



REGULAR COUNCIL MEETING – AUGUST 7, 2017

Council convened August 7, 2017 in the Old Town City Council Chambers at 265 Main Street.

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

Administration present: Bill Mayo, Katie Foster, Patty Brochu, Danielle Berube, Lance Farrar, Ron Harriman, Cindy Jennings, John Rouleau, David Russell, David Smith and Scott Wilcox.

Others present: Seventeen citizens in the audience.

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

Councilor Klitch, seconded by Councilor Nuttall, moved to approve the Minutes of the July 17, 2017 Special Council Meeting. **Approved all in favor, 7-0.**

CITIZENS' REQUESTS

Residents of French Island reported several abandoned and dilapidated buildings as well as properties that have junk all around their yards. They want the City to do something about these properties. Manager Mayo reported that some of the abandoned properties are owned by different banks who take no interest in the properties. He also said that because the banks are selling to other banks, it's made it hard for the city to find out which banks own the properties. Code Officer David Russell said he is working on some of the properties that have junk everywhere but it becomes a court issue and that takes time due to the legal process he has to follow. He assured them he is working on it and has been very successful with other similar properties in the past.

REPORTS

City Attorney: Katie Foster introduced herself and stated she works with Ed Bearor at Rudman & Winchell and will be working with the city on several legal issues.

Manager Mayo: 1) He's been working on the Maple Grover Cemetery request and the City Attorney is starting a Title Search which starts the process of finding out the legal ownership. If no one can be found, it will go to court where the city can file for Eminent Domain which is a longer process; 2) He informed the Council he will be on vacation next week.

CONSENT AGENDA

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3, 4, 5, 6 & 7 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby accepts the bid from Darlings Ford in the amount of \$31,014.00 for 2017 Ford Utility Police Intercept cruiser as recommended by the Finance Committee. The Council further approves the expenditure of \$2,932.52 for installation of new equipment required for the cruiser. The Funds will come from Account #7000-0414 Capital Heavy Equipment Reserve.

Item #2: Resolved, the Old Town City Council hereby accepts the bid from O'Connor GMC of Augusta in the amount of \$47,736.00 for the purchase of two 2018 GMC Crew Cab pickups for the Public Works Department as recommended by the Finance Committee.

Item #3: Resolved, the Old Town City Council hereby authorizes the expenditure of \$100,000 for the Environmental cleanup of the former Jefferson Street School building as recommended by the Finance Committee. Funds will come from Account #03800 Fund Balance. Councilor McLeod added that item #3 is contingent upon the company getting financing.

Item #4: Resolved, the Old Town City Council hereby approves a renewal application for a Malt Liquor License for Krisanthi Shanos, d/b/a Angelo's Pizzeria, 484 Stillwater Avenue.

Item #5: Resolved, the Old Town City Council hereby votes for the Slate of Officers to the MMA Executive Board as presented on the MMA Voting Ballot.

Item #6: Resolved, The Old Town City Council hereby approves authorizing the expenditure of an amount not to exceed \$86,000.00 for the additional cost of renovating the Green Hangar at the Airport as recommended by the Finance Committee. Funds are to come from Account #03560 Airport Hangar Reserve.

Item #7: Resolved, the Old Town City Council hereby approves retaining foreclosed property at 811 Main Street and to accept the low bid from Street's Landscaping in the amount of \$4,000 for demolition of the building to allow for reconfiguration of the Penny Road and Main Street Intersection. The Council further authorizes the expenditure of an amount not to exceed \$1,000 for Down to Earth Surveying to complete work due to a boundary line issue and authorize the Finance Director to write off the Sewer fees in the amount of \$2,747.81. Funds for the demolition & survey will come from Account #RO236 Sale of Tax Properties.

Consent agenda items approved all in favor, 7-0.

PUBLIC HEARINGS

The City Council conducted a Public Hearing to discuss acceptance of a Micro-Enterprise Assistance CDBG Grant in the amount of \$100,000. The purpose of the grant is to rehab facades in the downtown.

President Mahan opened the hearing at 7:27 p.m. Economic Development Director Ron Harriman reported the application was submitted a couple of months ago. There were 22 applications in all and Old Town was one of the applicants awarded the grant. He believes the monies will be available around end of September. This is part of the downtown rehabilitation project. Mr. Harriman also explained the properties targeted for the project are on Main Street from Center to Just beyond Middle Street. The Downtown Committee will be closely involved with this project. There were no questions or comments from the public. President Mahan closed the hearing at 7:29 p.m.

NEW BUSINESS

The City Council considered an amendment to the Appropriations Resolution 2017-1 to include 3 Reserve Accounts that were discussed but not included in the Resolution. The Reserve Accounts are Recreation Center Reserve-\$28,500; Juniper Ridge Tipping Reserve-\$34,958 and Highway Block Grant Reserve-\$200,000 for a total of \$263,458.00

Councilor Nuttall, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby amends the Appropriations Resolution 2017-1 to include using additional Reserve Accounts in the total amount of \$263,458 for a net property tax requirement of \$9,749,848.00.

Manager Mayo explained that while they discussed the revenue accounts and the Council agreed to use them, he forgot to include them in the revenues figure in the motion.

Motion approved all in favor, 7-0.

The City Council considered approval of Phase II requirements for the City's 2017 Community Development Block Grant Program.

Councilor Roach, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves the Phase II items listed herein for the City's Micro-Enterprise CDBG program:

1. Self-Evaluation & Transition Plan
2. ADA/Section 504 Certification
3. Residential Ant-displacement
4. Council Resolution
5. Equal Employment Opportunity Policy Statement.
6. Fair Housing Resolution
7. Fair Housing Self-Assessment
8. Standards of Conduct.

Approved all in favor, 7-0.

The City Council discussed a proposed “2017 Amendment of the City Charter” as presented in Exhibit A.

Councilor Klitch, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby orders that the proposed “2017 Amendment of the City Charter” that is presented in Exhibit A be placed on the agenda for further consideration at the Special Council meeting to be held on August 21, 2017.

Manager Mayo explained that this will update the City’s Charter to allow for economic development opportunities.

Approved all in favor, 7-0.

The City Council considered accepting a bid for City Surplus Property located at 20 Union Street. This is vacant land with a special assessment due to the City’s removal of the fire damaged building in 2009.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby accepts the bid from Robert Commeau in the amount of \$17,000 and authorize the City Manager to execute all necessary documents to complete the transaction. The City Council further authorizes the Finance Director to write off \$9,780.13 in back taxes and sewer fees.

The City Council considered accepting a bid for City Surplus Property located at 779 Stillwater Avenue. Two bids were received. 1) Ralph Damren (former owner) in the amount of \$31,001 and 2) Cram Properties in the amount of \$36,101. Bids cover all back taxes and sewer fees.

Councilor Roach, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby accepts the bid from “A” or “B” in the amount of \$ “A” or “B” for City Surplus Property located at 779 Stillwater Avenue. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction.

Mr. Damren was in the audience and spoke about reminiscing back in the 1970s. He said he has scrambled to come up with the amount owed. On July 21st he brought in a bank check for \$28,000 but there were additional costs involved. He was told they couldn’t apply it towards his tax bill as the city had already retained ownership but he could use it to bid on it. He stated it is the only home he’s ever owned. He’s 71 and his wife is 61. He asked Council to please accept his bid to allow them to stay in their home.

Councilor Peterson asked how the council could believe they wouldn’t be back next year for the same thing. He assured them he will never let it happen again and he can and will pay his taxes going forward.

Councilor McLeod, seconded by Councilor Peterson, moved to accept Mr. Damren's bid in the amount of \$31,001. and let him keep his house. **Approved all in favor, 7-0.**

The City Council discussed authorizing the City Manager to negotiate a Purchase & Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby authorizes the City Manager to negotiate a Purchase & Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

Manager Mayo said there is someone interested in building a development/research lab.

Motion approved all in favor, 7-0.

The City Council considered going into Executive Session for the purpose of discussing an economic development matter relating to the sale of Tax Acquired Property.

Councilor Klitch, seconded by Councilor May, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:46 p.m. pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development matter relating to the sale of Tax Acquired Property. **Approved all in favor, 7-0.**

Councilor Klitch, seconded by Councilor Nuttall, moved to come out of Executive Session at 9:10 p.m. **Approved all in favor, 7-0.**

Councilor McLeod, seconded by Councilor Peterson, moved to Suspend the Council Rules to take up an item not on the agenda. **Approved all in favor, 7-0.**

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby accepts the bid from Alexander Gray in the amount of \$25,000 for City Surplus Property located at 283 Main Street. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction. **Approved all in favor, 7-0.**

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

Councilor May, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves going into Executive Session at 9:12 p.m. pursuant to Title I MRSA Section 405, §(6)(A) for the purpose of discussing a Personnel matter. **Approved all in favor, 7-0.**

Councilor Klitch, seconded by Councilor Nuttall, moved to come out of Executive Session at 9:30 p.m. **Approved all in favor, 7-0.**

The City Council considered going into Executive Session for the purpose of discussing an economic development update relating to the Expera Mill.

Councilor Nuttall, seconded by Councilor Klitch, moved to postpone this item until the next meeting. **Approved all in favor, 7-0.**

Councilor May, seconded by Councilor Klitch, moved to adjourn at 9:31 p.m.
Approved all in favor, 7-0.

Adjourned,

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