

**EASTPORT CITY COUNCIL
CITY COUNCIL MEETING
WEDNESDAY, JULY 10TH, 2013
6:00 P.M. - SHEAD HIGH SCHOOL - BAND ROOM**

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Council President, Mary Repole. Those present were Councilor Mike Cummings, Councilor Colleen Dana-Cummings, Councilor Scott Emery, Councilor Gilbert Murphy, and Council President, Mary Repole. Also present: City Manager, Larry Post; City Clerk, Ella Kowal; and Legal Counsel, Dennis Mahar.

II. PUBLIC HEARING(S) - There were none.

III. ACTION ON PUBLIC HEARING(S) - Not applicable as there were none.

IV. ADJUSTMENTS TO AGENDA

MOTION MURPHY SECOND EMERY
To **table Item #3** (*Change in Retirement Match*) **and Item #6** (*Chamber Kiosk*) under VII. New Business of the agenda.

PASSED 5-0

MOTION MURPHY SECOND EMERY
To adjust the agenda to add #2A under VII – New Business for Acceptance of a Resignation Letter from Charlie Leppin as Harbor Master; and to also add #4A under VII – New Business for Council approval to set the Interest Rate on the FY2014 taxes.

PASSED 5-0

V. MINUTES OF PREVIOUS MEETING(S) - 6/12/2013 & 6/25/2013

MOTION MURPHY SECOND EMERY
To accept the City Council minutes of **June 12th, 2013** as submitted.

PASSED 5-0

MOTION MURPHY SECOND EMERY
To accept the City Council minutes of **June 25th, 2013** as submitted.

PASSED 4-1 (“NO” – DANA-CUMMINGS)

VI. UNFINISHED BUSINESS

- There was none.

VII. NEW BUSINESS

1) Opening of “FY2014” Municipal Trash Collection/Recycling Bids

The City Manager, Larry Post, updates the Council that a total of two bids were received. One from James Barnes d/b/a Moose Island Disposal for an amount of \$1,200.00; and another from Shane Curtis d/b/a Ohio Brook Disposal for an amount of \$1,620.00. It is his recommendation that Council Give consideration to the bid from Moose Island Disposal.

Councilor Dana-Cummings asks a question with regard to how it was put out to bid. The City Manager responds to say that it was advertised in the paper and that written notices were also sent to the present providers. The City Clerk offers up a copy of the advertisement.

MOTION CUMMINGS SECOND DANA-CUMMINGS
To accept the bid from James Barnes d/b/a Moose Island Disposal in the amount of \$1,200.00.

PASSED 5-0

2) *Council Approval for the Appointment of Richard Clark as Harbor Master*

Councilor Cummings addresses the Council with a question as to how much time it will take away from his position, for which he was hired for, as maintenance for the Port Authority and how it will reflect on that job. He further comments to say that he does not feel it is right for the Port to get involved when it should go out to bid.

Council President, Mary Repole, responds to say that she was in attendance of both the Harbor and Port meetings and that it was voted unanimously in favor of Richard Clark being considered for the position of Harbor Master and that it be brought forth to Council. *She also emphasizes that she abstained from the vote at the Port Authority meeting.*

Councilor Cummings and Councilor Dana-Cummings both address Richard Clark with a question as to whether it is part of his job description. He responds to say that it was clearly referenced and refers them to the advertisement. Councilor Dana-Cummings asks Richard Clark if this entails additional pay or work. Mr. Clark further responds to say that it has been this way since he was hired but that the position required him to go to school for certification and that Mr. Leppin

stayed on until such time that this took place. Councilor Cummings asks Mr. Clark if this would give him sufficient time needed for his responsibility of the maintenance work. Mr. Clark responds to say that he only does what he is told and the Council President, Mary Repole, comments to say that it is part of his job description.

MOTION MURPHY SECOND EMERY
To appoint Richard Clark as Harbor Master.

PASSED 4-1 (“NO” CUMMINGS)

2A) *Acceptance of Resignation Letter from Charles Leppin as Harbor Master*

MOTION MURPHY SECOND EMERY
To accept Charlie Leppin’s letter of resignation as Harbor Master.

PASSED 5-0

3) *Change in Retirement Match*

Council is reminded that this matter was tabled earlier on in the meeting under Item IV – Adjustment to Agenda.

The City Manager, Larry Post, responds further to say that the reason for tabling this is that he waiting on receiving information on two alternative options.

4) *Council Approval and Signing of “FY2014” Tax Commitment*

Not needed/not applicable.

4A) *Council Approval to Set FY2014 Interest Rate*

MOTION MURPHY SECOND CUMMINGS
To approve and set the interest rate of 7% for the FY2014 taxes to commence on November 1st, 2013 (*with the understanding that it is not to exceed 7% as set by the State*).

PASSED 5-0

5) *Airport Hangar Leases*

Councilor Cummings addresses the Airport Manager, Steve Trieber, and asks if he feels what they are proposing is reasonable and justifiable. He responds to say that he had done some research and felt what is being proposed is fair.

Councilor Dana-Cummings also addresses Mr. Trieber with a question about hangars and the \$240.00 fee. He responds to say that there are different size hangars. Councilor Dana-Cummings responds to say that she should like to see it done based on the *square footage* and that she also feels that a 5-year lease is too long. She continues further with a question as to how people document the time that they put in as volunteer. Mr. Trieber responds to say that there is a log of their time as well as use of their equipment in addition to cash donations to the airport association which in turn goes back to the City. Mr. Trieber emphasizes that the proceeds from the Pancake Breakfast that they hold each year goes into a separate account and is used specific to the airport and is also considered for contributions to grants as well. She also addresses that the Lease says that there is no increase of rent fees over the rental rate of \$75.00 per year and comments to say that she was not clear on this asks for clarification. Mr. Trieber responds to say that this was the fee previously charged and that there is property tax that they pay for the buildings they have based on the square footage. Councilor Dana-Cummings continues with a question relative to #6 of the Land Lease *for Non-exclusive Use Lessees/Employees/Guests & Patrons* and asks if this is common practice and feels that this is too broad especially to give non-exclusive use. Mr. Trieber explains that it is standard airport verbage. He clarifies that it only allows the tenant to have a guest come in but does not allow usage as offered up to the tenant but that they still need to follow the rules and regulations. Councilor Dana-Cummings also notes that she did not see clarification in the Lease that it was specific to a hangar and not living quarters. Mr. Trieber responds to say that it is **Federal Law** that it cannot be utilized for living quarters. He does, however, comment to say that there are vehicles and trailers stored there by the tenants but they are used by the airport association.

Legal Counsel, Dennis Mahar, comments to say that although he has not reviewed *this* proposal of Lease he recalls that the earlier draft he saw was for multi-year Leases but *were not* set up to be recorded *and informs* the Council that **multi-year leases** are required to be recorded with the Registry of Deeds. Councilor Dana-Cummings emphasizes again that she feels a five-year lease is too long. Mr. Trieber further responds to say that what would happen is should someone want to build a hangar and they take a 30-year note on the building; he did not feel that a bank would finance it for a one-year Lease. Legal Counsel emphasizes that multi-year Leases still require recording. Mr. Trieber admits he is not aware of the legality of that but is more familiar with the five-year renewable lease. Council President, Mary Repole, addresses Legal Counsel, Dennis Mahar, with a question relative to the process of the recording. He comments to say it is a simple process but that there is a recording fee of \$16.00 for the first page and \$2.00 per page for additional pages. Brief discussion took place in this regard and Council addressed Mr. Trieber to include this as part of the fee and to amend the Lease to accommodate the recording with the Registry.

MOTION CUMMINGS SECOND MURPHY
To accept the proposed airport hangar Lease as submitted *with the amendment to modify the Lease to include the recording of the multi-year Lease with the Registry of Deeds as required and at the expense of the Lessee for the cost of the recording.*

PASSED 5-0

Mr. Trieber reminds Council that he also submitted a Tie-Down Lease for consideration as well. Council President calls for questions or comments on the Tie-Down Lease. Councilor Murphy asks Mr. Trieber if this is based on a monthly basis and he responds that it is. He comments to say that they have not had a lease such as this previously and that it was understood that the City generated a monthly billing for tie-down space. Council President asks Legal Counsel if this would require recording and he responds that it would not as it is done on a month-to-month basis. Councilor Dana-Cummings asks who would be doing the collection and Mr. Trieber responded that it would go through the City. She further commented to say that she was uncertain that \$15.00 would cover the cost of the City's time. Although the number is unpredictable, it is generating revenue. Mr. Trieber reassured that he will take care of the postings for the tie-down fee and follow up on the collection of it and be sure that the Treasurer receive it to properly record it.

MOTION MURPHY SECOND CUMMINGS
To accept the tie-down Lease as submitted.

PASSED 5-0

6) *Chamber Kiosk*

Council is reminded that this matter was tabled earlier on in the meeting under Item IV – Adjustment to Agenda.

7) *Perpetual Care Lots – Hillside West, Section E, New Lots 5A&B – 6A&B (for Marie Homes)*

MOTION CUMMINGS SECOND MURPHY
To accept the perpetual care for *Marie Holmes* in the amount of **\$900.00** as presented for New Lots 5A&B through 6A&B in Hillside West, Section E.

PASSED 5-0

8) *Commitment of Sewer Fees to City Treasurer, Traci Jamieson – 1st Qtr – FY2014*

MOTION CUMMINGS SECOND MURPHY
To commit the Sewer fees to the City Treasurer, Traci Jamieson, for the 1st
Quarter of FY2014 in the amount of **\$88,485.05**.

PASSED 5-0

9) *Salmon Festival – Liquor License*

MOTION CUMMINGS SECOND MURPHY
To approve the Liquor License application for the Salmon Festival.

PASSED 5-0

10) *Salmon Festival – Vendor Licenses*

MOTION CUMMINGS SECOND MURPHY
To approve the Vendor Licenses for the Salmon Festival.

PASSED 5-0

11) *Council Approval to Authorize the City Manager, Larry Post, as a
Signatory to Sign Checks on Behalf of the City and for the Treasurer*

The City Manager, Larry Post, addresses the Council and explains that this would assist the Treasurer and permit him to sign as the *second* signature.

Councilor Dana-Cummings asks if this has been done before and the Council President responds that it has not. Council President, Mary Repole, asks how the City Charter reflects on this and the City Manager, Larry Post, informs Council that it is silent. Jan Finley from the audience addresses the Council and comments to say that they are looking at this as they go through the Charter for proposed changes and suggests that should Council decide to approve this, it should be crucial to be explicit to the *dollar* amount (whether it be a credit card or checks).

Councilor Cummings expresses that he would rather leave it as it is for a check and balance for the Council. The City Manager, Larry Post, responded to say that he did not have a problem with that. He also reassures Council that he does review the warrants regularly.

Jon McNerney asks a question relative to the authority of a Councilor to sign checks and notes that it is his understanding that it must take place through an Ordinance or the Charter. Jan Finlay responds that the Charter Committee is working on a proposed change for this matter.

MOTION MURPHY SECOND EMERY
To continue with the current process of check signing which requires the signature of the Treasurer and one Councilor.

PASSED 5-0

12) *Transfer of Excise Tax from Boat Registrations to the Port Authority*

Councilor Dana-Cummings expresses concerns with this as a majority of the work is done through City Hall and that not all the registrations are salt water but also include fresh water.

Earl Small from the audience informs Council that the transfer of funds goes to the Harbor account and it is used to maintain the boat system inside of the breakwater for the inner basin.

Jan Finlay addresses the Council and suggests that they be very specific and recommends that this be addressed in the Charter as well.

MOTION MURPHY SECOND EMERY
To approve the *transfer of Boat Excise tax* in the amount of **\$3,549.00** to the Port Authority for the Harbor Account.

PASSED 5-0

13) *Adopt 2013-2014 General Assistance Appendices A-E*

MOTION MURPHY SECOND EMERY
To adopt the 2013-2014 General Assistance Appendices "A-E" as submitted by the State.

PASSED 5-0

14) *Loan Guaranty - Downeast EMS*

The City Manager, Larry Post, addresses the Council and informs them that Downeast EMS is looking at refinancing their current debt and the bank is requiring a loan guaranty between Eastport, Lubec, and the Unorganized Territories. He further comments to say that this would allow their payment to go from \$7,300 down to \$5,000; which in turn, will give them cashflow.

Councilor Dana-Cummings asks what the amount is and Councilor Murphy responds that it is \$546,000. Councilor Cummings comments that there is already on \$200,000 on the books now. Councilor Dana-Cummings asks if the interest rate is lower for the new loan. Councilor Murphy responds and updates the Council if they are able get the bond through and approved, they would be looking at an interest rate of 2.5%. Councilor Cummings asks what bank they are going through and Councilor Murphy responds that they are working with The First. Jon McNerney from the audience addresses Councilor Murphy with a question for clarification of what the loan would be utilized for. Councilor Murphy responds that it would payoff the *Capital loan*; payoff the *Line of Credit*; and payoff the *trailer* for living quarters that was purchased from Baileyville at the main office; and as well as payoff all of the *Accounts Payables* which would leave them with around *\$150,000 to purchase 3-4 used trucks*. Councilor Murphy reaffirms that their *monthly payment* will go from \$7,300 down to \$5,000. Mr. McNerney asks for details of what the \$7,300 consisted of. Councilor Murphy responded that this was for the Capital Loan and the trailer and notes that the Line of Credit was a separate loan but will be paid off through the refinancing. Mr. McNerney then asks if there would be a Line of Credit and Councilor Murphy responds that there will be a Line of Credit in the amount of \$100,000 and explains that this is included in this package for the refinancing. Councilor Cummings comments to say that the taxpayers are already at a stipend of \$101,000 and asked Councilor Murphy if the base in Woodland was going to become an equal partner. Councilor Cummings wanted to know if this would be considered as other avenues from other towns. Mr. McNerney responds to say he was only asking what the refinancing amount consisted of and included. Councilor Murphy responded and said that he somewhat understood what Councilor Cummings was trying to say. He explains that when they applied for the re-financing the bank came back and said yes, Downeast EMS wanted to get the other towns on board with it; but their town meetings had already taken place. A majority of them said they would sign on for their portion of it but would not be able to do it until next year in March. However, the bank wants the principle towns that are in Downeast EMS (*which is Eastport, Lubec, and Unorganized Territories*) to guaranty the loan. Thus, the figure of \$546,000 would be split

three ways. Should Eastport decide to approve of it, they would be responsible for a third of it, should Downeast fail. Councilor Cummings comments to say that this was suppose to have been done when they went for the second \$100,000 extension when they went for a Line of Credit and that it was already discussed. Councilor Murphy and Council President both remind everyone that this is a re-finance loan to help reduce their debt. Councilor Murphy reassures that Downeast EMS has not missed a payment and is one of the main reasons that the bank is willing to work with them. Jon McNerney asks what the liability is to the other towns that are not able to participate this year. It is reiterated that this is a guaranty to sign off on a loan but that other towns do pay a stipend but are unable to participate at this time and that the bank is requiring that the three major participants guaranty the loan. The request is not that the City or the taxpayers put out additional funds but offer up support through guarantying the loan. Everyone acknowledges that the ambulance is a valuable service to the community. Councilor Cummings addresses Earl Small in the audience and asks a question about Danforth's involvement. Mr. Small explains that things have changed a bit since Councilor Cummings served as the liaison and that they are no longer a part of Downeast EMS and have been eliminated and now run through Calais Fire. Councilor Cummings asks Mr. Small about Eastport doing a contract with Calais. The City could consider it but they would have to approach Calais, but reminds everyone that you are looking at travel time of a *minimum* of twenty-five minutes from Calais. Councilor Cummings is looking for other options. Mr. Small notes that should the City consider to go with owning their own Ambulance service, it would require \$300,000 upfront. Council President reminds Council that they are discussing the guaranty of a loan. Legal Counsel, Dennis Mahar, comments to say that the City would not be on the line for a third but rather 100% as the bank would be looking for the entire amount no matter where it will come from. Council President emphasizes the importance that the approval to do this must be specific to Eastport's share as being *one third* with the understanding that they would only approve of it if Lubec and Unorganized Territories are accepting of their share as well.

City Manager, Larry Post, updates Council that he has spoken with Jim Saffion with bond counsel with regard to the requirement of a public hearing for a *loan guaranty*. He responded to say it would be in the City's best interest to do so and the City Manager makes a request that Council give consideration to holding this by the end of July.

VIII. "Scheduling" of Public Hearing(s) - if applicable

MOTION DANA-CUMMINGS SECOND EMERY

To *schedule* a public hearing for **Wednesday, July 31st, 2013 at 6:00 p.m.** to discuss consideration of a Loan Guaranty on behalf of Downeast EMS and to also *request that the Executive/Finance Director of Downeast EMS be present and in attendance.*

PASSED 5-0

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REPORTS

1. City Manager

Larry Post reminds Council of the Public Hearing on the “SRF” loan previously scheduled for Wednesday, July 24th at 6:00 p.m. He continues further to update the Council that he has been working on the Millenium Marine lease and that he has met with the County Manager as well as the Northern Development of Maine Corporation relative to the EDA grant and will update them accordingly. He proceeds forward informing them that he is also working with Rene in Public Works with regard to a street sweeper and are hoping to have this come to a close within in the next few weeks. He also updates Council that he has met with the City’s insurance representative and that they are working together to be sure the proper coverage is in place and is up to date and current. He also reassures Council that he has attended the Harbor and Port meetings. He continues on to touch on the “SRF” loan and recaps that when he first got here the City had the \$534,000 loan with all but \$68,000 that was forgiven. He was recently given notice that another \$25,000 was forgiven, leaving the City responsible for \$43,000. He also notes that he and Jeff Sullivan has met with Olver Associates as well as DEP and the EPA with regard to the Wastewater Treatment Plant and the grants and the work that is being done there. He further comments to say that Olver Associates has been here on rain events to find out why water is entering our system. He updates Council that they will be completing smoke testing and that it will be advertised in the local paper. He also informs Council that recycling discussions are taking place and they are looking at doing something within the near future to offer recycling back into the community. He updates Council that he awaits a response from Legal Counsel with regard to a condemnation letter for the property at 181 Water Street and to also respond to the Port Authority Lease Agreement. He also informs Council that he is dealing with issues on the 4 Meyer Street property where Council had previously issued a Notice to Vacate premises to the owner of record as well as the tenant. However, he notes that he has been contacted by Maine State Housing and is working with them. It was brought to the City’s attention that there was a recording of a mortgage holder but it was recorded as being with Eastwood, Maine. He also updates Council that he is still working on a proposal for a change in retirement benefits but is still reviewing the options that would benefit the employees. He informs Council that he has begun the process to put together an annual report as required by the City Charter. He also comments to say that he is working

on a 5-year capital improvement plan which will also include an analysis of the streets and sidewalks to help allocate dollars where needed. It is his intention to have this completed and part of next year's budget which he anticipates to bring forth to Council in February. He touches on the fact that the 4th of July has come and gone and was a success. He continues with a reading of a letter from a local citizen, Rhonda Stevens, commending the Police Chief and the Eastport Police Department for their exemplary service but notes that the Police Chief has not yet seen it.

Council President, Mary Repole, reminds the public and the Council of a public meeting scheduled for Thursday, July 11th by Maine DOT on the re-construction of County Road.

2. Departments

Financial Report

Councilor Dana-Cummings notes that there are a lot of *negative* figures and the City Manager, Larry Post, acknowledges and reassures her that they will be brought forth to Council and dealt with in the manner that is required at the next regularly scheduled Council meeting.

MOTION CUMMINGS SECOND MURPHY
To accept the **Financial Report** for *June, 2013* as submitted.

PASSED 4-1 ("NO" DANA-CUMMINGS)

Code Enforcement Report

MOTION MURPHY SECOND CUMMINGS
To accept the **Code Enforcement Report** for *June, 2013* as submitted.

PASSED 5-0

Police Department Report

MOTION MURPHY SECOND CUMMINGS
To accept the **Police Department Report** for *June, 2013* as submitted.

PASSED 5-0

Public Works Report

Council accepts the update from the City Manager for *June, 2013* but also acknowledges that they previously requested that a written report was not necessary.

Sewer Report

MOTION MURPHY SECOND EMERY
To accept the **Sewer Report** for **June, 2013** as submitted.

PASSED 5-0

3. Boards & Committees

Planning Board - NO REPORT

Zoning Board

The Tax Assessor, Robert Scott, informs Council that the Zoning Board has approved the acceptance of a Cell Tower. He further continues to say that there is three sets of three antennas that will go on the side of the PWD water tank across the street and is for US Cellular carriers and is their frequency. The Zoning Board of Appeals granted a Special Exception Permit.

Historic Review Board - NO REPORT

Airport

Steve Trieber reports that they are still working on repairing the damage from the vandalism and that it is a lengthy process.

Harbor

Councilor Emery reports that the Committee recently met and informs Council that there will no longer be any **sub-leasing** of the inner basin and that there are additional changes being made come the first of the year and that these changes will be posted. The Harbor Master, Richard Clark, from the audience explains to the Council that these amendments will come before the Council as a proposed change to the Harbor Ordinance for final approval as recommended by the Harbor Committee.

Downtown - NO REPORT

Charter Committee

Jan Finlay addresses the Council and reports that they are coming along and are still in hopes to have it before the Council so that it can go on the November municipal ballot. She further notes that the present City Charter is very vague and that it needs to be more specific and that should anyone have anything to bring to the table in this regard, now is the time and that all comments are welcome.

Port Report

Council President comments to say that the breakwater is back in one piece and in use. She also notes that the Maine Maritime brought in their State of Maine and thanks them for doing so. Councilor Cummings asks for a status of the wood chips and Council President says she will try and have an update at the next meeting.

Energy Committee

On behalf of Jon Calame and in his absence, Heron Weston updates the Council that the Committee was part of a grant application sponsored with other groups such as Thermal Efficiency of Eastport, SCEC, and WCCOG to help sustain energy to include heating. It was through the Maine Technology Institute and it was awarded for an amount of \$49,000. It will be utilized specifically to weatherize two demonstration homes in Eastport and working with WHCA (Washington County Hancock Agency). He also updates Council that Hugh French with the Tides Institute will be putting in a large pellet-stove heating system that produces radiant heat and are dealing with a business where they will be delivering a truck full of pellets to Eastport and it is understood that they are coming from Bethel and that it is a special arrangement. He comments to say that it is cheaper to buy it in bulk and makes it more affordable. The Committee is interested in choosing a City building to learn more about energy efficiency and would like permission from the Council to consider the City Hall building. It would be a *free* assessment of the building to make recommendations of what the City could do to help save money on the energy costs. Councilor Cummings asks Richard Clark if he had ever received an evaluation of the use of pellets in the Town of Perry and he responded to say he has seen nothing since it was put in but was aware that they had not burned any oil yet. Councilor Dana-Cummings asks for a figure with regard to the pellets. Mr. Weston responds that the one delivery would be seven tons of pellets and that the hopper is 7 ft. x 7 ft. x 8 ft. He also informs Council that there is a program on Pete's Island where the State would subsidize having a heat energy auditor come into your home and pay \$600.00 of a \$750.00 fee for a local energy auditor, leaving the homeowner an expense of only \$150.00. They are looking into what the alternatives are to try and get this resource for Eastport as well. The Committee addresses the Council and asks what type of heating system is utilized at the Mill building and wanted to know if their would be options for them to do research there. The City Manager comments to say that the engineers are still working on that and Councilor Dana-Cummings responds to say that the Energy Committee would like to be part of that and to have some input.

Council President asks if a motion is needed for the “free” evaluation for City Hall that was offered up by the Energy Committee and the City Manager responded that he did not feel it was necessary.

Ordinance Review Committee

The Tax Assessor, Robert Scott, informs Council that the next meeting is on the 17th when they will be discussing the sign section of the Ordinance.

Dog Park Committee

Council President updates Council that she has spoken with Mr. Reece and he informs he has two contacts within the State and has not yet been able to reach them but reassures Council that they should have something to report at the next meeting.

Dave Gholson addresses the Council and asks for clear assurance from them that before he and others invest any more labor and expense into the property that they are still able to utilize this small portion of the property. He also comments to say that should the City have any extra gravel for the property, it could be used but that they are by no means asking for it. Council President responds to say that she invites him to be a part of that meeting and will be sure to contact him when they have set a date to meet with the contacts.

Eastport Recreational Marine Facilities Committee

Councilor Dana-Cummings addresses Council and informs them that she requested that this be put on the agenda as she would like to learn more of the initial plan but understands that they were not able to move forward and would like to know the status of where they are at now. ***Councilor Cummings*** responds to say that he has asked the current City Manager to speak with Mr. Morrison and to go back and try to exchange that the middle section for at least that end section where they could at least launch boats. The ***City Manager, Larry Post***, responds that he has made contact with Mr. Morrison and that they need to sit and talk about this option and they have yet to come together but he will attempt to do this by the end of the month. It is ***Councilor Dana-Cummings*** understanding that there is \$75,000 plus interest in this account to utilize. The ***City Manager*** informs Council of a recent email received by him of the potential for additional funding that he will be looking into and will update the Council accordingly. ***Councilor Dana-Cummings*** asks about the possibility of doing some of the work in

house. **Councilor Cummings** feels strongly that if the City is able to exchange that piece, it will be a cheaper process. **Former Councilor Earl Small** from the audience comments to say that it was his recollection that Mr. Morrison had done the engineering study and it was his understanding that the previous City Manager wrote a grant application and said that it was submitted but it was either rejected or cancelled because it did not meet the criteria. He further comments to say that he had requested a copy of it and never received it. He continues on to say another reason that it was not granted was because of a pending lawsuit. This is his last knowledge of the status. **Council President** asks the City Manager to try and reach Mr. Morrison again and to have a status report at the next regularly scheduled Council meeting. She also asks him to look for an existing grant application and notes that it would be a SHIP grant.

Will Bradbury from the audience addresses the Council with regard to the Recycling Committee and that it is very much needed and needs to be brought back to the community. The City Manager responds to say that he has been in touch with a group off and on that has been holding discussions with Lois Grossman and Lora Whelan. Mr. Bradbury offers up an interest to be a committee member. Councilor Cummings suggests that we dump what we have in the containers now and begin with the honor system. Mr. Mr. Bradbury also suggests that maybe the City could contact the Town of Lubec as they have a very nice facility and may be able to bring something to the table to assist us in the right direction.

MOTION MURPHY SECOND EMERY
To appoint Will Bradbury as a member to the Recycling Committee.

PASSED 5-0

4. COUNCIL ISSUES

Ambulance - Already covered earlier on in the meeting.

Marion Transfer Station

Councilor Murphy updates Council that he attended last night's meeting via: telephone and understood that the majority of the discussion was recycling but commented that it was difficult to hear. Mr. Weston responds to say that the contract was awarded to close the old landfill and that they are also looking to recycle on a more regional level and are in the early stages of discussion to weigh the pros and cons as well as alternative options.

MOTION MURPHY SECOND EMERY
To accept the **Boards and Committee reports** for *June, 2013* as presented.

PASSED 5-0

IX. Public Forum (Will be held at 8:00 p.m. when meetings extend beyond)

Council President, Mary Repole, opens the floor to Public Forum at 7:43 p.m.

Councilor Cummings addresses the Council with a request to have the City Manager, Larry Post, contact the Game Warden Service or the required personnel and approach them to work with them on formulating some type of plan to deal with the deer population before hunting season and to possibly consider a lottery on *does* and that the City be prepared before the season is upon us. He would like to see something in place that if we are going to allow hunting that we formulate something similar to the moose lottery. The *Council President, Mary Repole*, responds to say that it is *her* understanding that the City can restrict people from shooting from the paved roads and suggests within ten feet of the paved area as this would cover the right of way for the City. She further comments to say that the State law supercedes anything that the City would implement. *Councilor Emery* responds to say that he has spoken with officer Rodney Merritt and that he would like to see the City implement an ordinance that would be specific to forbidding hunting from a paved way. He also comments to say that in speaking with the City's former Police Chief, Frank Gardner; it may be beneficial to use it as a safety issue for the kids on the buses during hunting season, they may consider it. He further states to say that he has no problem with hunting and shooting a deer but feels it should be done in the woods but not on the streets of Eastport. *Legal Counsel* responds to say that they cannot shoot from a paved road and the Council responds that it is permissible for bow hunters. *Council President* asks Councilor Cummings if he will work with the City Manager on this to gather information and alternative options. The City Manager responds that he suspects it is late in the year and that any implementation would not take place until next year. Discussion took place that postings are permissible on private property. *Mr. Gholson* from the audience addresses the Council and responds to say that he has approximately forty acres within the City limits and welcomes the kids and grownups to use the property and enjoy it but has a real concern in being torn on this but he does not want hunters in there and taking a chance on children being harmed.

X. Council Issues

Councilor Dana-Cummings addresses the Council and makes a motion in light of what happened in Calais recently to take funds and purchase bullet-proof vests for our police officers. The City Manager intercepts the conversation and informs the Council that there is money left in the Police Department account and intended to bring this to their attention and ask for Council approval to bring this money ahead and carry it forward for the such a purchase.

MOTION DANA-CUMMINGS SECOND MURPHY
To authorize the City Manager, Larry Post, to purchase bullet-proof vests for the Eastport Police Department for our officers and that it is come from the Police Department account.

PASSED 5-0

Councilor Dana-Cummings addresses the Council with regard to another matter and refers to ***Page 8 of the Personnel Policy*** and comments to say that it is clear what *time off* City Hall is permitted to take, *and with the recent 4th of July closing*, it is not part of the policy. Her point is that we should be following the policy and if it is not there and should be; then it needs to be incorporated. The City Manager responded that he was told that it was *past practice*. She also brings to the Council’s attention that it does not cover or reflect *snow days* either. The City Manager responds: “point taken” and she further continues to say that the City should be following the policies.

XI. Executive Session (if applicable)

MOTION MURPHY SECOND EMERY
To go into Executive Session for Personnel Matters under Title 1 M.R.S.A. § 405(6)(A) and to also go in for Real Property or Economic Development under Title 1 M.R.S.A. § 405(6)(C).

PASSED 5-0 (TIME: 7:55 P.M.)

MOTION MURPHY SECOND EMERY
To come out of Executive Session.

PASSED 5-0 (TIME: 8:16 P.M.)

XII. “Action” on Executive Session

MOTION MURPHY SECOND EMERY
To authorize the City Manager, Larry Post, to move forward on the contract with ***Millenium Marine*** to include the changes that were proposed and discussed in Executive Session.

PASSED 5-0

The City Manager, Larry Post, informs the Council that Corey’s (Millenium Marine) attorneys are Eaton & Peabody out of Bangor and they will produce and bring forth a draft and it will definitely come before the Council for ***final approval***.

MOTION MURPHY SECOND EMERY
To authorize the City Manager, Larry Post, to send written notice to *Andrews Plumbing & Heating* giving him three weeks to vacate the premises at the Mill building.

PASSED 5-0

XIII. Adjourn

MOTION MURPHY SECOND EMERY
To adjourn.

PASSED 5-0 (TIME: 8:19 P.M.)