

**EASTPORT CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
WEDNESDAY, OCTOBER 9, 2013  
6:00 PM – SHEAD HIGH SCHOOL – BAND ROOM**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 pm by Council President, Mary Repole. Present were: Councilors Michael Cummings, Colleen Dana-Cummings, Scott Emery, Gilbert Murphy, and Mary Repole. Also present were: Elaine Abbott, Deputy-Clerk, Dennis Mahar, City Legal Counsel.

Betsy Fitzgerald from the Washington County Commissioner's Office spoke briefly on the successful completion and submission of the package for the \$1.4 million dollar grant for the Guilford Mill (Millennium Marine).

**II. PUBLIC HEARING**

Council President, Mary Repole, opened the public hearing for:

**Liquor Licenses** for: Pamela Francis d/b/a Landmark 1887(N), Robert DelPapa d/b/a WACO Diner(R), and Tyra Baker d/b/a Liberty Café;

**Special Entertainment Licenses** for: Pamela Francis d/b/a Landmark 1887(N) and Tyra Baker d/b/a Liberty Café (R);

**Victualer License** for: Pamela Francis d/b/a Landmark 1887 (N);

**Zoning Ordinance Amendment #1** – change to the ordinance in re: wording and ;

**Zoning Ordinance Amendment #2** – Addition of Maps and Appendices.

The floor was opened for public questions and comments.

**III. ACTION ON PUBLIC HEARING**

Motion to approve the issuance of Liquor Licenses for: Pamela Francis d/b/a Landmark 1887(N), Robert DelPapa d/b/a WACO Diner(R), and Tyra Baker d/b/a Liberty Café (R)

MOTION: MURPHY                      SECOND: EMERY                      PASSED 5-0

Motion to approve the issuance of Special Entertainment Licenses for: Pamela Francis d/b/a Landmark 1887(N) and Tyra Baker d/b/a Liberty Café (R);

MOTION: CUMMINGS      SECOND: DANA-CUMMINGS      PASSED 5-0

Motion to approve Victualer License for: Pamela Francis d/b/a Landmark 1887 (N);

MOTION: CUMMINGS      SECOND: EMERY                      PASSED 5-0

Motion to table Zoning Ordinance Amendment #1 and Zoning Ordinance Amendment #2 until the next regular meeting of the City Council;

MOTION: CUMMINGS      SECOND: MURPHY      PASSED: 5-0

**IV. ADJUSTMENTS TO THE AGENDA**

Motion to move the Public forum in re: Fireworks Ordinance for immediate discussion;

MOTION: MURPHY      SECOND: EMERY      PASSED: 5-0

Motion to add Bangor Hydro pole permit for Perkins Road as item #10 under New Business;

MOTION: MURPHY      SECOND: CUMMINGS      PASSED: 5-0

**PUBLIC FORUM**

Several residents spoke out against the public use of fireworks. An informal poll was taken of residents in attendance and the majority were against the public use of fireworks.

**V. MINUTES OF THE PREVIOUS MEETINGS**

Motion to table the minutes of the August 14, 2013 City Council meeting until the next regular meeting of the Council;

MOTION: DANA-CUMMINGS      SECOND: MURPHY      PASSED 5-0

Motion to table the minutes of the September 11, 2013 City Council meeting until the next regular meeting of the Council;

MOTION: MURPHY      SECOND: EMERY      PASSED 5-0

**VI. UNFINISHED BUSINESS**

There was no unfinished business.

**VII. NEW BUSINESS**

1. Develop policy for Rental/Use of City Property: Tabled
2. Award of bid opening for 23-24 Mitchell Street (Tax Map H7-0C3-08): No bids received;
3. Award of bid opening for 20 Evans Street (Tax Map E2-0A5-04):
  - Howard Johnson    \$ 5,000
  - William Tibbets Jr \$10,200
  - Porter Leighton    \$ 5,800

Motion made to accept the bid of \$10,200 submitted by William Tibbets Jr;

MOTION: CUMMINGS SECOND: DANA-CUMMINGS PASSED 5-0

4. The Veteran's Day Proclamation was read aloud by President Repole. City Manager Larry Post will attend the Veteran's Day ceremony. Motion made to accept the Veteran's Day Proclamation;

MOTION: MURPHY SECOND: CUMMINGS PASSED 5-0

5. Feasibility study of old landfill: The City Manager presented a plan to identify options for stabilizing the landfill slope through GEI Consultants. The cost is \$9,500, with 90% being paid by the State. A motion was made to accept the GEI proposal for the feasibility study;

MOTION: MURPHY SECOND: EMERY PASSED 5-0

6. 457(b) Deferred Compensation Plan: Motion made to table until the next regular Council meeting;

MOTION: DANA-CUMMINGS SECOND: CUMMINGS PASSED 5-0

7. The motion was made to accept the Warrant for the November 5, 2013 Municipal Election;

MOTION: CUMMINGS SECOND: MURPHY PASSED 5-0

8. The motion was made to approve the Commitment of Sewer Fees to the City Treasurer for 2<sup>ND</sup> quarter, FY 2014;

MOTION: CUMMINGS SECOND: DANA-CUMMINGS PASSED 5-0

9. Request for Lease of City Property by VFW: Victor Voisine spoke on behalf of the VFW and expressed interest in use of the former school superintendent's building as a VFW meeting place. Mr. Voisine was directed to speak with the school superintendent to obtain further information.

10. Bangor Hydro Pole Permit application for Perkins Road: the motion was made to allow Bangor Hydro permit for Perkins Road to proceed;

MOTION: CUMMINGS SECOND: MURPHY PASSED 5-0

#### **VIII. SCHEDULING OF PUBLIC HEARINGS**

Fireworks Ordinance (11-13-2013): motion made to schedule the public hearing on October 22, 2013 at 6:00 pm. The proposed ordinance is to ban the public use of fireworks;

MOTION: MURPHY SECOND: EMERY PASSED 5-0

Airport Ordinance Amendment (11-13-2013): Motion made to table;

MOTION: CUMMINGS      SECOND: DANA-CUMMINGS      PASSED 5-0

**IX.      REPORTS**

1. City Manager: City Manager, Larry Post reported on various activities performed and in process;

2. Departments

    Financial Reports: motion to table until the next regular Council meeting

    MOTION: DANA-CUMMINGS      SECOND: CUMMINGS      PASSED 4-1

3. Boards and Committees:

    Planning Board: No report

    Zoning Board: No report

    Historic Review Board: No report

    Airport: Airport manager, Steve Trieber spoke about federal funding available to make repairs/improve the condition of the runway;

    Harbor Committee: No report

    Downtown Committee: No report

    Charter Committee: No report

    Port: more funding has been received for repairs to the breakwater;

    Energy Committee: Jon Calame and Rafi Hopkins made a survey of City Hall and submitted a list of repairs/improvements that could be made to increase energy efficiency. Dana-Cummings suggested reviewing the suggestions to see what improvements could be made with \$1,000 budget for City Hall maintenance;

    Ordinance Review Committee: No report

    Dog Park Committee: No report. Jan Finley suggested use of the term “multi-purpose park” as opposed to “dog park”;

    Eastport Recreational Marine Facilities Committee: No report

    Recycling Committee: No report

Motion to accept submitted reports:

    MOTION: MURPHY      SECOND: EMERY      PASSED 5-0

4. Council

Ambulance: Murphy reported on the purchase of ambulances purchased from two municipalities.

Marion Transfer Station: Larry Post reported the cost of covering the Marion Transfer Station landfill will cost more than first anticipated but there is money in the Marion Transfer account;

Motion made to accept the Ambulance and Marion Transfer Station reports:

MOTION: EMERY                      SECOND: CUMMINGS                      PASSED 5-0

**X. PUBLIC FORUM**

Danny Waggoner expressed concern over dilapidated and abandoned buildings and the wild animals attracted to living within said buildings. He asked Council to consider condemning specific buildings, particularly at the end of Battery Street.

**XI. COUNCIL ISSUES**

Since there were no Council Issues, President Repole called for Executive Session, citing Personnel Matters (1 MRSA § 405(6)(A) and a Poverty Abatement Application (36 MRSA §841). A motion was made to enter Executive Session at 7:55 pm;

MOTION: MURPHY                      SECONDED: CUMMINGS                      PASSED 5-0

**XII. EXECUTIVE SESSION**

City Council came out of Executive Session at 8:10 pm.

Action Taken:

Motion to give the Airport Manager a stipend of \$2500 in appreciation of work performed on airport lighting;

MOTION: MURPHY                      SECOND: EMERY                      PASSED 5-0

Motion to ask the City Manager to speak to the person in re: tax abatement in order to obtain more information;

MOTION: CUMMINGS                      SECOND: MURPHY                      PASSED 5-0

Motion to meet for evaluation of City Manager on October 22, 2013 at 530 pm;

MOTION: MURPHY                      SECOND: EMERY                      PASSED 5-0

The meeting was adjourned at 8:15 pm;

MOTION: CUMMINGS                      SECOND: MURPHY                      PASSED 5-0