



REGULAR COUNCIL MEETING – MARCH 2, 2015

Council convened March 2, 2015 at the Old Town City Council Chambers on 265 Main Street.

Councilors present: President David Mahan, Carol May, Linda McLeod, John Nuttall, Eric Roach and Stan Peterson.

Administration present: Bill Mayo, Erik Stumpf, Patty Brochu, Steve O'Malley, John Rouleau, Travis Roy and David Russell.

Others present: Kat Beaudoin from IPS and two citizens in the audience.

Council President Mahan called the meeting to order at 7:00 p.m.

Councilor May, seconded by Councilor Nuttall, moved to approve the Minutes of the February 2, 2015 Regular Meeting and the February 18, 2015 Special Meeting.

Approved all in favor, 6-0.

REPORTS

President Mahan reported he attended the Employee Safety Banquet and it was a great turnout.

Councilor Peterson reported on the last Airport Advisory meeting and they were discussing the possibility of building another 8 bay hangar. They currently have 20 people on a waiting list so they would be able to rent them easily.

Councilor Roach gave an update on the City Food Drive that ended on February 28th at Hannaford. He said they had a great turnout and thanked the Councilors and City employees who participated. Travis Roy said he delivered 3,580 pounds and they received \$2,335 in donations.

Manager Mayo: 1) informed the council that the Maine Woods Coalition is willing to come to a meeting and talk about the potential National Park in Millinocket; 2) He's looking for members to serve on a committee to work on the City's 175th Anniversary. So far he has Carol May, Linda McLeod, Lance Farrar and Patty Brochu.

CONSENT AGENDA

Councilor Roach, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3 & 4 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby approves a renewal application for a Malt Liquor License for Clark Cardimino, d/b/a Old Town Bowling Center, 156 Center Street.

Item #2: Resolved, the Old Town City Council hereby accepts the Grant from the Volunteer Fire Assistance Program in the amount of \$1,263.50 to purchase clothing and goggles for the Fire Department.

Item #3: Resolved, the Old Town City Council hereby accepts a settlement from Spirit Aviation in the amount of \$3,500.00 and approve the Discharge of Execution Lien signed by the City Attorney.

Item #4: Resolved, the Old Town City Council hereby authorizes the Old Town Development LLC to spend \$6,000 from Account #03450 to join in with surrounding communities that are applying for a Food Hub Grant as recommended by the Finance Committee.

Consent agenda items unanimously approved, 6-0.

PUBLIC HEARINGS

The City Council conducted a Public Hearing for the purpose of receiving public comments on the proposed designation of certain Municipal Development and Tax Increment Financing Districts and a related Omnibus Development Program for said TIF Districts. The TIF Districts will be comprised of up to approximately 25-35 acres of land along the City's public streets and roads, along with certain other land located on and around Stillwater Avenue.

Economic Development Director Ron Harriman explained the TIF Program will capture the new value effective 4/1/13 on the Black Bear Dam development, Maine Savings and the adjacent RH Foster property. This will be a 30-year program and will shelter the new value from adverse tax shifts by the State. These shifts include decreases in school subsidy, increases to the county tax and decreases in revenue sharing. The projected new tax to the City will total \$6,490,340 over the 30-year term. Without the benefit of the TIF program, the City will lose nearly 52% of this revenue. The savings to the City is projected to be \$3,365,838. The District includes most of the streets in the core downtown and as well as Center Street and portions of Stillwater Avenue. He further identified the uses allowed for TIF funds. Those include:

1. Sidewalk, street and infrastructure Improvements
2. Expand and maintain pedestrian corridors
3. Streetscape improvements, benches, trees, shrubs
4. Crosswalks
5. Sewer, water, gas replacements and extensions
6. Public safety fire & ambulance vehicles or equipment
7. Revolving loan program to promote business development and renovations.
8. Broadband access
9. General Economic Development, marketing, promotion, advertising, salary

10. Recreational trails

In closing he stated the Order was amended to correct references to the .22 acre parcel as being part of Map 25, Lot 1.

President Mahan closed the hearing at 7:18 p.m.

The City Council conducted a Public Hearing and first reading of a proposal to amend Chapter 12 Titled Nuisances by adding Sections 12-64 through 12-70 Titled Fireworks Ordinance.

Fire Chief Steve O'Malley said he believed that this proposal was what the Council was looking for. Councilor Peterson said he thought the 4th of July would be later than 10:00 p.m. After more discussion, the consensus of the Council was to revise proposal from 10:00 p.m. to midnight on July 4th.

The City Council considered scheduling a Second Reading for final approval on a proposal amend Chapter 12 Titled Nuisances by adding Sections 12-64 through 12-70 Titled Fireworks Ordinance.

Councilor Roach, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval on April 6, 2015 on a proposal amend Chapter 12 Titled Nuisances by adding Sections 12-64 through 12-70 Titled Fireworks Ordinance as presented in Attachment 1. **Approved all in favor, 6-0.**

OLD BUSINESS

The City Council considered removing the item concerning a hearing to determine if building(s) or other structure(s) located on the property at 614 Main Street, Old Town Maine, is a dangerous building from the table. This hearing was tabled at the January 5, 2015 Regular Council Meeting because notice had not been served to the owners.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby removes the item concerning a hearing to determine if building(s) or other structure(s) located on the property at 614 Main Street, Old Town Maine, is a dangerous building from the table. **Approved all in favor, 6-0.**

The City Council conducted a Hearing to determine if building(s) or other structure(s) located on the property at 614 Main Street, Old Town Maine, is or is not a dangerous building.

City Attorney Stumpfel stated that the owners were only notified today of the process. He suggested they leave this matter open until the next meeting to give them due time to respond.

Code Enforcer David Russell gave a presentation starting with a series of photos showing overall appearance and close ups of the building. He said the majority of the fire damage was contained to the front of the building. He declared the property Condemned in October of 2012 and the photos were taken in April of 2013. He then requested the Council find this to be a dangerous building.

Attorney Stumpfel suggested they leave this for discussion only before making a decision. He also said Mr. Russell should add his background as Code Officer, licensing, qualifications, etc. to his report.

Councilor Peterson, seconded by Councilor McLeod, moved to continue this hearing to the next meeting. **Approved all in favor, 6-0.**

NEW BUSINESS

The City Council considered approval of an Order providing for Designation of Municipal Development and Tax Increment Financing District and Adoption of related First Omnibus Development Program.

Councilor Nuttall, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby approves an Order providing for Designation of Municipal Development and Tax Increment Financing District and Adoption of related First Omnibus Development Program. This Order is amended that all references to the .22 acre district shall be corrected to reference Map 25, Lot 1. **Approved all in favor, 6-0.**

The City Council considered accepting a bid for the services of updating the City's 1995 Comprehensive Plan. One bid was received from Integrated Planning Solutions (IPS) for a total amount not to exceed \$36,500. There is currently \$25,597 in the budgeted account therefore additional funds are required from Fund Balance in the amount of \$10,903.

Councilor May, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby accepts the bid from Integrated Planning Solutions (IPS) for a total amount not to exceed \$36,500 and further authorizes the appropriation of \$10,903 from Account #03800 Fund Balance into Account #0150 Comprehensive Plan.

Code Enforcer Russell introduced Kat Beaudoin from IPS. She gave the Council her background of experience. She anticipates this project to take no more than 15 months or maybe sooner.

Councilor McLeod was disappointed with the price but Manager Mayo told her that this was ten years overdue as the plan is supposed to be updated every 10 years and the current one is dated 1995.

Motion to accept bid approved all in favor, 6-0.

The City Council considered accepting the resignation of Councilor Lori Smart.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby formerly accepts the resignation of Councilor Lori Smart.

President Mahan read Mrs. Smart's resignation letter to the audience.

Motion to accept resignation approved all in favor, 6-0.

The City Council considered calling for a Special Municipal Election to fill a vacancy on the City Council.

Councilor McLeod, seconded by Councilor Peterson, Resolved, The Old Town City Council hereby calls for a Special Municipal Election in conjunction with the RSU Budget Referendum Election on June 9, 2015 as required by Article II, Section 5 of the Old Town City Charter to fill a vacancy on the City Council. **Approved all in favor, 6-0.**

The City Council continued discussions of adding a Conflict of Interest/Qualifications Section to the City Charter.

Councilor McLeod feels this discussion is all about just a spouse. Attorney Stumpfel suggested making it as narrowly focused as they can. There was some discussion as to whether it could be just a Policy instead of going through a Charter Change. Councilor McLeod said she would like to see what other municipalities have so she can look at the wording. President Mahan asked the Clerk how soon she would need the wording to get it on the June Ballot. Clerk Brochu replied mid-April in order to have Absentee Ballots available 30 days before the election. She also noted they could always put something on the November ballot so they don't feel rushed in their decision.

The Council instructed the City Attorney to research and bring back some samples from other municipalities.

The City Council considered going into Executive Session for the purpose of discussing a Personnel matter.

Councilor May, seconded by Councilor Roach, Resolved, the Old Town City Council hereby approves going into Executive Session at 8:16 p.m. pursuant to MRSA Title 405, Section (6)(A) for the purpose of discussing a Personnel matter. **Approved all in favor, 6-0.**

Councilor Nuttall, seconded by Councilor Peterson, moved to come out of Executive Session at 9:06 p.m. **Approved all in favor, 6-0.**

Councilor McLeod, seconded by Councilor Roach, moved to adjourn at 9:06 p.m. **Approved all in favor, 6-0.**

Adjourned,

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