

**JUNE 29, 2015
MONDAY
6:00 P.M.**



**AGENDA
SPECIAL COUNCIL MEETING
City Council Chambers, 2nd Floor
265 Main Street-Old Town, Maine**

- I. CALL TO ORDER (Please turn off or silence cell phones)**
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV. Approval of the Minutes.**
- V. PETITIONS, COMMUNICATIONS AND CITIZENS' REQUESTS**
- VI. REPORTS**
 - A. Council President**
 - B. Standing Committees (Finance, Public, Administrative & Economic Services; Landfill, Legislative, Sewer, Airport & Housing sub-committees)**
 - C. City Councilors**
 - D. City Attorney**
 - E. Special Committees**
 - F. School Board Liaison**
 - G. City Manager**
- VII. CONSENT AGENDA**
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

PUBLIC HEARINGS:

1. The Old Town City Council will conduct a Public hearing on the proposed FY 2015-2016 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County and RSU #34 Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$ 9,742,928.
- 1a. The Old Town City Council will consider scheduling a Second Reading for final approval on the proposed FY 2015-2016 Municipal, County & School Budget.

Suggested motion: Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval for June 30, 2015 on the proposed FY 2015-2016 Municipal, County & School Budget. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County & School Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$9,742,928.

(Councilor McLeod)

2. The Old Town City Council will conduct a Public Hearing on the proposed FY 2015-2016 Pollution Control Budget containing gross appropriations of \$1,365,902, user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).
- 2a. The Old Town City Council will consider scheduling a Second Reading for final approval on the proposed FY 2015-2016 Pollution Control Budget.

Suggested motion: Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval for June 30, 2015 on the proposed FY 2015-2016 Pollution Control Budget containing gross appropriations of \$1,365,902 user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).

(Councilor May)

IX. OLD BUSINESS

X. NEW BUSINESS

1. The City Council will consider authorizing the Finance Director to write off uncollectable Receivables booked at the end of last year when the Recreation Department became a separate entity from the Recreation Department.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the Finance Director to write off uncollectable Receivables from the former Recreation Department as of June 30, 2014, in the amount of \$16,468.45 as presented in Attachment #1.

(Councilor Roach)

2. The City Council will consider authorizing the Finance Director to write off uncollectable Receivables relating to Airport Operations. Several attempts have been made to collect on these accounts without success.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the Finance Director to write off uncollectable Receivables relating to Airport Operations in the amount of \$3,361.72 as presented in Attachment #2.

(Councilor Peterson)

3. The City Council will consider accepting an after deadline redemption on foreclosed property for Christopher & Patricia Gauthier, located at 60 Leonard Lane for payment of 2013 to present Real Estate Taxes in the total amount of \$3,707.02.

Suggested motion: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Christopher & Patricia Gauthier, located at 60 Leonard Lane for payment of 2013 to present Real Estate Taxes in the amount of \$3,707.02, which includes interest, lien costs and late redemption fee and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

(Councilor Nuttall)

XI. ADJOURNMENT

**CITY OF OLD TOWN
 APPROPRIATION RESOLUTION 2015-1
 INBOARD OF COUNCIL, June 30, 2015
 Municipal, RSU #34 and County Appropriation**

RESOLVED:

That whereas the annual budget for the fiscal year 2015-2016 after proper notice of hearing thereon and hearing in consideration thereof being had; now, therefore, be it resolved that the several sums of money in the recommended budget, as amended, be appropriated to the various accounts and the various sums of estimated revenues as listed in the budget be appropriated, and the net appropriation, as listed below, necessarily to be derived from general taxation, shall be assessed upon the taxable estates of the inhabitants of the City of Old Town, and upon estates of non-resident persons and proprietors within the City of Old Town, in accordance with the laws of Maine, and the provisions of the City Charter of the City of Old Town.

And be it further resolved that the Assessor of the City of Old Town be and is hereby instructed and authorized to assess upon said estates in the City of Old Town, as the same exist on the first day of April 2015.

The net totals of said grants & appropriations are as follows, to wit:

GENERAL FUND

	Municipal	RSU#34	Penobscot County	Total
Gross Appropriation	10,246,861	5,585,052	614,680	16,446,593
<u>Less:</u>				
Heavy Equipment Reserve Transfer	270,000			270,000
JRL Tipping Fee Reserve Transfer	200,000			200,000
Highway Improvement Bonding	1,000,000			1,000,000
Highway Block Grant	75,000			75,000
State-Municipal Revenue	470,271			470,271
Other Estimated Revenue	4,688,394			4,688,394
Property Tax Requirements	3,543,196	5,585,052	614,680	9,742,928

And be it further resolved that all taxes on real estate and personal estate within the present municipal year shall be due and payable upon approval of this Appropriation Resolution and one half (1/2) of all real estate and personal property taxes that remain unpaid on September 16, 2015 shall commence bearing interest on September 17, 2015 and that the final half (1/2) of all real estate and personal property taxes that remain unpaid on March 16, 2016 shall commence bearing interest March 17, 2016 at the highest rate per annum authorized by Maine law until paid and collected, and the Collector of Taxes and the City Treasurer of the City of Old Town are authorized and required to collect and receive thereof.

And be it further resolved, that the City Council authorizes the Finance Director to accept prepayment of real and personal property taxes.

And be it further resolved, that the Tax Collector shall apply all tax payments to the oldest balance due on that account regardless of any instructions the taxpayer may give. If, however, a tax lien has matured, the Tax Collector may not accept payment on that account unless a workout agreement is in place or approval has been granted by the City Council to accept payment. If a taxpayer has more than one tax account, any payment shall be applied to the oldest balance due unless the taxpayer specifies the account against which the payment is to be applied;

And be it further resolved, that pursuant to 36 M.R.S.A., Section 506-A, the City Council establishes an interest rate of **3% (4% less than late payment interest rate)** percent per annum to be paid on all real and personal taxes rebated to an over-assessment.

NOW, THEREFORE, the estimated amount of said budget for the municipal year beginning July 1, 2015 and ending June 30, 2016 is included in the **2015-1** Appropriation Resolution.

APPROVED AS TO FORM:
 Erik Stumpf
 City Attorney

ATTEST: _____
 Patricia A. Brochu, CMC
 City Clerk-Old Town, ME

**CITY OF OLD TOWN
 APPROPRIATION RESOLUTION 2015-2
 IN CITY COUNCIL, June 30, 2015
 Pollution Control**

The City Council, after proper notice, having conducted a public hearing on the annual pollution control budgets for the fiscal year 2015-2016 in accordance with Article IX, section 4 of the City Charter, it is hereby

RESOLVED that the several sums of money in the recommended budget, as amended, be appropriated to the pollution control fund and the various sums of estimated revenues as listed in the budget be appropriated, and the net appropriation, as listed below, necessarily to be derived from sewer user fees, shall be assessed quarterly upon the estates of the inhabitants of the City of Old Town, and upon estates of non-resident persons and proprietors within the City of Old Town that use the sanitary sewer treatment facility, in accordance with the laws of Maine, and the provisions of the City Charter of the City of Old Town.

And be it further resolved that the Finance Director of the City of Old Town be and is hereby instructed and authorized to invoice said estates in the City of Old Town, for quarterly payments due.

The net totals of said grants & appropriations are as follows, to wit:

POLLUTION CONTROL FUND

Pollution Control	
Gross Appropriation	1,365,902
<u>Less:</u>	
Revenues	768,200
Debt Redemption	460,772
Collection System Reserve	10,000
Plant and Equipment Replacement Reserve	85,000
Transfer To/(From) Fund Balance	(41,930)
Net General Fund Appropriation	-0-

And be it further resolved that all invoices for pollution control services for each property shall be due and payable no later than 30 Days after the date of mailing of the invoice concerned and all invoices that remain unpaid shall commence bearing interest at the highest rate per annum authorized by Maine law until paid and collected, and the Collector of Taxes and the City Treasurer of the City of Old Town are authorized and required to collect and receive thereof.

And be it further resolved, that the Finance Director shall apply all payments to the oldest balance due on that account regardless of any instructions the property owner may give. If, however, a sewer lien has matured, the Finance Director may not accept payment on that account unless a workout agreement is in place or approval has been granted by the City Council to accept payment. If a property owner has more than one sewer account, any payment shall be applied to the oldest balance due unless the property owner specifies the account against which the payment is to be applied;

And be it further resolved, that pursuant to 36 M.R.S.A., Section 506-A, the City Council establishes an interest rate of **3% (4% less than late payment interest rate)** percent per annum to be paid on all real and personal taxes rebated to an over-assessment.

NOW, THEREFORE, the estimated amount of said Pollution Control budget for the municipal year beginning July 1, 2015 and ending June 30, 2016 is included in the **2015-2** Appropriation Resolution.

APPROVED AS TO FORM:
 Erik Stumpf
 City Attorney

ATTEST: _____
 Patricia A. Brochu, CMC
 City Clerk-Old Town, ME

CITY OF OLD TOWN RECEIVABLES FROM FORMER RECREATION DEPARTMENT

<u>Name</u>	<u>Street</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Child</u>	<u>Owed</u>
Brandy Baron	142 Front St.	Old Town	ME	4468	Arianna Baron	880.00
Jenny & Chris Becker	97 Stillwater Ave	Old Town	ME	4468	Keely Becker	24.00
Charlotte Breton	128 Jefferson St.	Old Town	ME	4468	Jordan Breton	12.00
Brooke & Josh Loring	68 Deer Run Lane	Bradley	ME		Sidney & Taylor Loring	96.00
Lillian Campbell	69 Stillwater Ave Apt. 1	Old Town	ME	4468	Haley Graves	231.00
Susan Davis	563 West Old Town Rd.	Old Town	ME	4468	Jacob & Dylan	80.00
Jacklynn Davis	183 West Old Town Rd. Apt. A	Old Town	ME	4468	Isaiah & Abigail	2,710.00
Samantha Downs	144 Cram St.	Bradley	ME		Casey	86.95
Donna Seppy	7 Connecticut St.	Bradley	ME		Braley Farr	72.00
Jasmyn Feero					Caden Feero	473.00
Amanda Flewelling	428 Poplar St	Old Town	ME	4468	Danica & Corbin	312.00
Katie Honnell	1059 West Old Town Rd.	Old Town	ME	4468	Callie Cronin	84.00
Helenann Houlsen	492 Main Street	Old Town	ME	4468	Evan, Elek & Emma	825.00
Liz Ireland	81 Veazie Street	Old Town	ME	4468	Zoey	230.00
Amanda Emerson	4445 Bennoch Road	Old Town	ME	4468	Jimmy Oliver Emerson	220.00
Jonnie Walker	72 Oak Street	Old Town	ME	4468	Ty	110.00
Kari Tremblay	46 River Street	Old Town	ME	4468	Eli	2,022.00
Bridgette Keegan	85 Pine Street	Old Town	ME	4468	Brooklyn	1,805.00
Sherry Levesque	PO Box 160	Stillwater	ME		Meghan	600.00
Blaine & Hannah Livingston	773 Main St. Apt. 1	Old Town	ME	4468	Isabelle	1,157.50
Annah Fogg	917 Southgate Rd	Old Town	ME	4468	Briannah Tardif	770.00
Tracey Nason	29 Southgate Rd	Old Town	ME	4468	Dustin & Emily	775.00
Yi Peng	50 Pembroke Dr. Apt. *	Old Town	ME	4468	Emily Danielson	459.00
Trisha Pete	432 West Old Town Road	Old Town	ME	4468	Rhiannon	354.00
Sonya Michaud	331B Southgate Rd.	Old Town	ME	4468	Emily Spencer	980.00
Theresa Whiting	568 Main Street	Old Town	ME	4468	Adam White	1,100.00
						<u>16,468.45</u>

ATTACHMENT #2

The following invoices should be deleted from Accounts Receivable

Aerial Photo Service	8/7/12 case oil/oil filter	98.72
Larry Lapoint	3/3/09 hangar rental for 2009	2,880.00
Frank Hayes	6/6/11 hangar rental	100.00
Frank Hayes	7/12/11 hangar rental	50.00
Frank Hayes	8/11/11 hangar rental	100.00
Richard Cook	11/7/11 tie down rental	25.00
George Dunn	11/13/10 100LL Avgas	108.00
		<u>\$ 3,361.72</u>



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SECOND READINGS

1. The City Council will conduct a Second Reading for final approval on the proposed FY 2015-2016 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County and RSU #34 Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$ 9,742,928.

1a. The City Council will consider final approval on the FY 2015-2016 Municipal, County and School Budgets.

Suggested motion: Resolved, the Old Town City Council hereby approves Resolution 2015-1 containing the FY 2015-2016 Municipal, County and School Budgets. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County and RSU #34 Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$ 9,742,928.

(Councilor McLeod)

(Roll Call Vote)

2. The City Council will conduct a Second Reading for final approval on the proposed FY 2015-2016 Pollution Control Budget containing gross appropriations of \$1,365,902, user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).

2a. The City Council will consider final approval of the FY 2015-2016 Pollution Control Budget.

Suggested motion: Resolved, the Old Town City Council hereby approves Resolution 2015-2 containing the FY 2015-2016 Pollution Control Budget. The proposed budget calls for gross appropriations of \$1,365,902, user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).

(Councilor May)

(Roll Call Vote)

IX. OLD BUSINESS

X. NEW BUSINESS

XI. ADJOURNMENT