded with personal remarks regarding severe neighborhood stress and the preservation of rural residential community character.

Applicant / Developer Presentation

- **Richard Newman (Developer / Property Owner):** Spoke as the project applicant, stating the family property has been owned for over 50 years and was transferred to him to preserve the family homestead. He described the project as a small, boutique 28-site RV park with lower environmental impact than a residential subdivision (utilizing 2 wells and 1 septic system versus up to 28 individual wells and septic systems). Citing Institute of Transportation Engineers statistics, he stated a 30-site RV park generates approximately 90 vehicle trips per day, compared to over 200 daily trips for 30 single-family homes and 210 daily trips for 30 short-term rentals. He reported that the Maine Department of Environmental Protection (DEP) sampled the property over a dozen times and confirmed no wetlands were disturbed. He stated Bayside Road is a state-controlled commuter bypass and argued that an RV park would not overburden the road. He displayed a "City of Ellsworth – Certified Business Friendly" sign, noting he was encouraged by city staff prior to investing.

Individual Public Comments

- **Al (Neighborhood Resident):** Supported the moratorium. Stated he is not opposed to campgrounds or tourism, but object to high-intensity commercial uses in quiet residential areas due to constantly changing visitors, traffic, propane, generator noise, and heightened wildfire/drought risks.
- **Pamela Faber (Alton Avenue Resident):** Supported the moratorium. Described Alton Avenue as a peaceful neighborhood where children play in yards and ride bicycles. Urged a 180-day pause to align ordinances with the Comprehensive Plan.

- **Tiffany Gaspar (Ellsworth Resident):** Supported the concept of a moratorium on new sites, but expressed concern that Section 3 of the draft ordinance prohibits all large-scale campground operations citywide. She noted this could unfairly block the four existing Ellsworth campgrounds from undertaking planned seasonal expansions, and recommended exempting pre-existing facilities.
- **Kristen Braun (Alton Avenue Resident):** Supported the moratorium. Noted that heavy RV traffic impacts roads differently than passenger cars. Criticized the City Planner's memo as biased toward developers and urged Council to protect residents' quality of life.
- **Casey Simpson / Stofflet (Seaveys Road Resident):** Supported the moratorium. Raised safety concerns regarding transient guests while home alone with her young child. Highlighted the acute local housing shortage for military families and questioned why land is being developed for RVs rather than residential homes.
- **Jennifer Jones (Bayside Road Resident & Real Estate Agent):** Supported the moratorium. Stated that in her 48 years of real estate experience, the highest and best use of the property is residential rather than commercial. Emphasized her family's long history on Bayside Road and the need for housing.
- **Amy Faber (Alton Avenue Area Resident):** Supported the moratorium. Cited Comprehensive Plan page 131 regarding careful land use decisions. Highlighted outdated zoning, traffic hazards on Bayside Road (blind hills, lack of shoulders), municipal drought alerts regarding shared aquifers, and procedural notification errors.
- **Kim Smallidge (Alton Avenue Resident):** Supported the moratorium. Stated that pausing one project is far less disruptive than allowing multiple developments under acknowledged outdated regulations. Stated that once rural character is destroyed, it cannot be undone.
- **Ian Braun (Alton Avenue Resident):** Supported the moratorium. Reiterated past engineering concerns. Cited Comprehensive Plan page 51, noting the area is designated as a low-density residential non-growth zone intended to protect water quality and natural resources.
- **Tim Mangan (Marion Way Resident):** Supported the moratorium. Thanked the applicant for his service, noting that a 180-day pause provides clear rules for all parties. Confirmed neighbors funded legal representation to assist with drafting language and supported either a citywide or rural district scope.
- **Russ White (Ellsworth Resident):** Supported the moratorium. Stated that while Ellsworth has grown significantly since 1963, residential neighborhoods have remained consistent. Supported a 180-day pause to ensure proper zoning.
- **Cindy Avery (Gameston Park Road Resident):** Supported the moratorium, stating RV parks do not belong in established rural residential neighborhoods.
- **Clark Harris (Bayside Road Resident):** Supported the moratorium. Reminded Council of their explicit obligation to update land use ordinances to reflect the 2024 Comprehensive Plan adopted by the city.

Council Deliberation & Legal / Staff Clarifications

- **Councilor Martineau:** Spoke in favor of the moratorium, clarifying that enacting it is not a vote of no confidence in the Planning Board, but a necessary stopgap to relieve community pressure and perform needed ordinance updates.
- **Councilor N. Smith:** Supported the moratorium, questioning whether 2012 land use standards properly anticipate modern 2027-era RV sizes and weights. She reviewed the legislative intent behind Maine's 45-day retroactive moratorium law and emphasized Council's responsibility to establish policy, expressing hope that rural ordinance updates could be prioritized within six months.
- **City Attorney Tim Pease:** Explained that the July 20th retroactive date in the draft reflects when the moratorium was first formally raised before the City Council, providing fair public notice to developers. He advised that attempting to carve out existing campgrounds by name is legally difficult, but limiting the scope geographically (e.g., to the rural zone) or setting clear percentage caps on large-scale expansions would be legally defensible.
- **Councilor O'Halloran:** Opposed the moratorium, commending the public's calm decorum. He stated that changing land use rules midstream on a property owner who followed established city channels sends a negative message to potential investors.
- **Councilor M. Smith:** Supported the moratorium, advocating for a targeted geographic focus on rural zones due to exposed gaps in rural protection.
- **Councilor White:** Supported the moratorium, noting that modern fully loaded RVs can weigh up to 14,000 pounds and place significant stress on crumbling state infrastructure like Bayside Road. She emphasized that business friendliness must be balanced with resident protections.
- **Councilor Shea:** Opposed the moratorium. Expressed deep respect for the neighborhood and staff, but stated the Planning Board process should be permitted to play out under current law.
- **Councilor Lyons:** Opposed the moratorium. Supported allowing the Planning Board to complete its review and expressed concern over the broad citywide application impacting existing operations.
- **Scope Review:** Following legal advice from Attorney Pease and input from City Manager Pearce, Council reached consensus to act on the moratorium ordinance as drafted (applying citywide to large-scale campground developments) to maintain legal defensibility and clarity.

Motion: Move that the Ellsworth City Council enact the proposed City of Ellsworth Moratorium Ordinance on Large-Scale Campgrounds as presented in the August 31, 2026 City Council packet.

- **Moved by:** Councilor Carol Patterson-Martineau; **Seconded by:** Councilor Nancy Smith
- **Vote: Passed 4–3.**
 - **Opposed (3):** Chair Patrick Lyons, Councilor Steven E. O'Halloran, Councilor Patrick Shea.

3. Adjournment.

Motion: Move to adjourn.

- **Moved by:** Councilor Shea; **Seconded by:** Councilor N. Smith
- **Vote:** Passed Unanimously

City of Ellsworth Special Council Meeting

Date: Tuesday, September 8, 2026

Time: 5:30 PM

Location: Ellsworth City Hall Council Chambers

1: Call to Order: The Special Meeting of the Ellsworth City Council was called to order by the Chair at 5:30 PM on Tuesday, September 8, 2026.

2: Council Order #090800: Public Hearing and potential action on Council Order #090800, authorizing issuance of up to \$3,860,443.00 of the City's General Obligation Bonds to finance the acquisition of miscellaneous equipment and street, road, sidewalk, and other municipal infrastructure improvements.

Staff Overview & Presentation

- **City Manager Overview:** The City Manager provided an overview of the proposed General Obligation Bond authorization. He emphasized that approving the order does not authorize the immediate expenditure or drawdown of funds, but establishes the financial instrument needed to participate in the Maine Municipal Bond Bank fall offering.
- **Capital Improvement Plan (CIP) Context:** City staff developed a 10-to-15-year CIP following an asset depreciation analysis led by the Deputy City Manager and consultants. Although initial year-one backlog needs totaled approximately \$20 million, staff prioritized a critical subset of projects totaling \$3,860,443.00.
- **Project Breakdown & Proposed Terms:**
 1. **One-Year Local Roads Program:** \$1,183,260 (10-year term; designated roads include Maple Street, Gary Moore Road, McKenzie Avenue, and Red Bridge Road).
 2. **One-Year Sidewalk Improvements:** \$127,183 (10-year term).
 3. **Core IT Network Switches Upgrade:** \$50,000 (5-to-7-year term).
 4. **Merrill Lane Extension / Courthouse Access Road:** \$1,750,000 (up to 20-year maximum term).
 5. **Bayside Road Phase 1 Design & Engineering:** \$750,000 City match to leverage a \$750,000 MaineDOT Municipal Partnership Initiative match.
- **Financial Analysis & Projected Savings:** Finance Director Chris Nemeth explained that holding a special meeting enabled the City to apply directly to the Maine Municipal Bond Bank rather than issuing a short-term Bond Anticipation Note (BAN). Direct bonding eliminates duplicate closing fees (saving ~\$100,000) and utilizes a level-principal amortization structure (saving ~\$140,000–\$150,000), yielding an estimated total taxpayer savings of up to \$250,000. Debt service will be further supported by Tax Increment Financing (TIF) allocations and state infrastructure funds.

Public Hearing & Public Comments

1. Michael Hill (Ellsworth):

- Asked for clarification regarding the specific projects intended for bond financing. He questioned why project lists were not explicitly read aloud prior to public comment and referenced AI guidelines regarding responsible municipal bond uses.

2. Tiffany Gaspar (Ellsworth):

- Requested cost breakdowns and scopes of work for each designated road and sidewalk repair.
- Contended that municipal repairs should be funded out of general operating funds or TIF balances rather than taking on 10-year loans.
- Argued that Bayside Road is a state-owned road and should not be funded locally, and asserted that Hancock County should cover the courthouse road costs.
- Inquired about TIF reserve balances, FY26 captured revenues (\$676,381), and questioned past TIF expenditures, including \$25,000 spent on high-speed internet for the Union River Center for Innovation and funds assigned to downtown bathrooms.
- Stated that overleveraging TIF districts freezes property tax baselines, shifts service burdens (police/fire) onto the general fund, and creates systemic financial risks alongside recent City short-term debt (mentioning a \$3M TAN and \$1M fire truck/truck bond).

3. Robert Grant Sr. (Ellsworth):

- Expressed strong opposition to City taxpayers paying for the Hancock County Courthouse access road.
- Recalled prior statements from Public Works Director Mike Harris estimating the road cost at \$750,000 and voiced frustration over escalating project costs.
- Asked whether formal bid results for the road project had been received.

4. Stephen Shea (Ellsworth):

- Concurred with previous speakers and urged the Council to scrutinize municipal spending.
- Stated that citizens are deeply upset regarding the Merrill Lane extension/courthouse project.
- Contended that traditional municipal bonding should be earmarked for single, specific projects with exact dollar amounts rather than created as general funding pools.

Staff Clarifications

- The City Manager reiterated that an 18-page detailed breakdown of all projects, costs, and terms was available publicly in the online meeting packet at ellsworthmain.gov.
- Confirmed the four local roads in the 1-year plan are Maple Street, Gary Moore Road, McKenzie Avenue, and Red Bridge Road.

- Clarified that the Merrill Lane extension stemmed from a prior 6–1 Council vote to relocate the courthouse to the urban core. He noted that the RFP for the road closed recently with four proposals submitted, which are currently being scored by staff before a recommendation is brought to Council.

Council Deliberation

- **Councilor O'Halloran** voiced concern over authorizing debt without exact interest rates or fixed project costs, suggesting local community banks should be consulted first.
- **Councilor N. Smith** supported the order, emphasizing the ~\$250,000 taxpayer savings achieved through the Bond Bank, praising the structured CIP, and noting that locating the courthouse in the urban core creates long-term development opportunities.
- **Councilor Shea** spoke in opposition, stating bonds should be single-project specific. He argued against City funding for the courthouse road, dog parks, or state infrastructure, advocating instead for strict prioritization of underground utilities (water, sewer, drainage) and road reconstruction.
- **Council Members** discussed the necessity of engineering Bayside Road, restoring sidewalks, and fixing prioritized local roads.

Motions & Results

- **Motion:** Move to table Council Order #090800 until the second regular meeting in September.
- **Moved by:** Councilor Shea; **Seconded by:** Councilor O'Halloran.
- **Result:** Motion Failed (2–5) (Councilors Lyons, N. Smith, Martineau, White and M. Smith opposed).
- **Motion:** Move to approve Council Order #090800 authorizing the issuance of up to \$3,860,443.00 of the City of Ellsworth's General Obligation Bonds to finance the acquisition of miscellaneous equipment and street, road, sidewalk, and other municipal infrastructure improvements as presented and specifically listed on pages 3 and 4 of the meeting document.
- **Moved by:** Councilor N. Smith; **Seconded by:** Councilor White.
- **Result:** Motion Passed (5–2) (Councilors Shea and O'Halloran opposed).

3: Adjournment

- **Motion:** Move to adjourn the Special City Council Meeting.
- **Moved by:** Councilor N. Smith; **Seconded by:** Councilor White.
- **Result:** Passed Unanimously

MEMORANDUM

CITY OF ELLSWORTH, MAINE

City Clerk's Office



TO: City Council Members

FROM: Ebony Kramp-Dowling, Deputy City Clerk

DATE: September 21, 2026

SUBJECT: Business License Renewals

SUGGESTED MOTION:

Move to approve the Business License renewals as presented.

BACKGROUND

Before Council approval, each business owner must pay the renewal fee, settle all applicable personal property taxes, and complete inspections by Code Enforcement and the Fire Inspector. If any requirement is unmet, the license is postponed until the following month.

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

City of Ellsworth

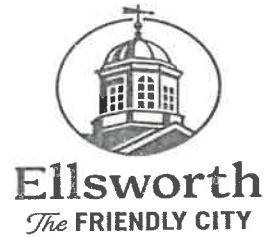
One City Hall Plaza
Ellsworth ME 04605

8123

100 29 800

Business License Renewal Form

HANNAFORD SUPERMARKET & PHARMACY
HANNAFORDS SUPERMARKET & PHARMAC
ATTN: DENISE MORRIS
1385 HANCOCK ST 8TH FL
QUINCY MA 02169



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 15

Business Name: HANNAFORDS SUPERMARKET & PHARMACY DBA: HANNAFORD SUPERMARKET & PHARMACY

Business Address: 225 HIGH STREET

Business Phone: 207-667-5300

Business Email: [REDACTED]

Mailing Address: ATTN: DENISE MORRIS, QUINCY MA 02169

Owner Name: UNION RIVER ASSOCIATES REALTY

Owner Phone: [REDACTED]

Owner Address: 225 HIGH STREET, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$150.00 per Year			\$ 150.00
\$100 Public Hearing Notice Fee		1	\$ 100.00

Total License Fees: \$ 250.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a consumer fee. You can mail your renewal and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 09/30/2026

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

[REDACTED SIGNATURE]

Signature

Print Name

Date

7/30/2026

Signed application must be returned with payment to the City of Ellsworth

Office Use Only:

Date Received:

8/10/26

Receipt No: 32.000000437

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form



Ellsworth
The FRIENDLY CITY

JIMBO'S JUNKIN
ALICIA CARD P.R.
ATTN.: JENNIFER
4 JIMS WAY
ELLSWORTH ME 04605

Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 113

Business Name: ALICIA CARD P.R.

DBA: JIMBO'S JUNKIN

Business Address: 62 KYLIES WAY

Business Phone: 207-667-7479

Business Email: [REDACTED]

Mailing Address: ATTN.: JENNIFER, ELLSWORTH ME 04605

Owner Name: CARD JAMES B II/ALICIA CARD P.R.

Owner Phone:

Owner Address: 42 HOLT DR, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$75.00 per Year			\$ 75.00
\$100 Public Hearing Notice Fee			\$ 100.00
Total License Fees:			\$ 175.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a consumer fee. You can mail your renewal and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 09/30/2026

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

Signed application must be returned with payment to the City of Ellsworth

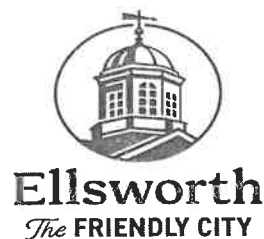
Office Use Only: Date Received: _____ Receipt No: _____

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

PROVENDER
DARON GOLDSTEIN
112 MAIN ST
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 289

Business Name: DARON GOLDSTEIN

DBA: PROVENDER

Business Address: 112 MAIN STREET

Business Phone: 207-610-1480

Business Email: [REDACTED]

Mailing Address: 112 MAIN ST, ELLSWORTH ME 04605

Owner Name: LLC GOLD BROS.

Owner Phone:

Owner Address: 112 MAIN ST, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$75.00 per Year			\$ 75.00
\$100 Public Hearing Notice Fee			\$ 100.00

Total License Fees: \$ 175.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a consumer fee. You can mail your renewal and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 09/30/2026

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

07-07-2026

Signed application must be returned with payment to the City of Ellsworth

Office Use Only:

Date Received:

8/10/26

Receipt No:

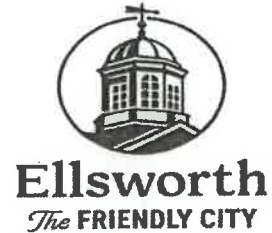
32.000000436

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

SHAW'S SUPERMARKET #57
SHAW'S SUPERMARKET #57
251 LITTLE FALLS DR
WILMINGTON DE 19808



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6680.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 648

Business Name: SHAW'S SUPERMARKET #57

DBA: SHAW'S SUPERMARKET #57

Business Address: 175 HIGH STREET

Business Phone:

Business Email: [REDACTED]

Mailing Address: 251 LITTLE FALLS DR, WILMINGTON DE 19808

Owner Name: ELLSWORTH SHOPPING CENTER INC

Owner Phone:

Owner Address: 151 HIGH STREET, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$150.00 per Year			\$ 150.00
\$100 Public Hearing Notice Fee		1	\$ 100.00

Total License Fees: \$ 250.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a consumer fee. You can mail your renewal and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 09/30/2026

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

[REDACTED SIGNATURE]

Signature

Print Name

7/30/2026
Date

Signed application must be returned with payment to the City of Ellsworth

Office Use Only: Date Received: 8/4/26

Receipt No: 32.000000434

MEMORANDUM



CITY OF ELLSWORTH, MAINE

TO: Ellsworth City Council

FROM: City Staff (Sponsored by Chair Lyons)

DATE: September 21, 2026

SUBJECT: Proposed Updates to Public Comment Procedures and Citizen Request Processes

Recommended Council Action Motion:

Should the Council wish to proceed the following motion is recommended:

Move that the City Council adopt the proposed public comment and question procedures as presented.

Purpose

The City is looking to update and clarify its procedures regarding public comments and questions presented to the City Council. The goal is to provide a clear and consistent process for receiving and addressing public input while ensuring that members of the public have meaningful opportunities to participate in Council meetings.

The suggested proposed rules included for Council consideration were developed by Chair Lyons, with input and discussion from the remainder of the City Council and staff during recent Council workshops. The proposed rules are intended to provide a framework for how public comments and questions are received, addressed, and followed up on while maintaining an orderly and productive meeting process. The proposed procedures are intended to be consistent with guidance provided by the Maine Municipal Association (MMA) regarding municipal meeting procedures and notice requirements.

Additionally, the Communications Director has provided a separate memorandum regarding a new initiative focused on improving and expanding opportunities for citizen engagement, as well as increasing transparency and accountability in how the City receives, tracks, and provides timely responses to citizen requests from a variety of departments and areas of City government.

Together, these items are intended to improve consistency, communication, transparency, and accountability in the City's interactions with the public.

Attachments:

May 4, 2026 Workshop: <https://www.youtube.com/watch?v=PysqJ84pCeg>

September 8, 2026 Workshop: <https://www.youtube.com/watch?v=dk9DTen3uhl&list=PLGTCWiEPllqUmiuft8wUUdlj4hk0-M7H&index=1>

Updated Proposed Rules of Order

Rules of Order for which Ellsworth City Council Meetings are to be conducted.

SECTION 1. AGENDA

1. The City Clerk and City Manager shall prepare an agenda before each meeting of the City Council.
2. Agenda items, other than routine (minutes, license renewals, ordinance amendments, etc.) shall be sponsored by one or more City Council members.
3. Agenda items shall be supported by a supportive memorandum and other informational materials. The Chair may keep items off the agenda or table items if they fail to provide sufficient supportive information.
4. A copy of the agenda shall be mailed or otherwise delivered to the local news media on the second Thursday prior to the regular meeting and as soon as practicable before an emergency meeting.

SECTION 2. MEETINGS

- ~~1. Ellsworth residents may speak on any agenda item and/or during Citizens Comments. Non-residents may be allowed to speak at the discretion of the Chair.~~
- ~~a) After being recognized by the Chair, a person may speak for not more than three (3) minutes on any one item on the agenda. In addition, at the Chair's discretion, the person may speak not more than two (2) minutes in rebuttal. The Chair may extend either time, under special circumstances.~~
- ~~b) Each speaker's remarks must be germane to the item on the agenda or relate to matters of municipal business. Politicking and political activities, including campaigning and endorsements, are prohibited.~~
- ~~c) No obscene, threatening or overly repetitive comments or disorderly conduct shall be permitted at any meetings.~~
- ~~d) The Chair may expel anyone who violates this section, or any lawful order of the City Council or of the Chair, from the meeting.~~
1. *Call to Order.* The Council Chair shall call meetings to order. In the absence of the Council Chair, the City Clerk shall call the Council to order, whereupon a Chairperson Pro Tempore shall be elected by the Members present consistent with Section 2.09(c) of the City Charter.

2. *Council Conduct.* The City Council will practice civility and decorum in discussion and debate and adhere to the City of Ellsworth Code of Ethics. Each member shall cooperate with the Council Chair in preserving order and no member shall delay or interrupt the proceedings of the Council, disturb any member while speaking, or fail to abide by the orders of the Chair, except as specifically permitted by these Rules or Robert's Rules of Order.

The Council Chair shall maintain order and preserve the decorum of the meeting, subject to being overruled by a majority vote of the members, which vote shall be taken without debate or comment.

A Councilor may speak only after being recognized by the Chair, shall confine remarks to the question under debate, direct comments to the Chair unless otherwise granted permission, and avoid all indecorous language or reference to personalities.

Once granted the floor, a Councilor shall not be interrupted unless called to order by another member. Upon being called to order, the speaker shall be silent until the question of order is resolved.

When two or more members request the floor at the same time, the Chair shall name the one entitled to the floor.

After receiving permission from the Chair, any member may address a question to any other member. Members and City staff shall always be addressed by title and name or title.

All Members shall be given the opportunity to speak, but no Member shall speak twice on a given subject until all other Members have been given the opportunity to speak.

No member shall engage in private conversation in such a manner as to interrupt the proceedings of the Council.

Members may use electronic devices to review documents that have previously been submitted for review and are available to the public or look up information pertinent to an item under discussion. Members' electronic devices shall be silenced during City Council meetings unless prior approval has been granted by the Chair.

Members shall maintain a professional and business-like decorum during meetings.

If considered necessary because of grave disorder, the Council Chair may adjourn or suspend the meeting for a specified time. Such an action may be overruled by a minimum of five votes of the Council.

3. *Public Conduct.* City Council meetings are conducted to carry on the official business of the City of Ellsworth. The public is cordially invited to attend all City Council meetings

(except Executive Sessions), and to participate in them consistent with the provisions of these rules.

Speakers must use the podium and must preface their comments by giving their full name and residence.

Comments related to the following will be ruled out of order by the Chair:

- Specific situations that are in litigation, including those in which the City is a party;
- Comments unrelated to City business or Ellsworth government;
- Comments about individual City employees;
- Matters for which complaint or grievance procedures are in place;
- Personal disputes between the speaker and other private residents not germane to City business; or
- Support for or opposition to any candidate for political office.

Individuals will be restricted to speaking once during each comment period unless requested by the Chair to offer additional comments.

Speakers addressing the Council shall direct their remarks exclusively to the Chair. No one other than the members of the Council and the speaker shall engage in discussion.

Public comment periods being a limited designated public forum, the City Council does not have the right to prohibit disparaging, rude, and other remarks of a personal nature. But because of the potential implications, including personal liability of the speakers, speakers are encouraged to strive for accuracy in their statements and to refrain from personal, rude, or provocative remarks.

All statements should respect the dignity and seriousness of the proceeding.

The public may not interrupt, applaud, or otherwise express approval or disapproval of any statements made or actions taken at such meeting, except for those instances that are listed on the Council Agenda under Public Recognition an individual or group is being formally recognized for their accomplishments.

The Council Chair will limit commentary that is determined not to be germane to City business or the topic at hand, or which violates any of the guidelines listed above. The Chair will direct any individual not following these guidelines to cease such action or risk being asked to be seated or removed. If such conduct continues, the Chair will call a recess, request the removal of such person(s) from the Chambers, adjourn the meeting, or take other such appropriate action. Repeated violations by any individual may result in the Chair revoking that individual's right to speak at future meetings. Should the Chair fail to act, any Member may move that the Chair enforce the rules and guidelines and, if denied, request that the Council vote on the motion.

4. *General Public Comments.* At least one public comment period shall be conducted during each regular City Council meeting, at which time Ellsworth residents or taxpayers may speak on matters directly relating to City business that are not included on the agenda. Each speaker may address the Council only once for a maximum of three (3) minutes.

At the Council Chair's discretion, the public comment period may be concluded after thirty (30) minutes of public comments. Should additional speakers wish to comment, a fifteen (15) minute period may be provided toward the end of the meeting. The duration of this comment period may be extended by vote of the Council.

The Council will not engage in dialogue with the public during these periods. Individuals requesting further information may leave their contact information with City staff.

General public comment periods will not be conducted at executive sessions, workshops, or special meetings unless the Chair authorizes otherwise.

5. *Specific Public Comments.* Public comments relating directly and specifically to the item under consideration will be invited for items requiring a public hearing and for other appropriate agenda items. Comments relating to an agenda item are limited to three (3) minutes per speaker. Public comments will not be heard during workshops unless a request is made to the Chair by an individual Councilor or the City Manager.

6. *Regular Meetings.* The City Council shall hold regular meetings on the third Monday of each month at 6:00 p.m. in the Council Chambers unless otherwise posted.

7. *Special Meetings.* All special meetings shall be called in accordance with Section 2.05(c) of the City Charter.

8. *Workshops.* City Council workshop meetings may be held on the first Monday of each month at 6:00 p.m. in the Council Chambers unless otherwise posted.

Council workshop meetings focus on the Council's formulation of policy based upon discussions pertaining to current issues or specific projects. The Council may not take any formal action at a workshop. Any Council action resulting from the workshop must be taken at a subsequent regular or special meeting.

Citizens are encouraged to attend Council workshops, which are primarily designed for Members to discuss and explore items with each other, staff, and consultants, but there will be no opportunity for public comment.

When a workshop item involves the work of or a recommendation from a City Board, Commission, or Committee, representatives of those groups will be allowed to participate freely.

Additional public workshops may be called by the Council to encourage citizen discussion around a particular topic, such as infrastructure, public safety, or other matters

of general community interest. At such public workshops, comments are encouraged in accordance with Section 2.3.3 of these rules except that the comment period may extend.

9. *Executive Sessions.* Matters that are appropriate for executive session are defined in 1 M.R.S. § 405. Executive sessions which are to be held on evenings of regular City Council meetings shall be included on the agenda and be scheduled either preceding the meeting or as the final item on the meeting agenda, except in situations when the Council Chair or City Manager deems it to be in the best interest of the City to hold the executive session at another time.

All executive sessions shall be approved by the Council in public session.

- 2-10. *Majority Vote.* A majority vote of the full City Council (4 out of 7 members) shall constitute the necessary authority to bind the City Council and the City in all matters of City Business unless otherwise required by the City Charter.

- 3-11. *Dress Code.* For Regular Meetings City Councilors shall abide by a dress code of shirt and tie for men and business attire for women. A Councilor can pay \$20.00 to the City of Ellsworth Christmas for Kids Fund prior to a Council Meeting in lieu of wearing appropriate dress attire to that one council meeting.

- 4-12. Councilors are not permitted to leave the Council table for the purpose of addressing the Council as a member of the public. The Chair is prohibited from recognizing a Councilor who requests to speak from the public podium. This rule does not apply when a Council member has been removed from a discussion due to a conflict of interest.

- 5-13. Councilors may provide "Councilor Comments" once a meeting for three (3) minutes on any item not on the agenda, so long as the comments relate to matters of municipal business. Politicking and political activities, including campaigning and endorsements are prohibited.

- 6-14. Invited presentations will be limited to ten (10) minutes, with additional time added at the discretion of the Chair. Presenters should supply the Clerk's office with documentation about the presentation to be added to the Council Packets

SECTION 3. ORDER OF BUSINESS

1. The Chair shall call the meeting to order.
2. Pledge of Allegiance.
3. Brief summary of Rules of Order by the Chair.
4. Adoption of the minutes of the last meeting.

5. Presentation of awards.
6. Manager's report.
7. Committee reports.
8. Citizens' comments.
9. Councilor comments.
10. Consideration of items on the agenda.

SECTION 4. COUNCIL CHAIR

1. The Chair may present or second a motion.
2. The Chair shall appoint all annual committees.

SECTION 5. ROBERT'S RULES OF ORDER

That the meetings of the City Council be conducted according to Rules of Order previously adopted by the City Council and shall continue in force until the Monday next following the regular city election, pursuant to Article II, Section 2.07 of the City Charter. Each meeting is to be conducted by Robert's Rules of Order unless otherwise provided for. There is an expectation of council members voting unless there is a defined conflict of interest stated, for example as being a financial conflict of interest or personal conflict of interest.

SECTION 6. POSTING REQUIREMENTS FOR CITY COUNCIL WORKSHOPS

City Council Workshops should be posted at City Hall at least six days prior to the meeting; time may be reduced for cause to no less than three days.

MEMORANDUM

CITY OF ELLSWORTH, MAINE



TO: Ellsworth City Council

FROM: Amy Kenney, Communications Director

DATE: September 21, 2026

SUBJECT: Public Comment/Questions Process

Resident Questions & Answers Initiative or Ask Ellsworth

We welcome questions. We answer them. We learn from them. And when one person asks, we look for opportunities to share the answer with everyone.

Purpose:

The City of Ellsworth is committed to making it easy for residents to ask questions, receive accurate information, and better understand how their local government works.

Our goal is to make sure questions are heard, acknowledged, directed to the right person, and followed through to an answer.

Some questions can be answered immediately; others require research, input from multiple departments, or information from outside agencies and partners. City staff may not always have the answer in the moment, but we will work to find it—or help connect residents with the appropriate source.

This process works best when we approach one another with patience, respect, and an understanding that good answers sometimes take time.

We ask residents to allow staff the time needed to gather accurate information, and we ask staff to keep residents informed and close the loop when an answer is available.

And every question gives us an opportunity to listen. If one resident is wondering about something, chances are others may be wondering too. Communications will use the questions we receive to identify opportunities for FAQs, website stories, public service information, media outreach, and other ways to better inform the entire community.

GOAL 1 Make it Easy to Ask Questions

Current tools:

- ✓ Website Contact Us Form
- ✓ Public Comment at Council Meetings

Future additions:

☐ Dedicated public email – IT has been approached about this idea
(AskEllsworth@ellsworthmaine.gov or Questions@ellsworthmaine.gov)

GOAL 2 Every Question Has an Owner

This is where our workflow begins.

Resident asks question

↓

Communications receives question

↓

Log question

↓

Assign to appropriate department

↓

Department researches answer

↓

Department sends answer to Communications

↓

Communications reviews

↓

Resident receives response from Communications

↓

Question closed

↓

Additional Communication opportunity is considered by Communications

GOAL 3 Turn Questions into Communication

Is this question unique?

Would others wonder the same thing?

If yes...Communications creates additional public education.

For example: Resident asks: Why are you removing these trees? The answer could turn into ...

↓

Website article

↓

Facebook

↓

FAQ

↓

Newsletter

↓

Media if appropriate

GOAL 4 Identify Trends

Every month Communications reviews questions.

Are we seeing themes? If five residents ask, it may be time for communication.

Examples:

- Taxes
 - Assessing
 - Roads
 - Trees
 - Planning
 - Parks
 - Recycling
 - Budget
-

Communications Review

Every month.

Questions potentially turn into ...

- ☒ Website stories
 - ☒ FAQ additions
 - ☒ Social media
 - ☒ Press releases
 - ☒ Council updates
 - ☒ Medium articles
 - ☒ PSA campaigns
 - ☒ Topics for City Scene
 - ☒ Ellsworth Insider (internal lessons learned)
-

GOAL 5 Build the FAQ Library on the website

Potential List of Categories:

- City Hall
 - Taxes
 - Planning and Permits
 - Roads
 - Snow
 - Trash
 - Trees
 - Utilities
 - Public Safety
 - Council
 - Parks
-

GOAL 6 Measure Success

- Questions received
- Average response time
- Departments involved
- Questions converted into stories
- FAQ articles added
- Website traffic
- Repeat questions reduced

- Resident feedback
-

Internal Workflow

Communications or the Contact Us website form receives request.

↓

City Staff (Ebony or Sara with the Contact Us forms or Amy if we do a designated email address) Acknowledges request.

↓

Assigns owner.

↓

Tracks due date.

↓

Reviews response.

↓

Responds to resident.

↓

Looks for communication opportunity.

↓

Archives.

Roles

Communications

- Owns the process.
- Tracks.
- Coordinates.
- Closes the loop.
- Identifies trends.
- Creates education.
- Updates FAQs.

Departments

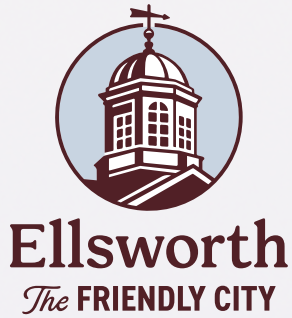
- Provide technical expertise.
- Research answers.
- Review accuracy.
- Recommend follow-up.

Leadership

- Remove barriers.
 - Support timely responses.
 - Identify recurring issues.
-

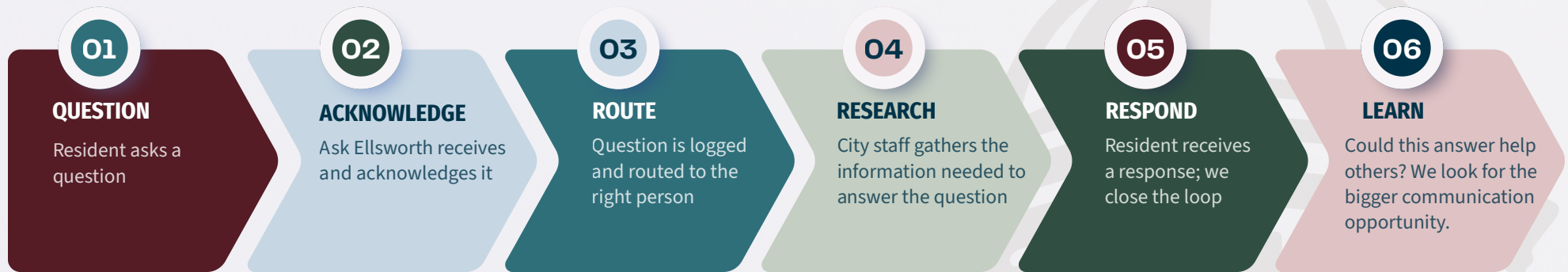
Every question is an opportunity.

An opportunity to help one resident; to improve communication; to educate our community; to build trust.



ASK ELLSWORTH: A Front Door for Residents' Questions

We welcome questions. We answer them. We learn from them. And when one person asks, we look for opportunities to share the answer with everyone.



Residents shouldn't have to know which City department has the answer before asking a question. Ask Ellsworth gives residents a clear place to start and gives City staff a consistent process for making sure questions don't fall through the cracks.

ONE QUESTION • ONE STARTING POINT • ONE CITY WORKING TO FIND THE ANSWER



Ellsworth
The FRIENDLY CITY

QUESTION → ACKNOWLEDGE → ROUTE → RESEARCH → RESPOND → LEARN

ONE FRONT DOOR. MANY CITY RESOURCES.

Ask Ellsworth will help residents connect with existing City resources, including the City Schedule, community Event Calendar, website email notifications, Ellsworth Alerts, and the City's FOAA process.

MORE THAN AN INBOX

Ask Ellsworth will create a searchable record of questions and responses. Working with IT, Communications will develop a tracking system to monitor topics, ownership, status and response times.

WHAT SUCCESS LOOKS LIKE

Residents know where to ask.
Staff know how to respond.
Questions are tracked until resolved.
Nothing falls through the cracks.

WE LOOK FOR PATTERNS

Questions aren't just answered and forgotten. Communications will review them for recurring topics and opportunities for FAQs, website stories, social media, public service information and other resident education.

WHAT'S NEXT

A dedicated Ask Ellsworth email is being established and will initially route to the City Manager, Deputy City Manager and Communications Director. Communications and IT will develop the tracking system, internal workflow and records-retention process before the broader public launch.

EVERY QUESTION IS AN OPPORTUNITY.

To help one resident. • To improve communication. • To educate our community. • To build trust.

MEMORANDUM



CITY OF ELLSWORTH, MAINE

OFFICE OF THE PUBLIC WORKS DIRECTOR

TO: Ellsworth City Council

FROM: Mike Harris, Public Works Director

DATE: September 21, 2026

SUBJECT: Award of Engineering Services – Bayside Road Reconstruction

Motion

Move to award the professional engineering services contract for the Bayside Road Reconstruction project, from Washington Street to Beechland Road, to Sebago Technics, Inc in an amount not to exceed \$267,540, with funding from the FY27 General Obligation Bond, and to authorize the City Manager to execute the final agreement and related documents, subject to final review and approval by the City.

Background

The City issued a Request for Proposals seeking qualified engineering firms to provide professional services for reconstruction of the Bayside Road corridor from Washington Street to Beechland Road. Four proposals were received by the August 20, 2026 response deadline.

This project is being advanced through MaineDOT's Municipal Partnership Initiative (MPI), a program designed to support partnerships between MaineDOT and municipalities to address transportation infrastructure needs on state and state-aid highways. The program combines state and local resources to complete eligible roadway improvements, including rehabilitation, reconstruction, drainage, and safety improvements, using a flexible project-delivery approach. The City has successfully utilized MPI funding in the past for roadway improvements on Christian Ridge Road and in the Beechland Road/Route 230 area, providing valuable experience with the program and its requirements.

The project is intended to produce a durable, safe and maintainable design that addresses roadway structure, drainage, utilities, access, traffic operations, accessibility and construction phasing. The selected consultant will assist the City with existing-condition investigations, survey and right-of-way work, concept development, permitting, utility coordination, final design, preparation of bid documents and bidding assistance.

The RFP used a qualifications-based selection process. Firms were evaluated on their understanding of the project and corridor risks, technical approach, comparable municipal roadway and utility experience, qualifications and availability of key personnel, schedule, capacity, quality-control procedures, local knowledge, and reference performance. The four proposals were independently scored by the review committee using the evaluation criteria established in the RFP.

Firm	Aggregate Score
Sebago Technics, Inc.	94.11
Sevee & Maher Engineers / Sewall Engineering	92.76
Kleinfelder	87.88
LJB	74.18

Selection Justification

Based on the initial scoring, the City invited the two highest-scoring firms, Sebago Technics and Sewall Engineering, to participate in 30-minute interviews. The interviews provided an opportunity to further evaluate each firm's understanding of the project and clarify the proposed project schedules. During the interviews, the review committee discussed the anticipated timeline and expressed concern that Sewall's proposed schedule may be too compressed to adequately account for potential right-of-way work and acquisition needs.

Following the interviews, the City requested cost proposals from both firms. Sewall submitted a budget estimate of \$219,100, while Sebago submitted an estimated fee of \$267,540. Cost was considered together with qualifications, interview responses, scope assumptions, schedule, and overall project approach.

After reviewing the proposals, interview information, and cost proposals, the committee determined that Sebago remained the firm best aligned with the project's needs. Sebago demonstrated a strong understanding of the Bayside Road corridor and project scope, provided a schedule that allows additional time to address potential right-of-way needs, and proposed an approach that includes meaningful public engagement as the design advances. These factors, together with Sebago's highest initial evaluation score, support the recommendation to award the engineering services contract to Sebago Technics, Inc.

Proposals received	4
Recommended firm	Sebago Technics, Inc.
Contract amount	\$267,540

Financial Details

The proposed contract amount is \$267,540 and will be funded from the FY27 General Obligation Bond authorized by the City Council at its September 8, 2026 Special Council Meeting. The Bayside Road project is being advanced through MaineDOT's Municipal Partnership Initiative (MPI), which provides a 50/50 cost share between the City and the State for eligible project costs.

Sebago's cost proposal is based on time and materials and excludes optional construction administration services at this time. Any optional construction-phase services or other additional services not included in the final agreement will require separate authorization in accordance with the City's purchasing requirements.

No work may begin until the City and the selected firm have executed a written agreement, all required approvals have been obtained, and a purchase order has been issued.



City of Ellsworth, ME
Procurement

1 City Hall Plz, Ellsworth, ME 04605

EVALUATION TABULATION
RFP No. TBD
Request for Engineering services Bayside Road MPI
RESPONSE DEADLINE: August 20, 2026 at 10:00 am
Report Generated: Wednesday, September 16, 2026

PHASE 1

EVALUATION CRITERIA

Criteria	Scoring Method	Weight (Points)
Project understanding and identification of corridor risks	0-100 Points	25 (25% of Total)

Description:

Demonstrates a thorough understanding of the Bayside Road corridor, project objectives, and existing conditions. Identifies key technical, utility, environmental, traffic, right-of-way, permitting, constructability, and stakeholder risks, and proposes practical strategies to mitigate those risks while supporting successful project delivery

Criteria	Scoring Method	Weight (Points)
Proposed Approach & Completeness of Proposed Work Plan	0-100 Points	25 (25% of Total)

Description:

Evaluates the quality, organization, and completeness of the proposed approach for survey, investigation, design, permitting, utility coordination, public involvement, bidding assistance, and optional construction services. Considers whether the work plan is practical, efficient, and appropriate for achieving the City's project objectives.

EVALUATION TABULATION

RFP No. TBD

Request for Engineering services Bayside Road MPI

Criteria	Scoring Method	Weight (Points)
Comparable Municipal Roadway and Utility Experience	0-100 Points	20 (20% of Total)

Description:

Assesses the firm's experience successfully delivering similar municipal roadway reconstruction projects involving utilities, drainage, traffic, and public infrastructure. Considers the relevance, complexity, size, and demonstrated success of comparable projects completed by the proposed team

Criteria	Scoring Method	Weight (Points)
Qualifications and References	0-100 Points	20 (20% of Total)

Description:

Evaluates the qualifications, experience, Maine licensure, organizational structure, and availability of the proposed project manager, engineer of record, key staff, and subconsultants. Preference will be given to teams with demonstrated experience working together on similar projects.

Criteria	Scoring Method	Weight (Points)
Local Knowledge, Schedule and QA/QC performance	0-100 Points	10 (10% of Total)

Description:

Evaluates the firm's ability to meet the proposed project schedule, current workload and staff capacity, quality assurance/quality control procedures, familiarity with local conditions and regulatory requirements, and performance on similar projects based on client references, including responsiveness, communication, and successful project delivery. Consideration will be given to demonstrated knowledge of the City of Ellsworth, MaineDOT standards, local permitting requirements, utilities, and regional construction practices.

AGGREGATE SCORES SUMMARY

EVALUATION TABULATION

Request For Proposal - Request for Engineering services Bayside Road MPI

Page 2

EVALUATION TABULATION

RFP No. TBD

Request for Engineering services Bayside Road MPI

Vendor	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4	Total Score (Max Score 100)
Sebago Technics Inc.	94.1	93.6	93.5	95.3	94.11
Sevee & Maher Engineers, Inc.	90.3	95	94.5	91.3	92.76
Kleinfelder	80.3	88.5	90	92.8	87.88
LJB, Inc.	73.3	80	68	75.5	74.18

VENDOR SCORES BY EVALUATION CRITERIA

Vendor	Project understanding and identification of corridor risks 0-100 Points 25 Points (25%)	Proposed Approach & Completeness of Proposed Work Plan 0-100 Points 25 Points (25%)	Comparable Municipal Roadway and Utility Experience 0-100 Points 20 Points (20%)	Qualifications and References 0-100 Points 20 Points (20%)	Local Knowledge, Schedule and QA/QC performance 0-100 Points 10 Points (10%)	Total Score (Max Score 100)
Sebago Technics Inc.	95	93.3	95	93.3	94	94.11
Sevee & Maher Engineers, Inc.	93.8	92.5	92.5	92.5	92	92.76
Kleinfelder	90	87.5	88.8	88.8	80	87.88
LJB, Inc.	75	75	74.5	74.5	68.8	74.18

INDIVIDUAL PROPOSAL SCORES

Kleinfelder

Scores by Evaluator and Criteria

EVALUATION TABULATION

Request For Proposal - Request for Engineering services Bayside Road MPI

Page 3

EVALUATION TABULATION

RFP No. TBD

Request for Engineering services Bayside Road MPI

Evaluation Item	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4
Project understanding and identification of corridor risks (25 pts)	80	90	95	95
Proposed Approach & Completeness of Proposed Work Plan (25 pts)	85	90	85	90
Comparable Municipal Roadway and Utility Experience (20 pts)	80	85	95	95
Qualifications and References (20 pts)	75	90	95	95
Local Knowledge, Schedule and QA/QC performance (10 pts)	80	85	70	85
Total Score (Max 100)	80.25	88.5	90	92.75

LJB, Inc.

Scores by Evaluator and Criteria

Evaluation Item	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4
Project understanding and identification of corridor risks (25 pts)	70	80	70	80
Proposed Approach & Completeness of Proposed Work Plan (25 pts)	75	80	70	75

EVALUATION TABULATION

Request For Proposal - Request for Engineering services Bayside Road MPI

EVALUATION TABULATION

RFP No. TBD

Request for Engineering services Bayside Road MPI

Evaluation Item	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4
Comparable Municipal Roadway and Utility Experience (20 pts)	75	80	70	73
Qualifications and References (20 pts)	75	80	70	73
Local Knowledge, Schedule and QA/QC performance (10 pts)	70	80	50	75
Total Score (Max 100)	73.25	80	68	75.45

Sebago Technics Inc.

Scores by Evaluator and Criteria

Evaluation Item	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4
Project understanding and identification of corridor risks (25 pts)	95	95	95	95
Proposed Approach & Completeness of Proposed Work Plan (25 pts)	93	90	95	95
Comparable Municipal Roadway and Utility Experience (20 pts)	95	95	95	95
Qualifications and References (20 pts)	93	95	90	95

EVALUATION TABULATION

Request For Proposal - Request for Engineering services Bayside Road MPI

EVALUATION TABULATION

RFP No. TBD

Request for Engineering services Bayside Road MPI

Evaluation Item	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4
Local Knowledge, Schedule and QA/QC performance (10 pts)	95	93	90	98
Total Score (Max 100)	94.1	93.55	93.5	95.3

Sevee & Maher Engineers, Inc.

Scores by Evaluator and Criteria

Evaluation Item	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4
Project understanding and identification of corridor risks (25 pts)	90	95	95	95
Proposed Approach & Completeness of Proposed Work Plan (25 pts)	90	95	95	90
Comparable Municipal Roadway and Utility Experience (20 pts)	90	95	95	90
Qualifications and References (20 pts)	90	95	95	90
Local Knowledge, Schedule and QA/QC performance (10 pts)	93	95	90	90
Total Score (Max 100)	90.3	95	94.5	91.25

EVALUATION TABULATION

Request For Proposal - Request for Engineering services Bayside Road MPI

MEMORANDUM



CITY OF ELLSWORTH, MAINE

OFFICE OF THE PUBLIC WORKS DIRECTOR

TO: Ellsworth City Council

FROM: Mike Harris, Public Works Director

DATE: September 21, 2026

SUBJECT: Merrill Lane Construction Project – Procurement Update

Motion

Move to table the award of the Merrill Lane Construction Contract pending the solicitation and review of amended proposals from the three lowest proposers responding to the original RFP, and schedule a special City Council meeting for October 5, 2026, for consideration of the revised proposals and potential contract award.

Background

In January 2025, the Ellsworth City Council voted to authorize staff to plan, engineer, and ultimately fund approximately 0.2 miles of roadway and associated utilities necessary to provide access to the Hancock County courthouse site.

Since that time, City staff, in coordination with the City's engineering team, have advanced the Merrill Lane project through final design and development of construction documents. With the design substantially complete, the City's Highway Department completed Phase I of the construction road using City staff, equipment, and resources.

Following completion of this initial phase, the City initiated a competitive procurement process for the remaining construction work. The purpose of the procurement was to obtain competitive pricing, evaluate construction costs against available alternatives, and identify the most reasonable and cost-effective approach for completing the project while meeting the City's design and construction standards. The City has been evaluating three potential delivery approaches: a fully outsourced construction contract, completion of the work using City staff and resources, or a hybrid approach combining contracted services with work performed in-house by the City's Highway Department.

PROCUREMENT PROCESS

On August 10, 2026, the City released a Request for Proposals (RFP) through its online procurement platform, OpenGov. A non-mandatory pre-proposal meeting was held on site on August 17, 2026, at 10:00 a.m., and proposals were due September 3, 2026, at 4:00 p.m.

The City utilized a Request for Proposals process rather than a traditional Invitation to Bid to provide greater flexibility in evaluating proposals and negotiating with proposers to achieve the best overall value for the City.

The City received four proposals. Following an initial review, staff determined that three of the proposals were relatively close in overall cost. Proposal amounts have not been publicly released while the procurement and negotiation process remains ongoing.

STAFF REVIEW AND COST-SAVING OPPORTUNITIES

Following receipt of the proposals, City staff conducted a detailed review of the proposed work and identified several areas where the City may be able to reduce the overall project cost. The most significant opportunities are associated with materials and other project components that may be more cost-effectively provided directly by the City or completed using City resources.

Rather than moving immediately to contract award based on the original proposals, staff recommends providing the three lowest proposers with a consistent schedule identifying specific materials and work items that the City may furnish or complete separately. This would include requesting a limited contractor markup on materials that the City has the option to purchase directly from the vendor, where doing so provides a cost advantage to the City.

Each of the three proposers would receive the same information and be provided an equal opportunity to submit an amended proposal reflecting these changes, along with their final and best price for the City's consideration. This approach will allow the City to further evaluate potential cost savings while maintaining a fair and consistent competitive process.

This additional step will allow the City to evaluate the actual cost savings available through a revised scope while maintaining a competitive procurement process. It will also provide the Council with a more complete comparison of the available construction options before committing additional City funds.

As this procurement process remains active, it is important that the bid and pricing information provided to the Council remain confidential at this stage. Maintaining the confidentiality of this information is critical to preserving the integrity and competitiveness of the process, particularly as the three lowest proposers will be given an opportunity to submit amended proposals and final and best pricing. Premature disclosure of individual bid amounts or other pricing information could affect the City's negotiating position and the fairness of the remaining procurement process.

NEXT STEPS

Upon Council approval, staff will request amended proposals from the three lowest proposers based on the same revised scope of work.

Once the amended proposals are received and evaluated, staff anticipates returning to the Council at a special meeting on October 5, 2026, with a comprehensive recommendation for consideration.

The Council packet for that meeting is anticipated to include:

- Final amended proposal amounts;
- A comparison of the revised proposals;
- Project costs incurred by the City to date;
- An updated estimate of the cost for Public Works to perform applicable portions of the construction work;
- Identified savings associated with City-provided materials or services; and
- An updated summary of available and proposed project funding.

Providing this information together will allow the Council to evaluate the revised private-sector proposals alongside the City's potential in-house costs and available funding before making a final decision on the construction contract.

MEMORANDUM



CITY OF ELLSWORTH, MAINE

OFFICE OF THE PUBLIC WORKS DIRECTOR

TO: Ellsworth City Council

FROM: Mike Harris, Public Works Director

DATE: September 21, 2026

SUBJECT: Award of Local Roads and Sidewalks Contract

Motion

Move to award the Local Roads and Sidewalks construction contract to Northeast Paving in an amount not to exceed \$480,177 with funding from the FY 27 General Obligation Bond and to authorize the City Manager to execute the contract and related documents, subject to final review and approval by the City.

Background

The City solicited competitive bids for the Local Roads and Sidewalks project. The work will be completed in accordance with the specifications, bid schedule and contract documents prepared for the project.

The project includes reclamation and paving of the designated local roads and the sidewalk improvements identified in the bid package. Awarding the contract will allow the City to schedule and complete the work after the agreement, insurance documents, bonds and purchase order are in place.

Bid Selection Justification

The City received 3 bid(s). Staff reviewed the submitted bids for pricing, completeness, required documentation and conformance with the project requirements. Based on that review, Northeast Paving is recommended for award as the lowest responsive and responsible bidder.

Award item	Result
Bids received	3
Selected contractor	Northeast Paving
Accepted bid and alternates	Yes
Total contract amount	\$480,177

Financial Details

The total contract authorization is \$480,177, including the accepted base bid and approved alternates. Funding will be provided through the General Obligation Bond authorized by the City Council on September 8, 2026. The Council authorized a total of \$1,310,443 for local roads and sidewalks, and the proposed contract award is well below the total amount authorized.

Following the award, staff will review the City's StreetScan pavement and sidewalk condition data, together with the Capital Improvement Plan, to identify additional priority road and sidewalk improvements that could be completed within the remaining authorized bond amount. Additional work may be proposed through a future contract amendment with Northeast Paving; any proposed contract amendment would be brought back to the City Council for consideration and approval before proceeding.

The authorization requested through this motion is limited to \$480,177. Any subsequent work, contract amendments, or change orders will be handled in accordance with the City's purchasing requirements and the terms of the contract.

No work may begin until the City and the selected contractor have executed the agreement, all required bonds and insurance have been received and accepted, and a purchase order has been issued.

Bidder		Bid Alternates	Total Bid Price		
B & B Paving, Inc		\$0.00	\$786,914.00		
Eurovia Atlantic Coast LLC d/b/a Northeast Paving		\$115,400.00	\$364,777.00		
Gordon Contracting Inc		\$190,500.00	\$669,930.00		

True Copy Attest: Ebony A Kramp-Dowling
Ebony Kramp-Dowling
Deputy City Clerk

MEMORANDUM



CITY OF ELLSWORTH, MAINE
OFFICE OF THE TREASURER

TO: Ellsworth City Council

FROM: Chris Nemeth, Finance Director

DATE: September 21, 2026

SUBJECT: Project 2024-17 – Water Treatment Plant – Bond Authorization for \$6,000,000 DWSRF Funding

(NOTE: There are two memos associated with this agenda item.)

Motion

Move to adopt the Council Order authorizing a \$6,000,000 loan from the Maine Municipal Bond Bank Drinking Water SRF program (DHHS SWDRF #2024-17), and issuance of the City's bonds and BANs therefore, to finance a portion of the costs of the new water treatment plant project.

PURPOSE

The purpose of this memorandum is to obtain the formal bond authorization required for the City's \$6,000,000 Drinking Water State Revolving Fund (DWSRF) financing associated with Project 2024-17 for the new Water Treatment Plant.

BACKGROUND

The City of Ellsworth is constructing a new drinking water treatment plant to replace its aging facility and provide reliable, high-quality drinking water for the community. The overall Water Treatment Plant project is approximately \$24 million and will modernize the City's treatment processes, improve system reliability and regulatory compliance, and provide the capacity necessary to serve Ellsworth's current and future water demands.

Project 2024-17 represents \$6,000,000 of the financing associated with this larger project.

This funding was previously brought before the City Council in April 2024, at which time Council took action accepting the DWSRF funding. As Finance has worked with Bond Counsel to prepare the City's financing documentation, however, it was determined that the action taken in 2024 did not include all of the language necessary to constitute the formal bond authorization required for the borrowing.

In particular, although Council authorized acceptance of the funding, a formal bond order was not adopted.

This does not change the project, or the amount of funding previously presented to Council. Rather, the purpose of bringing this matter back before Council is to ensure that the City's authorization satisfies the requirements necessary to complete the financing and provides a complete record for the Maine Municipal Bond Bank, Maine DHHS Drinking Water Program, and Bond Counsel.

Bond Counsel has reviewed the City's available documentation and recommended that the City now complete the formal bond authorization process for Project 2024-17.

PROJECT DESCRIPTION

The City of Ellsworth is constructing a new drinking water treatment plant to replace its aging facility. The approximately \$24 million overall project will modernize treatment processes, improve system reliability and regulatory compliance, and provide capacity for the City's current and future drinking water needs.

Project 2024-17 provides \$6,000,000 in DWSRF financing toward the Water Treatment Plant project.

FINANCIAL IMPACT

Project: 2024-17 – Water Treatment Plant

Financing Amount: Up to \$6,000,000

Funding Program: Drinking Water State Revolving Fund (DWSRF)

Purpose: Financing eligible costs associated with construction, improvements, upgrades, renovations, equipping, and related work for the City's new Water Treatment Plant.

STAFF RECOMMENDATION

Staff recommends approval.

This action will formally document the borrowing authority associated with funding that Council previously accepted and allow the City to proceed with the financing documentation required for Project 2024-17.

Attachments: Bond Order for Project 2024-17

CITY OF ELLSWORTH

Council Order # 092604

TITLE: Order authorizing a loan of up to \$6,000,000, and issuance of the City's General Obligation Bonds therefore, to finance a portion of the costs of the new water treatment plant project

By the City Council of the City of Ellsworth be it hereby:

ORDERED that pursuant to Title 30-A, §5772 of the Maine Revised Statutes, as amended, the City Charter, as amended, and all other authority thereto enabling, the Treasurer and the Chair of the City Council are hereby authorized, in the name of and on behalf of the City, to borrow up to \$6,000,000 (the "Loan", of which a portion is expected to be forgiven and the balance is expected to be repaid), and to issue therefore, at one time or from time-to-time, the City's general obligation bonds (the "Bonds") and notes in anticipation thereof (the "Notes") in like amount, the proceeds of which, including premium and investment earnings thereon, if any, to be used and are hereby appropriated to pay a portion of the costs of the following project (the "Project"):

<u>Project Description</u>	<u>Loan Amount</u>	<u>Useful Life (est.)</u>
Water Treatment Plant Project (DHHS DWSRF #2024-17)	\$6,000,000	40 years

ORDERED that the estimated useful life of the Project is hereby determined to be the period of time indicated above.

ORDERED that the Bonds and Notes (including any bonds or notes required to provide for exchanges or transfers of Bonds or Notes previously issued), shall be executed and delivered in the name of and on behalf of the City by the manual or facsimile signatures of the Treasurer and the Chair of the City Council (provided that at least one of such signatures shall be a manual signature), sealed with the seal of the City.

ORDERED that the Treasurer is authorized, in the name of and on behalf of the City, to establish, determine and approve the form, date, maturity (not to exceed the maximum term permitted by law), denominations, interest rate, payment date, provisions for redemption prior to the stated maturity date(s), with or without a premium, and all other details of the Bonds and Notes, such establishment, determination and approval to be conclusively evidenced by the execution thereof.

ORDERED that the Treasurer is authorized, in the name of and on behalf of the City, to establish, determine and approve the time of the sale, award and settlement of the Bonds and Notes, which may be issued at one time or from time-to-time, and which may be issued through the Maine Municipal Bond Bank's Drinking Water SRF or general resolution borrowing program, through a public offering or with and to another qualified lender / purchaser, or a combination thereof, which Bonds and Notes may be issued on a competitive or negotiated basis, and in serial form or as term debt, or some combination of any of the foregoing, such establishment, determination and approval to be conclusively evidenced by his/her execution thereof.

ORDERED that each year that any of the Bonds and Notes remain outstanding, the City shall levy a tax in an amount necessary, together with other revenues, if any, available to the City for that purpose, to pay the annual principal and interest on such Bonds and Notes.

ORDERED that Treasurer is hereby authorized, in the name of and on behalf of the District, to do or cause to be done all such acts and things, including to approve, execute and deliver all contracts, agreements, loan agreements (including but not limited to one or more loan agreements with the Bond Bank), investment agreements, bond purchase agreements, continuing disclosure agreements, tax compliance agreements, official statements or other offering documents, instruments, and such other documents and closing certificates, as may be necessary or advisable in order to accomplish the issuance of the Bonds and Notes and the investment of the proceeds thereof (the "Financing Documents"), which Financing Documents may be in such form and contain such terms and provisions including, without limitation, the waiving of the District's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, which waiver of sovereign or governmental immunity is hereby authorized, confirmed and approved, and such other details as he/she shall establish, determine and approve, such determination and approval to be conclusively evidenced by the execution thereof.

ORDERED that the Treasurer is hereby authorized in the name of and on behalf of the City:

- To covenant and agree (i) that no part of the proceeds of the Bonds or Notes, or the Project, shall be used directly or indirectly in any manner that would cause the Bonds or Notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (ii) that the City will take all such action as may be necessary to ensure that interest on the Bonds or Notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the Bonds or Notes to be subject to federal income taxation;
- To designate such Bonds or Notes as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code, to the extent such designation is available and permissible under said Section 265(b)(3); and
- To covenant, certify, and agree for the benefit of the holders of such Bonds or Notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

ORDERED that the term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, includes, but is not limited to: (1) the cost to purchase, acquire, design, construct or reconstruct, renovate, improve, repair, furnish and equip the Project, or any portion thereof; (2) the cost of land, easements and other real property interests, landscaping and site preparation, including demolition, disposal and environmental remediation work on any existing building or structure and on the property where the Project are located, utility extensions and site improvements, and all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Project; (3) the cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Project; (4) issuance costs, including premiums for insurance, capitalized interest and other fees and expenses relating to the issuance and delivery of the Bonds and Note; and (5) other costs of the Project ancillary or related to the foregoing costs.

ORDERED that the proceeds of the Loan, the Bonds and Notes, including bond premium, if any, and investment earnings thereon, may be used and are hereby appropriated to pay costs of the Project. To the extent there are any proceeds remaining after the Project has been completed or abandoned, such remaining proceeds may be used and are hereby appropriated for the following purposes, such proceeds to be held and applied in the order of priority determined by the Treasurer:

- To pay debt service on the Bonds and Notes;
- To any other project or improvement authorized by the Board of Trustees; and
- To the District's general fund.

If the Loan, the Bonds or the Notes are issued as tax-exempt obligations, any remaining proceeds shall be used in accordance with applicable terms and provisions of the Arbitrage and the Use of Proceeds Certificate or tax certificate delivered in connection with the sale of the Bonds and Notes.

ORDERED that if the Treasurer, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the Bonds or Notes, or any Bond Documents, the person or persons then acting in any such capacity, whether on an interim or acting or temporary basis, as an assistant, a deputy, or otherwise, is authorized to act for such official, in the name of and on behalf of the City, with the same force and effect as if such official had himself or herself performed such act.

ORDERED that if the Treasurer, Chair of the City Council, or Clerk have signed or sealed the Bonds and Notes, but shall cease to be such officers or officials before the Bonds or Notes so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds or Notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds or Notes had not ceased to be such officer or official; and also any such Bonds or Notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds or Notes, shall be the proper officers and officials of the City, although at the nominal date of such Bonds or Notes any such person shall not have been such officer or official.

ORDERED that while any of the Bonds remain outstanding, the Treasurer and Chair of the City Council are hereby authorized, in the name of and on behalf of the City, to execute, issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the Bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 30 years from the date of issuance of the original bonds) and all other details of such refunding bonds, which may be made callable, with or without premium, prior to their stated date(s) of maturity, and to determine the form and manner of their sale and award, and to approve, execute and deliver, in the name of and on behalf of the City, such additional Bond Documents as may be reasonable or necessary with respect to such refunding, such approval to be conclusively evidenced by the execution thereof, and which refunding bonds shall be signed in like manner as the Bonds

ORDERED that while any of the Bonds remain outstanding, all authority granted pursuant to this Order shall be, remain, and continue in full force and effect without the necessity of any further action of the City Council.

ORDERED that the City may pay certain costs of the Project prior to the issuance of the Bonds and Notes (referred to as “original expenditures”); to that end, the City hereby declares its official intent to reimburse itself for such original expenditures from the proceeds of such Bonds and Notes, and this Order shall constitute the City’s declaration of official intent pursuant to Treasury Regulation §1.150-2.

MEMORANDUM



CITY OF ELLSWORTH, MAINE
OFFICE OF THE TREASURER

TO: Ellsworth City Council

FROM: Chris Nemeth, Finance Director

DATE: September 21, 2026

SUBJECT: Project 2025-06 – Water Treatment Plant – Authorization for \$6,000,000 DWSRF Financing

Motion

Move to adopt the Council Order authorizing a \$6,000,000 loan from the Maine Municipal Bond Bank Drinking Water SRF program (DHHS SWDRF #2025-06), and issuance of the City's bonds and BANs therefore, to finance a portion of the costs of the new water treatment plant project.

PURPOSE

The purpose of this memorandum is to obtain formal City Council authorization for up to \$6,000,000 in Drinking Water State Revolving Fund (DWSRF) financing for Project 2025-06 associated with construction of the City's new Water Treatment Plant. Timely Council action is necessary because the financial application associated with this funding must be submitted by October 1, 2026.

BACKGROUND

The City of Ellsworth is constructing a new drinking water treatment plant to replace its aging facility and provide reliable, high-quality drinking water for the community. The approximately \$24 million overall project will modernize the City's treatment processes, improve system reliability and regulatory compliance, and provide the capacity necessary to serve Ellsworth's current and future water demands.

Project 2025-06 represents an additional \$6,000,000 in DWSRF financing for the Water Treatment Plant project.

Staff understands that this funding may have previously been discussed with or presented to the City Council. However, during Finance's review of the City's records and financing documentation, staff has been unable to locate documentation establishing that Council adopted the formal bond authorization necessary for this borrowing.

Because the City must be able to demonstrate clear Council authorization as part of the financing process, Bond Counsel has recommended that Project 2025-06 be brought before Council for formal action. Rather than rely upon an authorization that cannot presently be documented, staff recommends completing the appropriate public hearing and

bond authorization process now to establish a clear record and avoid delays in completing the DWSRF financial application.

The financial application deadline for this financing is October 1, 2026. Completing Council authorization at this time will allow staff, Bond Counsel, the Maine Municipal Bond Bank, and the Maine DHHS Drinking Water Program to proceed with the necessary financing documents.

PROJECT DESCRIPTION

The City of Ellsworth is constructing a new drinking water treatment plant to replace its aging facility. The approximately \$24 million overall project will modernize treatment processes, improve system reliability and regulatory compliance, and provide capacity for the City's current and future drinking water needs.

Project 2025-06 provides an additional \$6,000,000 in DWSRF financing toward the Water Treatment Plant project.

FINANCIAL IMPACT

Project: 2025-06 – Water Treatment Plant

Financing Amount: Up to \$6,000,000

Funding Program: Drinking Water State Revolving Fund (DWSRF)

Financial Application Deadline: October 1, 2026

Purpose: Financing eligible costs associated with construction, improvements, upgrades, renovations, equipping, and related work for the City's new Water Treatment Plant.

STAFF RECOMMENDATION

Staff recommends approval due to the October 1, 2026 financial application deadline and the need to establish clear and complete Council authorization for the financing.

Approval will allow City staff and Bond Counsel to proceed with the required financial application and financing documentation.

Attachments: Bond Order for Project 2025-06

CITY OF ELLSWORTH

Council Order # 092604

TITLE: Order authorizing a loan of up to \$6,000,000, and issuance of the City's General Obligation Bonds therefore, to finance a portion of the costs of the new water treatment plant project

By the City Council of the City of Ellsworth be it hereby:

ORDERED that pursuant to Title 30-A, §5772 of the Maine Revised Statutes, as amended, the City Charter, as amended, and all other authority thereto enabling, the Treasurer and the Chair of the City Council are hereby authorized, in the name of and on behalf of the City, to borrow up to \$6,000,000 (the "Loan", of which a portion is expected to be forgiven and the balance is expected to be repaid), and to issue therefore, at one time or from time-to-time, the City's general obligation bonds (the "Bonds") and notes in anticipation thereof (the "Notes") in like amount, the proceeds of which, including premium and investment earnings thereon, if any, to be used and are hereby appropriated to pay a portion of the costs of the following project (the "Project"):

<u>Project Description</u>	<u>Loan Amount</u>	<u>Useful Life (est.)</u>
Water Treatment Plant Project (DHHS DWSRF #2025-06)	\$6,000,000	40 years

ORDERED that the estimated useful life of the Project is hereby determined to be the period of time indicated above.

ORDERED that the Bonds and Notes (including any bonds or notes required to provide for exchanges or transfers of Bonds or Notes previously issued), shall be executed and delivered in the name of and on behalf of the City by the manual or facsimile signatures of the Treasurer and the Chair of the City Council (provided that at least one of such signatures shall be a manual signature), sealed with the seal of the City.

ORDERED that the Treasurer is authorized, in the name of and on behalf of the City, to establish, determine and approve the form, date, maturity (not to exceed the maximum term permitted by law), denominations, interest rate, payment date, provisions for redemption prior to the stated maturity date(s), with or without a premium, and all other details of the Bonds and Notes, such establishment, determination and approval to be conclusively evidenced by the execution thereof.

ORDERED that the Treasurer is authorized, in the name of and on behalf of the City, to establish, determine and approve the time of the sale, award and settlement of the Bonds and Notes, which may be issued at one time or from time-to-time, and which may be issued through the Maine Municipal Bond Bank's Drinking Water SRF or general resolution borrowing program, through a public offering or with and to another qualified lender / purchaser, or a combination thereof, which Bonds and Notes may be issued on a competitive or negotiated basis, and in serial form or as term debt, or some combination of any of the foregoing, such establishment, determination and approval to be conclusively evidenced by his/her execution thereof.

ORDERED that each year that any of the Bonds and Notes remain outstanding, the City shall levy a tax in an amount necessary, together with other revenues, if any, available to the City for that purpose, to pay the annual principal and interest on such Bonds and Notes.

ORDERED that Treasurer is hereby authorized, in the name of and on behalf of the District, to do or cause to be done all such acts and things, including to approve, execute and deliver all contracts, agreements, loan agreements (including but not limited to one or more loan agreements with the Bond Bank), investment agreements, bond purchase agreements, continuing disclosure agreements, tax compliance agreements, official statements or other offering documents, instruments, and such other documents and closing certificates, as may be necessary or advisable in order to accomplish the issuance of the Bonds and Notes and the investment of the proceeds thereof (the "Financing Documents"), which Financing Documents may be in such form and contain such terms and provisions including, without limitation, the waiving of the District's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, which waiver of sovereign or governmental immunity is hereby authorized, confirmed and approved, and such other details as he/she shall establish, determine and approve, such determination and approval to be conclusively evidenced by the execution thereof.

ORDERED that the Treasurer is hereby authorized in the name of and on behalf of the City:

- To covenant and agree (i) that no part of the proceeds of the Bonds or Notes, or the Project, shall be used directly or indirectly in any manner that would cause the Bonds or Notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (ii) that the City will take all such action as may be necessary to ensure that interest on the Bonds or Notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the Bonds or Notes to be subject to federal income taxation;
- To designate such Bonds or Notes as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code, to the extent such designation is available and permissible under said Section 265(b)(3); and
- To covenant, certify, and agree for the benefit of the holders of such Bonds or Notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

ORDERED that the term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, includes, but is not limited to: (1) the cost to purchase, acquire, design, construct or reconstruct, renovate, improve, repair, furnish and equip the Project, or any portion thereof; (2) the cost of land, easements and other real property interests, landscaping and site preparation, including demolition, disposal and environmental remediation work on any existing building or structure and on the property where the Project are located, utility extensions and site improvements, and all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Project; (3) the cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Project; (4) issuance costs, including premiums for insurance, capitalized interest and other fees and expenses relating to the issuance and delivery of the Bonds and Note; and (5) other costs of the Project ancillary or related to the foregoing costs.

ORDERED that the proceeds of the Loan, the Bonds and Notes, including bond premium, if any, and investment earnings thereon, may be used and are hereby appropriated to pay costs of the Project. To the extent there are any proceeds remaining after the Project has been completed or abandoned, such remaining proceeds may be used and are hereby appropriated for the following purposes, such proceeds to be held and applied in the order of priority determined by the Treasurer:

- To pay debt service on the Bonds and Notes;
- To any other project or improvement authorized by the Board of Trustees; and
- To the District's general fund.

If the Loan, the Bonds or the Notes are issued as tax-exempt obligations, any remaining proceeds shall be used in accordance with applicable terms and provisions of the Arbitrage and the Use of Proceeds Certificate or tax certificate delivered in connection with the sale of the Bonds and Notes.

ORDERED that if the Treasurer, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the Bonds or Notes, or any Bond Documents, the person or persons then acting in any such capacity, whether on an interim or acting or temporary basis, as an assistant, a deputy, or otherwise, is authorized to act for such official, in the name of and on behalf of the City, with the same force and effect as if such official had himself or herself performed such act.

ORDERED that if the Treasurer, Chair of the City Council, or Clerk have signed or sealed the Bonds and Notes, but shall cease to be such officers or officials before the Bonds or Notes so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds or Notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds or Notes had not ceased to be such officer or official; and also any such Bonds or Notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds or Notes, shall be the proper officers and officials of the City, although at the nominal date of such Bonds or Notes any such person shall not have been such officer or official.

ORDERED that while any of the Bonds remain outstanding, the Treasurer and Chair of the City Council are hereby authorized, in the name of and on behalf of the City, to execute, issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the Bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 30 years from the date of issuance of the original bonds) and all other details of such refunding bonds, which may be made callable, with or without premium, prior to their stated date(s) of maturity, and to determine the form and manner of their sale and award, and to approve, execute and deliver, in the name of and on behalf of the City, such additional Bond Documents as may be reasonable or necessary with respect to such refunding, such approval to be conclusively evidenced by the execution thereof, and which refunding bonds shall be signed in like manner as the Bonds

ORDERED that while any of the Bonds remain outstanding, all authority granted pursuant to this Order shall be, remain, and continue in full force and effect without the necessity of any further action of the City Council.

ORDERED that the City may pay certain costs of the Project prior to the issuance of the Bonds and Notes (referred to as “original expenditures”); to that end, the City hereby declares its official intent to reimburse itself for such original expenditures from the proceeds of such Bonds and Notes, and this Order shall constitute the City’s declaration of official intent pursuant to Treasury Regulation §1.150-2.

MEMORANDUM



CITY OF ELLSWORTH, MAINE

TO: Ellsworth City Council

FROM: KaTina Vanadestine (Sponsored by Councilor O'Halloran)

DATE: September 21, 2026

SUBJECT: Overview of Strong Mayor and Weak Mayor Systems and Charter Revision Timeline

Note

This is just initial guidance which has not yet gone through rigorous staff/legal review, and that if the council wishes to have further staff and legal resources spent on exploring this idea we suggest the following motion:

Direct the city Manager to expend city staff resources and attorney fees not to exceed \$1000 in putting together a final timeline and draft referendum vote on the creation of a charter commission to be placed on the ballot for the purpose of consideration by the voters at large of creating a strong mayor system of government in Ellsworth.

Purpose

The purpose of this memorandum is to provide the City Council with an overview of the two primary mayoral government structures – the Strong Mayor (Mayor-Council) system and the Weak Mayor/Council-Manager system – as well as an overview of the anticipated timeline and major steps involved in revising the City Charter to establish a mayoral form of government.

The information below is based on the materials provided regarding the two forms of government and the Maine municipal charter revision process, including the applicable provisions of 30-A M.R.S. Chapter 111.

I. Strong Mayor System – Mayor-Council

Under a Strong Mayor system, the mayor is elected separately from the City Council and serves as the city's chief executive. The mayor has significantly greater authority over the administration and implementation of city government than under a Weak Mayor system.

Key Characteristics

Executive Authority:

The mayor serves as the chief executive and has greater responsibility for directing city operations.

Veto Authority:

The mayor may have the authority to veto ordinances adopted by the City Council. The Council would generally need a supermajority vote, such as two-thirds or three-fourths, to override a veto, depending on the charter provisions adopted.

Policy and Agenda Setting:

The mayor establishes the administration's political agenda and may be able to move initiatives more quickly because department heads report directly to the mayor's office.

Administrative Authority:

A Strong Mayor may employ a professional Chief Administrative Officer or similar position to oversee day-to-day operations; however, that administrator remains accountable to the mayor.

Accountability:

Because executive authority is concentrated in the mayor's office, voters have a clearly identifiable individual responsible for the direction and performance of the administration.

General Structure

Voters → Elect Mayor and Council Separately

Mayor → Chief Executive → Department Heads/Administration

City Council → Legislative/Policy Authority

II. Weak Mayor/Council-Manager System

Under a Weak Mayor system, the mayor's role is primarily that of a council member who serves as the chair or presiding officer of the Council. The mayor generally does not function as the chief executive of the city.

In a Council-Manager form, the City Council hires a professional, non-partisan City Manager to oversee the day-to-day administration of the city.

Key Characteristics**Limited Mayoral Authority:**

The mayor's role is primarily ceremonial and focused on presiding over the Council rather than directly managing city operations.

Council Authority:

Executive and legislative authority is more broadly distributed among the Council. The Council may make executive decisions, approve contracts, and establish budgets without requiring mayoral approval.

Professional City Manager:

The Council hires a professional manager to administer the city's daily operations. The manager is responsible for implementing Council policies and managing municipal departments.

Department Heads:

Department heads generally report through the professional administrative structure rather than directly to the mayor.

Decision-Making:

Major decisions generally require action by a majority of the Council rather than unilateral action by the mayor.

General Structure

Voters → Elect Council

Council → Establishes Policy / Hires City Manager

City Manager → Administers City Government → Department Heads

Mayor → Council Member / Chair / Ceremonial Leader

III. Comparison of the Two Systems

Area	Strong Mayor	Weak Mayor / Council-Manager
Mayor's Role	Chief Executive	Council member/chair
Mayor Elected	Separately from Council	Generally as part of Council structure
Day-to-Day Administration	Mayor	Professional City Manager
Department Heads	Report to mayor/administration	Report through professional manager
Council Role	Legislative and policy-making	Legislative, policy-making, and oversight
Veto	May have veto authority	Generally limited/no independent executive veto
Decision-Making	More centralized	More collaborative/consensus-based
Administrative Professional	CAO may report to mayor	City Manager hired by Council
Accountability	More directly centered on mayor	Shared between Council and professional administration

The primary distinction is therefore where executive authority resides. A Strong Mayor system places substantial executive authority in an elected mayor, while a Weak Mayor/Council-Manager system places administrative authority with a professional manager who is accountable to the City Council.

IV. Maine Municipal Charter Revision Timeline

A transition to a new municipal charter is a multi-step process. While the overall process may take approximately 12 to 18 months from initiation to the final vote, the actual timeline can be longer depending on the timing of elections and the time required to organize and complete the work of the Charter Commission.

Maine's municipal charter procedures are established in 30-A M.R.S. Chapter 111. The process generally involves five major phases.

Phase 1 – Initiation

Estimated timeframe: 1–3 months, depending on election timing

The process may begin in either of two ways:

1. Municipal Officers' Order – The municipal officers may determine that a revision of the municipal charter or adoption of a new charter should be considered and, by order, provide for the establishment of a Charter Commission; or
2. Citizen Petition – Citizens may initiate the process through a written petition signed by voters equal to at least 20% of the votes cast in the municipality at the last gubernatorial election, subject to the statutory minimum of 10 voters.

The petition process includes specific filing and verification requirements. Petition forms must be filed within 120 days of their issuance, and the municipal clerk must review the petition for sufficiency.

Following either a municipal officers' order or certification of a sufficient petition, the municipal officers must, within 30 days, order the Charter Commission question to be submitted to voters at the next regular or special municipal election held at least 90 days after the order.

Important distinction: If the municipal officers initiate the process themselves, the citizen-petition process is not necessary.

Phase 2 – Election and Formation of the Charter Commission

Timing: Dependent upon election schedule

Voters are presented with a ballot question asking whether a Charter Commission should be established for the purpose of revising the existing charter or establishing a new municipal charter.

The Charter Commission consists of elected voter members and three members appointed by the municipal officers.

Maine law provides several methods for determining the number and method of election of the voter members. One method provides for six members elected at-large, while another provides for one member from each voting district or ward. A municipality may also use a combination of at-large and district/ward members, provided the number of voter members is the same as the number of municipal officers on the governing board or council.

For Ellsworth, assuming the applicable municipal structure provides for seven elected voter members, the Commission would consist of:

- 7 elected members, and
- 3 appointed members, for a total of 10 Charter Commission members.

The three appointed members are selected by the municipal officers within 30 days after the election approving establishment of the Charter Commission. Only one of the three appointed members may be a municipal officer.

Phase 3 – Charter Commission Organization and Preliminary Report

Up to 9 months

Once the elected and appointed members have been selected, the municipal clerk schedules the Charter Commission's organizational meeting. The Commission organizes by electing a chair, vice-chair, and secretary.

Within 30 days after its organizational meeting, the Charter Commission must hold a public meeting to receive information, views, comments, and other material concerning its work. The Commission may also hold additional public hearings as it develops the proposed charter.

During this phase, the Commission would be expected to:

- Hold public meetings and hearings;
- Receive public testimony;
- Research different forms of municipal government;
- Consider Strong Mayor and Weak Mayor/Council-Manager structures;
- Develop proposed charter language; and
- Consider how the proposed form of government would operate specifically in Ellsworth.

Within nine months after its election, the Charter Commission must prepare a preliminary report containing the proposed charter or charter revision and explanatory information. The preliminary report must be printed and circulated throughout the municipality, with copies provided to the municipal clerk for voters requesting one.

Phase 4 – Final Report and Legal Review

Approximately Months 9–12

Following preparation and public consideration of the preliminary proposal, the Charter Commission continues its review and revisions.

Within 12 months after its election, the Charter Commission must submit its final report to the municipal officers. The final report must include:

- The full text of the proposed new charter or charter revision;
- An explanation of the proposal;
- Any additional comments the Commission considers appropriate;
- An indication of the major differences between the current and proposed charter; and
- A written opinion from an attorney admitted to practice in Maine that the proposed charter does not contain provisions prohibited by the United States Constitution, the Maine Constitution, or Maine's general laws.

Maine law also allows the municipal officers to extend the time for preparation and submission of the preliminary and final reports for up to 24 months after the election of the Charter Commission when necessary to properly complete the reports, circulate them, or obtain the required legal opinion.

Phase 5 – Referendum and Adoption

Timing: Dependent upon election schedule

Once the final report is filed, the municipal officers must order the proposed new charter or charter revision to be submitted to voters at the next regular or special municipal election held at least 35 days after the final report is filed.

The proposed charter must then receive the required majority of votes under Maine law and satisfy the applicable statutory vote requirement for the charter to take effect.

If approved, the charter takes effect according to the effective-date provisions established by Maine law and the charter itself.

V. Simplified Timeline

Council/Municipal Officers Decide to Proceed

↓

Municipal Officers Adopt Order

OR

Citizens Initiate 20% Petition Process

↓

Charter Commission Question Ordered for Election

↓

Voters Decide Whether to Establish Charter Commission

↓

Election of Charter Commission Members

↓

3 Appointed Members Selected

↓

Charter Commission Organized

↓

Public Meetings / Hearings / Research

↓

Preliminary Charter – Within 9 Months of Commission Election

↓

Public Review / Revisions

↓

Final Charter – Within 12 Months of Commission Election

↓

Required Legal Opinion

↓

Charter Submitted to Voters

↓

Referendum

↓

If Approved → New Charter Takes Effect According to Applicable Effective Date

VI. What the Timeline Means for Ellsworth

The most important factor affecting the overall timeline is election scheduling. The statutory work of the Charter Commission itself has defined deadlines, but the election dates create additional time between the major phases.

The process therefore should not be viewed simply as a 12-month process. A more realistic planning estimate is approximately 12 to 18 months from initiation through the final voter decision, with the possibility of a longer timeline depending upon election dates, Commission work, legal review, or an authorized extension.

The Council should also be aware that the citizen-petition route is not necessary if the municipal officers choose to initiate the charter process themselves. Maine law specifically allows the municipal officers to initiate consideration of a new or revised charter by order.

For Ellsworth, a Council-initiated process would therefore allow the municipal officers to establish the Charter Commission process directly rather than first requiring citizens to collect and submit the required 20% petition.

VII. Considerations for the City Council

Before moving forward, the Council may wish to consider two separate questions:

1. What form of government is desired?

The most significant policy decision is whether the City wants a Strong Mayor model, in which executive authority is concentrated in an elected mayor, or a Weak Mayor/Council-Manager model, in which a professional manager administers the city under the direction of the Council.

2. How should the process be initiated?

The Council should determine whether it wishes to initiate the charter process through a municipal officers' order or allow the process to be initiated through the citizen-petition procedure.

A Council-initiated process would eliminate the need to collect and validate the required citizen petition signatures before the process could move forward.

If the Council chooses to pursue charter revision, the Charter Commission would then provide an opportunity for residents to participate in determining the specific structure, responsibilities, authority, and organization of the City's future government.

Summary

A Strong Mayor system would represent a significant shift toward centralized executive authority under an elected mayor. A Weak Mayor/Council-Manager system would retain a stronger role for the City Council while relying on a professional administrator to manage day-to-day municipal operations.

Regardless of which structure is ultimately preferred, changing the City's form of government requires a formal charter process involving voter approval to establish a Charter Commission, public participation, development and review of proposed charter language, legal review, and ultimately a vote of the City's residents.

The Maine statutory process establishes specific deadlines for the Charter Commission's work, including a preliminary report within nine months and a final report within 12 months of the Commission's election, although extensions may be permitted in certain circumstances. The timing of the required elections can add additional time to the overall process.

For Ellsworth, the initial decision for the Council is therefore whether it wishes to initiate the charter revision process and allow a Charter Commission to study and develop a proposed form of government for consideration by the voters. The ultimate adoption of a new form of government would remain subject to voter approval.

Attachments: n/a

CC: n/a

MEMORANDUM



CITY OF ELLSWORTH, MAINE

TO: Ellsworth City Council

FROM: Ebony Kramp-Dowling, Deputy City Clerk (Sponsored by Councilor O'Halloran)

DATE: September 21, 2026

SUBJECT: Food Sovereignty Ordinance – Council Direction and Authorization to Proceed

Recommended Council Action Motion:

If Council wishes to proceed with a Food Sovereignty Ordinance the following motion is recommended:

Move to authorize staff to proceed with preliminary research and legal review regarding the potential development of a Food Sovereignty Ordinance for the City of Ellsworth, including authorization to incur reasonable expenses associated with that work, and to return the matter to the Council for further consideration before any ordinance is formally introduced or adopted.

Purpose

The purpose of this memorandum is to provide the City Council with information regarding Maine's Food Sovereignty Act and the potential adoption of a local food sovereignty ordinance in the City of Ellsworth.

The City has received information from two citizens regarding Maine's food sovereignty laws and the possibility of adopting a local ordinance. Before staff proceeds with the preparation and review of an ordinance, including any associated legal review, publication, or other expenses, staff is seeking direction from the City Council as to whether the Council would like to pursue this matter. Rob and Dawn Hudson, who provided the information on this item, will be in attendance to provide comments.

Background

Maine enacted the Food Sovereignty Act in 2017, which provides municipalities with the ability to adopt local ordinances governing certain direct producer-to-consumer food sales. The intent of these ordinances is generally to support local food systems, small-scale producers, self-sufficiency, and local control.

Under food sovereignty ordinances, certain food producers may be permitted to sell directly to consumers without some state licensing or inspection requirements when the food is intended for home consumption or is sold at qualifying community events. These ordinances do not eliminate all state food safety requirements, and certain products, including meat and poultry, remain subject to state and federal regulation.

In 2021, Maine voters also approved a constitutional amendment recognizing an individual's right to grow, raise, harvest, produce, and consume the food of their choice for sustenance and well-being. This amendment further established food sovereignty as an issue of constitutional significance within Maine.

Local Implementation

According to information provided to the City, more than 100 Maine municipalities have adopted some form of food sovereignty ordinance. These communities are located throughout the state, including several municipalities within Hancock County.

Hancock County communities identified as having food sovereignty ordinances or being recognized through the Local Food Rules/LFCSGO framework include:

- Blue Hill
- Brooklin
- Brooksville
- Bucksport
- Gouldsboro
- Orland
- Penobscot
- Sedgwick
- Trenton

Some of the municipalities identified as early adopters of food sovereignty ordinances include Sedgwick, Blue Hill, Brooksville, Penobscot, Trenton, Hope, Appleton, Isle Au Haut, Plymouth, Livermore, Freedom, Moscow, Solon, Bingham, and Alexander.

Food sovereignty ordinances are generally intended to reduce administrative barriers for small-scale and local food producers while allowing communities to establish their own requirements within the authority provided by state law.

Potential Considerations for Ellsworth

If the Council is interested in pursuing a food sovereignty ordinance, there are several issues that would need to be evaluated before an ordinance could be presented for consideration. These may include:

- The specific types of food products and sales that could be covered by a local ordinance;
- Which state licensing and inspection requirements may be exempted or superseded;
- Food safety requirements that would continue to apply;
- Requirements related to meat, poultry, dairy, and other regulated products;
- Where and under what circumstances food could be sold;
- Recordkeeping, labeling, or disclosure requirements;
- The City's enforcement responsibilities;

- The relationship between a local ordinance and existing state law; and
- Any legal limitations or requirements associated with adopting such an ordinance.

Because of the potential interaction between a local ordinance and state food safety laws, legal review would be recommended before the City proceeds with drafting and adopting an ordinance.

Request for Council Direction

At this time, staff is not seeking approval of a food sovereignty ordinance. Rather, staff is seeking the Council's direction on whether the City should proceed with further research and development of a potential ordinance.

If the Council would like to pursue the matter, staff would proceed with the necessary preliminary work, including researching existing Maine municipal ordinances, determining the City's legal authority and potential limitations, and obtaining legal review as appropriate. This work may involve costs associated with legal services, ordinance preparation, public notice, publication, and other steps required as the proposal moves forward.

Staff recommends that the Council provide an affirmative vote authorizing staff to proceed with the preliminary research and legal review necessary to determine whether a food sovereignty ordinance would be appropriate for the City of Ellsworth.

Following that work, a proposed ordinance could be brought back before the Council for review and consideration before any formal adoption process begins.
