



City of Old Town

Council Meeting Minutes June 15, 2020

Council convened June 15, 2020 in the Old town City Council Chambers, 265 Main Street.

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

Administration present – Travis Roy, EJ Roach, David Russell, Danielle Berube, Laura Engstrom, Cynthia Jennings, John Rouleau, Scott Wilcox and David Smith.

Others present – Mike Ellis, Shonna McCannell, Bernadette Milligan, John Milligan, Joe Cyr, Josh Vose, Adam Mahaney, Jenn Mahaney, Ty Sullivan, Paula Dickey, Kevin Dickey, Jaret Lizzotte, Ed Bearer, Francis Riva, Roberta Johnston, Russell Johnston, Alex Rondo and John Rondo.

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

The Meeting opened with Councilor May reading the resignation letter of President Mahan resigning from the Council. Councilor May asked for a motion to elect a new president for City Council. Councilor Smart made a motion to elect Councilor May for the position, she declined. Councilor May then made a motion to elect Councilor Stan Peterson as council President and he accepted the position. Motion made by Councilor May, seconded by councilor Ketchen.

Approved, all in favor, 5-0

Approval of the Minutes

Resolved, the Old Town City Council hereby approves as presented the May 18, 2020 Regular Council Meeting minutes. Motion made by Councilor Folster, seconded by Councilor Brissette.

Approved, all in favor, 6-0

Petitions, Communications, and Citizens' Requests

President Stan Peterson opened the Meeting to have the public discuss any issues they would like to address to the Council.

Adam Mahaney, Old Town resident and program director for the Rec. Center in Old Town spoke regarding the baseball program they have. He thanked Old Town for allowing practices on the baseball field, but stated they are having to travel outside of Old Town to play games. He expressed his, the baseball team members and parents hope to play games at Old Town. He talked about safety measures they have in place to keep the public and team members safe that included face guards, sanitization and spacing, also including it would boost Old Towns economy to have games played here in Old Town.

President Stan Peterson opened the floor for comments from Councilors. Councilor Smart asked the City attorney, Ed Bearer if we allow various entities that use the fields for baseball games is that creating a liability for the City of Old Town. Ed Bearer, City Attorney stated he did not think it was a liability but did suggest at a minimum to have a release signed by the individuals participating, including spectators that they won't hold the City of Old Town liable should they contract Covid-19. The Councilors discussed the pros and cons about opening the Old Town fields up to play baseball games.

Mike Ellis coach for Little League which includes Old Town, Bradley, Milford, Alton and Greenbush spoke on his request to open the fields to Baseball games and stating the safety measures that they have put in place.

Motion made by Councilor Smart, the recommendation be allowed that the Old Town little league and the Old Town Recreation baseball league be allowed to play games on the City of Old Town fields provided they follow guidelines for outdoor activities, provide information for contact tracing and have participants, spectators sign a waiver of liability to the City of Old Town, drawn up and approved by the City Attorney. Seconded by Councilor Brissette.

Vote, 3-3, Motion Failed

After further discussion, another motion was made by Councilor Smart that we allow local Little League sports teams to use our fields for sports games provided they follow CDC guidelines for outdoor gatherings, contact tracing and a waiver in place for participants, spectators to sign excluding any liability to the City of Old Town drawn up and approved by the City Attorney. Seconded by Councilor May

Approved, all in favor, 6-0

Reports

A. Council President

President Peterson stated that he wants to thank former President Mahan for his countless hours serving his duties as council president.

B. City Councilors

C. City Attorney

D. Special Committees

E. City Manager

Travis Roy Asst. Manager/Assessor read a statement from City Manager Bill Mayo expressing his thanks to the RSU 34, Public Safety, Public Works, Airport Director Lance Farrar, EJ Roach, Travis Roy and parent groups led by Chris Blackie, Eric Damboise, Chris Kelly and many others. Thanks also to Alex Gray for making the Old Town High School graduation space of 2020 truly something special.

Councilor Smart also spoke thanking and applauding the Old Town Police dept. on their Professionalism and putting policies in place to keep the public safe.

VII. Consent Agenda – Item 1

1. Resolved, the Old Town City Council hereby approves a renewal application for a Victualer's License for Jason and Kylie Coleman, d/b/a Jersey's Subs and Sweets, 601 Stillwater Avenue # 1, pending final inspection. Motion made by Councilor May, seconded by Ketchen.

Approved, all in favor, 6-0.

Public Hearings and Second Reading of Ordinances

2. The Old Town City Council will consider scheduling a Second Reading for final approval on the FY 2020-2021 Municipal, County and School Budgets.
 - 2a. Resolved, the Old Town City Council hereby approves scheduling a Second Reading on June 29, 2020 for final approval on the proposed FY 2020-2021 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$12,217,093

Penobscot County Taxes of \$657,253 and RSU #34 expenditures of \$5,401,782 for a total City, County and RSU #34 Budget of \$18,276,128 with total City revenue of \$5,671,961 for a net property tax requirement of \$12,604,167. More discussion on this budget will be held at a public committee meeting on June 22, 2020 @ 6pm.
Motion made by Councilor Folster, seconded by Councilor Brissette.

Approved all in favor, 6-0

2. The Old Town City Council will consider scheduling a Second Reading for final approval on the FY 2020-2021 Pollution Control Budget.
- 2a. Resolved, the Old Town City Council hereby approves scheduling a Second Reading on June 29, 2020 on the Proposed FY 2020-2021 Pollution Control Budget containing gross appropriations of \$1,879,444, user fee revenue of \$809,300, debt redemption of \$559,600 and anticipated transfers from reserve accounts of \$329,716 with a net appropriation from Fund Balance of \$180,828. Motion made by Councilor Smart, seconded by Brissette.

Approved all in favor, 6-0

Old Business

New Business

1. Resolved, the Old Town City Council hereby approves the purchase of portable sign message boards to provide essential health and safety information to the community. Motion made by Councilor Folster, seconded by Councilor Ketchen.
Vote, 5-0-1, Councilor Brissette, Abstained.
2. Resolved, the Old Town City Council hereby approves moving forward with the Sale of the Properties at 49 Willow Street, Front Street, and 60 Jefferson Street, and authorize the city manager to take all steps necessary to complete the sale of these properties. Travis Roy Asst. Manager/ Assessor spoke about removing 60 Jefferson Street from the table as a late redemption was made on the property. Motion made by Councilor May, Seconded by Councilor Smart. Travis Roy also stated about demolishing the inhabitable house on 49 Willow Street. He said staff asked for 3 Bids to be sent out for the demolition and received two back. Staff recommends we take the lower bid provided by Thornton's Construction of \$7000. Then Roy recommends the property go out to bid and/or abutters of the property. Front Street property is too small to build on Roy suggested that be sold to abutters, hoping to cover the cost of back taxes owed on said property. President Peterson asked City Attorney, Ed Bearer if the motion was fine without the demolition of the building stated in it. He said as long as all the councilors were in agreement, the motion it was ok as is. Motion made by Councilor Ketchen, seconded by Councilor May.

Approved all in favor, 6-0

3. Resolved, the Old Town City Council hereby accepts an after- deadline redemption on foreclosed property for Jean Lewis Malenfant and Robert Malenfant for payment of Acct # 1804, 2017-2020 taxes on the total amount of\$ 6,546.98. This amount includes lien cost \$67.47, interest of \$ 805.67and a late redemption fee of \$150.00. The City Council further authorizes the City Manager to execute a Municipal Quit-Claim Deed. Motion made by Councilor Smart, seconded by Councilor Ketchen.

Approved, all in favor, 6-0

4. Resolved, the Old Town City Council hereby accepts an after- deadline redemption on foreclosed property for Richard Dupuis and Ethelyn Gross for payment of taxes acct # 1306 and sewer acct # 555, 2017-2020. Total paid was \$7706.01, this includes lien cost \$340.60, interest \$ 874.24 and a late redemption Fee of \$150.00. The City Council further authorizes the City Manager to execute a Municipal Quit-Claim Deed. Motion made by Councilor Ketchen, seconded by Councilor May.

Approved, all in favor, 6-0.

5. Resolved, the Old Town City Council hereby approves a new application for Victualer's License for Milligan's Landing LLC, 5 Gilman Falls Ave., pending final inspection. Motion made by Councilor Ketchen, seconded by Folster.

Approved, all in favor, 6-0.

6. Resolved, the Old Town City Council hereby authorizes the Tax Collector, Danielle Berube to write off the uncollectable taxes for an uninhabitable mobile home located at 777 Stillwater Ave #2851 in the amount of \$963.61. Motion made by Councilor Smart, seconded by Councilor May.

Approved, all in favor, 6-0.

7. Discussion of City Parks and Fields

President Peterson said already discussed earlier in the meeting.

8. Resolved, the City Council hereby approves going into Executive Session, pursuant to Title 1, M.R.S.A., §405(6)(A), for the purpose of discussing an Economic Development matter. Motion made by Councilor Smart, seconded by Councilor Brissette to come out of Executive Session at 8:22 pm.

Approved, all in favor, 6-0.

9. Resolved, the City Council hereby considers going into Executive Session, pursuant to Title 1, M.R.S.A., §405(6)(A), for the purpose of

discussing a Personal matter. Motion made by Councilor Ketchen, no second given,
Motion rejected for lack of a second.

XL. Adjournment

Motion made by Councilor Smart , seconded by Councilor Brisette, moved to adjourn a
8:25 p.m. *Approved, all in favor, 6-0*

Respectfully submitted,

Laura Engstrom
City Clerk