



City of Old Town

Regular Council Meeting Minutes August 5, 2019

Council convened August 5, 2019 at 6:00 p.m. in the Old Town City Council Chambers, 265 Main Street

Councilors present – President Stan Peterson, Shirley Brissette, Donna Ketchen, Jan Klitch, Carol May, and Kyle Smart

Councilor absent – David Mahan

Administration present – Bill Mayo, Danielle Berube, David Russell, Irene Pehrson, and Michaëlle Lachance

Others present – Attorney Ed Bearor, Attorney Jon Hunter, Kurt Penney, Jeff Letourneau, Bruce Segee, Kasey Legaard, Mark Caron, Gary Greenleaf, Jim Dubay, and Dana Sibley

Council President Stan Peterson called the meeting to order at 6:00 p.m.

Approval of the Minutes

Motion made by Councilor Smart, seconded by Councilor Brissette,

Resolved, the Old Town City Council hereby approves, as presented, the July 15, 2019 Special Council Meeting minutes. *Approved, all in favor, 6-0*

Petitions, Communications, and Citizens' Requests

Gary Greenleaf, 555 Stillwater Avenue, Old Town, asked the Council for direction on how to get a dog park built/started in Old Town. Councilor Peterson shared that Dave Russell, Code Enforcement, was the individual to talk with.

Reports

City Councilor

Councilor Klitch shared she had received a complaint regarding a drain on 105 Seventh Street that backs up to the school property. Could something be done about it?

Councilor Klitch – New Business

1. ReVision Energy Presentation

City Manager

1. Bill Mayo introduced Jeff Letourneau, University of Maine System and Secretary, the Old Town–Orono Fiber Corporation (OTO Fiber), a non-profit 501(c) (3). Jeff provided an update on the OTO Fiber’s (fiber optic) broadband infrastructure pilot program.
2. Bill Mayo introduced Mark Caron, Regional Biologist, Maine Department of Inland Fisheries and Wildlife. Mark provided an update on the Expanded Archery Program implemented to control the deer population and to address the concerns of individuals (nuisance deer, road collisions, public safety concerns, other). He briefly discussed the Bowhunters/Landowners Information Program (BLIP). Mark provided statistics on the controlled archery hunts that have taken place on Marsh Island since 2008.
3. Bill Mayo introduced Dana Sibley. She has been selected as the City Clerk and is scheduled to start on August 26, 2019.

Consent Agenda – New Business Items 2, 3, & 4

Motion made by Councilor Brissette, seconded by Councilor Smart,

Resolved, the Old Town City Council hereby approves the Consent Agenda – New Business items 2, 3, & 4 as presented. *Approved, all in favor, 6-0*

Hearings and Second Reading of Ordinances

Public Hearing(s)

1. *Councilor Peterson opened the public hearing on a proposal to amend the language in Section II, Membership, A. (4) as shown on Exhibit 1.* This proposal was discussed by the Old Town Council during the FY 19 budget meetings.

David Russell, City Code Officer, spoke about the need to amend the by-laws because of stipend money to be added to the Planning Board budget for compensation of service by the members.

There were no questions or comments from the councilors and/or citizens. *Councilor Peterson closed the public hearing.*

2. Resolved, the Old Town City Council hereby schedules Second Reading at the August 19, 2019 Council meeting for final approval to amend the language in Section II, Membership, A. (4) of the adopted Planning Board By-Laws.

Motion made by Councilor Ketchen, seconded by Councilor Brissette. *Approved, all in favor, 6-0*

3. *Councilor Peterson opened the public hearing on a proposal to change the Official Zoning Map. Specifically, Tax Map 26, Lot 15-A, as shown in Exhibit 1 and further described in Exhibit 2 from C-1, Commercial Business to Limited R-2 General Residence for the rear 2/3rd of the first floor of the structure. This proposal was approved by the Old Town Planning Board at their July 16, 2019 meeting.*

David Russell, City Code Officer, explained this is similar to what was done for 149 Center Street and 52 Water Street with a slight variation. It allows a residential dwelling on first floor.

There were no questions or comments from the councilors and/or citizens.
Councilor Peterson closed the public hearing.

4. Resolved, the Old Town City Council hereby schedules a Second Reading at the August 19, 2019 Council meeting for final approval on proposal by the Old Town Planning Board to change the Official Zoning Map. Specifically, Tax Map 26, Lot 15-A, as shown on Exhibit 1 and further described in Exhibit 2 from C-1, Commercial Business to Limited R-2 General Residence for the rear 2/3rd of the first floor of the structure.

Motion made by Councilor Smart, seconded by Councilor Klitch. ***Approved, all in favor, 6-0***

Old Business

New Business

1. Councilor Klitch arranged for Kurt Penney, Commercial Solar Consultant, ReVision Energy, to share information about solar energy as a cost-effective, reliable energy source for the future of the City of Old Town Municipality. He gave details about Maine's new solar policy and the opportunities available to develop solar power. Following his presentation, the City Councilors determined that additional information would be beneficial to review and discuss, not only from ReVision, but other companies involved with solar energy.

Consent Agenda

Motion made by Councilor Brissette, seconded by Councilor Smart,

2. Resolved, the Old Town City Council hereby accepts an after-deadline redemption on foreclosed property for Shannon Gallant and Daniel Baker for payment of 2016 (2nd quarter) – 2019 for sewer fees in the amount of \$2370.79 plus \$131.32 and the \$150 late redemption fee for a total amount of \$2652.11; and further authorizes the City Manager to execute a Municipal Quit-Claim Deed. ***Approved, all in favor, 6-0***

3. Resolved, the Old Town City Council hereby accepts an after-deadline redemption on property for Ronald Strout for payment of sewer fees in the amount of \$2962.50, for payment collected December 20, 2018; and further authorizes the City Manager to execute a Municipal Quit-Claim Deed. ***Approved, all in favor, 6-0***

 4. Resolved, the Old Town City Council hereby approves the Emera Maine Application dated July 9, 2019 and utility location permit requesting permission to locate certain of its facilities described as Airport Road, on pole to be located approximately 1850' northerly of Gilman Falls Avenue (1 PH SVC – Carmichael Transport Airport Road); and further authorizes City Manager, William J. Mayo, to take any and all actions, upon such terms and conditions as he deems necessary or appropriate to conclude the Emera Maine application and utility permit request. ***Approved, all in favor, 6-0***
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Addendum

Motion made by Councilor Ketchen, seconded by Councilor Klitch to discuss items that were not on the August 5, 2019 Regular Council Meeting Agenda. ***Approved, all in favor, 6-0.***

1. Resolved, the Old Town City Council hereby authorizes the City Manager to take all necessary steps to secure financing with Bangor Savings Bank (loan amount \$530,000, interest rate 2.7%, term 5 years, total interest \$47,138.92) for the FY 2019-2020 Road Paving Projects as presented in the budget.

Danielle Berube, Finance Director, explained the Summary of Loan Proposals to secure financing for the Road Paving Projects that she had provided prior to the August 5, 2019 council meeting.

Motion made by Councilor Ketchen, seconded by Councilor Klitch. ***Approved, all in favor, 6-0***

2. *Ed Bearor, Attorney at Law, requested the City Council to table Addendum item '2.'* depicted as the Order of Condemnation for the taking of Land off Nadeau Street – more readily identified as Map 031, Lot 189, Old Town, Penobscot County, Maine, and referenced in detail in the Order of Condemnation, pages 1-4, until the August 19, 2019 Special Council meeting.

Resolved, the Old Town City Council hereby approves Attorney Ed Bearor's request to table the Order of Condemnation for the taking of Land off Nadeau Street – more readily identified as Map 031, Lot 189, Old Town, Penobscot County, Maine and referenced in detail in the Order of Condemnation, pages 1-4, until the August 19, 2019 Special Council meeting.

Motion made by Councilor Smart, seconded by Councilor Klitch. ***Approved, all in favor, 6-0***

Motion made by Councilor May, seconded by Councilor Brissette,

5. Resolved, the Old Town City Council hereby approves going into **Executive Session** pursuant to Title 1, M.R.S.A. §405 (6)(E) for the purpose of consulting with the City Attorney concerning the Expera appeal and the State Board of Property Tax Review decision to change the value of the mill for the city assessment. ***Approved, all in favor, 6-0***

Council President Stan Peterson called the Executive Session to order at 7:35 p.m.

Adjournment

Motion made by Councilor Smart, seconded by Councilor Brissette, moved to adjourn Executive Session at 8:00 p.m. ***Approved, all in favor, 6-0***

Respectfully submitted,

Michaëlle Lachance
Deputy City Clerk