



**III. PUBLIC HEARING(S)**

***EASTPORT CITY COUNCIL***

**PUBLIC HEARING  
RENEWAL OF LIQUOR LICENSE APPLICATION  
JEFF & LESLIE STARLING d/b/a HAPPY CRAB**

The hearing was called to order by Council President, Mary Repole at 6:02 p.m.  
Those present: Councilor Archer, Councilor Dana-Cummings, Councilor Emery, Councilor Murphy, and Council President, Mary Repole.

Council Presidents explains that the purpose of the hearing is for consideration of approval on the *renewal* of a Liquor License application for Jeff and Leslie Starling d/b/a Happy Crab.

Council President opens the floor for questions and/or comments. There were none.

Council President declares the hearing closed at 6:03 p.m.

***EASTPORT CITY COUNCIL***

**PUBLIC HEARING  
FIREWORKS ORDINANCE**

The hearing was called to order by Council President, Mary Repole at 6:04 p.m.  
Those present: Councilor Archer, Councilor Dana-Cummings, Councilor Emery, Councilor Murphy, and Councilor Repole.

Council Presidents explains that the purpose of the hearing is for consideration to be given to the implementation of a Fireworks Ordinance.

Council President, Mary Repole opens the floor for questions and/or comments.

Jan Finley from the audience addresses the Council and comments to say that the City has been meeting for almost a year now on this issue and that she does not have anything against *personal* fireworks. Her concerns are with living in the downtown

area and the actions of those who are intoxicated and abuse their neighbors and do not show any consideration of the tight close quarters that we live in. She emphasizes that we all need to work together and that it is not an easy issue and further comments to say that we need to stop being adversaries and find a way for this to work. She continues by stating that the downtown is at risk.

Jon McNerney from the audience addresses the Council and asks a question with regard to Article V which covers the limitations of the hours. Council and Legal Counsel respond that the State law defines this to be 10:00 p.m. with the exception Of New Year's Eve.

Michael Morse of the audience addresses the Council and suggests that the City should also consider including in the ordinance something that you must be twenty-one to purchase or use fireworks. Council President responds that the ordinance reflects that it is pursuant to the Constitution and State Law regulations.

Sue Lara from the audience addresses the Council with respect to Article V and the dates listed are July 3<sup>rd</sup> and 4<sup>th</sup> and questions whether it should be the 4<sup>th</sup> and 5<sup>th</sup>. The Fire Chief and the Council President respond that the *City's Fireworks* are not affected by this at all and that it is referring to consumer fireworks.

Ken Brown from the audience refers to Article VI that on the third line down and mid way over the word "*time*" needs to be there (should read "from time to time).

Bernie Grazulwich from the audience comments to say that this has been going on for 2-3 years and each time this debate comes up, the majority of those who attend the meetings are in favor of a ban along with 58% of the voters.

Carolyn Lowe of the audience addresses the Council and reminds them that she has been coming to these meetings since August and she isn't going to repeat everything she's said but that she remains firm and is against it.

Council President calls for any other questions or comments and there were none.

Council President declares the hearing closed at 6:06 p.m.

**IV. ACTION ON PUBLIC HEARING(S)**

*Renewal of a Liquor License Application for Jeff & Leslie Starling d/b/a Happy Crab*

MOTION MURPHY SECOND EMERY

To approve the renewal of a Liquor License application for Jeff and Leslie Starling d/b/a Happy Crab.

PASSED 5-0

*Fireworks Ordinance*

MOTION MURPHY SECOND EMERY

To accept and approve the Fireworks Ordinance as presented.

PASSED 3-2 (ARCHER & DANA-CUMMINGS "NO")

**V. OPEN PUBLIC FORUM**

Jon McNerney addressed the Council and commended the Police Department for a job well done over Christmas and New Years with regard to the handling of an establishment whereby it involved heavy drinking and it also resulted in a subject having a felony warrant. He further comments that he has been critical of the Police Department in the past but expresses that they handled this very professionally.

Ken Brown from the audience also expresses his gratitude and thanks to the Public Works Department for their excellent job in snow removal of the downtown area.

Jon Calame from the audience addresses the Council with a heated related question. He further comments to say that the mill building has an expensive heating system. It is his understanding that it typically costs the City around \$30,000 to heat this through the winter. His concern is that the City is awaiting tenants to occupy the building and wanted to know if the Council would object to the Energy Committee going in to look at it to see if there is anything they can do to help tighten it and weatherize it to minimize that bill until the City does have someone in there. The City Manager responds that Corey Guimond is in town who will be occupying the small extension of the building and his intent is to install an industrial outside wood boiler to hook into the system. He further comments to say that the construction crew are working on the renovations. Council President suggests that Mr. Calame talk with Mr. Guimond.

Carolyn Lowe addresses the Council relative to snow removal downtown and expresses concern about the cars left on the street during storms and raises question to the enforcement of ticketing by the Police Department. The Police Chief responds that the winter parking ban is explicit to the hours of 11:00 p.m. to 6:00 a.m. and this is the way the ordinance is written. She also comments that it would certainly be helpful to the Public Works Department when they are plowing. The Council President and the Police Chief both suggest that they identify the owners of the vehicles and ask them to keep the area clear for plowing.

**VI. ADJUSTMENTS TO AGENDA - NONE**

**VII. MINUTES OF PREVIOUS MEETING(S)**

MOTION MURPHY SECOND EMERY  
To *approve* the **Council minutes of December 11<sup>th</sup>, 2013** to include an amendment to add the time of 7:19 p.m. to the adjournment as submitted by the Clerk.

PASSED 4-0 (ARCHER-ABSTAINED)

**VIII. UNFINISHED BUSINESS**

*FY2015 Budget Committee - One Member*

MOTION EMERY SECOND MURPHY  
To appoint Alex Smeaton to the FY2015 Budget Committee.

PASSED 5-0

**IX. NEW BUSINESS**

1) City Council Appointment for the Signing of Warrants for the Treasurer

MOTION MURPHY SECOND EMERY  
To allow all five members of Council to sign the warrants but recognizing the need for only three signatures.

PASSED 5-0

2) Establish Time & Place for Regular City Council Meetings

MOTION MURPHY SECOND EMERY  
That monthly Council meetings be held the *second Wednesday of the month* at *Shead High School* at 6:00p.m. in the Library.

PASSED 5-0

- 3) Establish Depository Banks for City Funds (The First & Bangor Savings Bank)

MOTION MURPHY SECOND ARCHER  
That *The First* and the *Bangor Savings Bank* be the depositing banks for City Funds.

PASSED 5-0

- 4) Establish a 0% Discount Rate for Pre-Payment of Taxes

MOTION MURPHY SECOND EMERY  
That there is a zero interest rate for pre-payment of taxes.

PASSED 5-0

- 5) Approve City Treasurer, Traci Jamieson, to Negotiate Quit Claim Deeds on Behalf of Council

MOTION ARCHER SECOND MURPHY  
To approve the *City Treasurer, Traci Jamieson*, to negotiate **Quit Claim Deeds** on behalf of the City Council.

PASSED 5-0

- 6) Approve Tax Collector, Ella Kowal, to Collect Pre-Payment of FY2015 Property Taxes

MOTION MURPHY SECOND EMERY  
To approve the Tax Collector collecting pre-payments on FY2015 property taxes.

PASSED 5-0

- 7) Approve the Transfer of Boat Excise Tax to the Port/Harbor Revenue Account

MOTION DANA-CUMMINGS SECOND MURPHY  
To approve the transfer of the Boat Excise Tax to the Port Authority Harbor Revenue Account.

PASSED 5-0

- 8) Staff Appointments

MOTION DANA-CUMMINGS SECOND MURPHY  
To approve the staff appoints as read and submitted.

PASSED 5-0

9) Council Liaison Appointments

MOTION DANA-CUMMINGS SECOND ARCHER

To approve the Council Liaison positions as follows:

*Mary Repole & Gilbert Murphy (Alternating) for School Board; Rocky Archer for the Cemetery; Colleen Dana-Cummings for Recycling and Festivals; City Manager/Larry Post for Marine Resources; Scott Emery for Harbor; City Manager/Larry Post for Marion Transfer; Gilbert Murphy for Ambulance and Downtown; and Kathryn Lewis for RC&D unless otherwise notified.*

PASSED 5-0

10) Boards & Committes Appointments

MOTION MURPHY SECOND ARCHER

To approve the list of re-appointments and appointments to the City's Boards and Committees as read and submitted as follows with an amendment to *remove* Lora Whelan from the Recycling Committee as she advises that she is a *volunteer* not a committee/board member.

*Planning Board – Sally Emery & Michael Morse & 1 Open Alternate*

*Zoning Board – Steve Cannon as Full-Time ( 5-Year Term)*

*Historic Review – Jean Schild, Wayne Wilcox, & Tom Ries (3-Year Term)*

*Airport Advisory – Ron Rosenfeld & Gene Richardson (1-Year Term)*

*Recycling – Will Bradbury, Lois Grossman, & Marged Higginson*

*Downtown – Chris Brown, Ken Brown, Robert Chaffey, Owen Lawlor, Meg McGarvey, Michael Morse, and Sarah Talbot*

PASSED 5-0

11) Commit Sewer Fees to the City Treasurer for 3<sup>rd</sup> Quarter of FY2014

MOTION MURPHY SECOND EMERY

To commit the 3<sup>rd</sup> quarter of FY2014 Sewer Fees to the City Treasurer, Traci Jamieson in the amount of \$90,755.15.

PASSED 5-0

12) Tax Acquired Property to Bid (1 Byrd Street – Tax Map #E3-0A1-02)

The City Manager updates Council that it is his understanding that this property was put out to bid a few years back and no bids were received which resulted in no interest and we are just trying to clean up some of these matters.

Councilor Archer asks what is owed and the Assessor believed it to be an amount of \$900 for taxes.

Councilor Murphy asks if there is a building on the property and the Assessor informs Council that there is not and that it is a corner lot.

MOTION MURPHY SECOND DANA-CUMMINGS  
To approve putting the property at 1 Byrd Street, Tax Map #E3-0A1-02 out to bid with a minimum to cover what is owed for taxes, sewer, and costs.

PASSED 5-0

13) Sewer Truck Purchase

MOTION ARCHER SECOND MURPHY  
To approve the purchase of a truck with plow for the Wastewater Treatment Plant not to exceed \$30,000.

PASSED 5-0

**X. SCHEDULING OF PUBLIC HEARING(S)**

*Zoning Ordinance Amendment (7 Indian Road)*

MOTION MURPHY SECOND EMERY  
To *schedule a public hearing* for **February 12<sup>th</sup>, 2014** on a Zoning Ordinance Amendment for **7 Indian Road**.

PASSED 5-0

*Personnel Ordinance Amendment*

MOTION MURPHY SECOND EMERY  
To *schedule a public hearing* for **February 12<sup>th</sup>, 2014** on amending the **Personnel Ordinance**.

PASSED 5-0

## XI. REPORTS

### 1) City Manager

The City Manager gives his report and updates Council that Tate Stevens has to get done due to health reasons and that Brian Baron is his replacement. He also comments that the new website is live and extends the credit to the great job to Elaine Abbott who has made this possible. He continues to say that job descriptions are in place and that he is also working on employee valuation forms. He reminds Council that he is making the changes to the Personnel Ordinance and will forward that to them once it is complete. He provides Council with a copy of the landfill study submitted by GEI. He updates Council that the renovations at the mill are ongoing and that Corey with Millenium Marine is receiving applications for jobs. The City Manager tells the Council that he is working on the Capital Improvement plan and hopes to have that to them by February. He updates Council on the Sewer upgrades to the pump stations.

### 2) Departments (Financial Report; Code Enforcement; Police; Public Works; & Sewer)

Councilor Dana-Cummings addresses Council with a concern that the mill budget is at 87.44% and we are only half way through the year and we need to be mindful of that. The City Manager reminds her that a good portion of that was for fire insurance (\$24,000) that we did not have on it that was required by EDA. Councilor Dana-Cummings also asks the City Manager if he had given any more thought to how the City would be getting the financial reports out to be available prior to the meeting. He responded that he will be working with the Treasurer on this.

MOTION      MURPHY                              SECOND      DANA-CUMMINGS  
To accept and approve the *department reports* (Financial Report; Code Enforcement Report; Police Report; Public Works Report; and Sewer Report) as read and submitted.

PASSED      5-0

### 3) Boards & Committees (Planning Board; Zoning Board, Historic Review Board; Airport; Harbor; Downtown; Charter Comm; Port; Energy Comm; Ordinance Review Comm; Park Comm; Recycling Comm; & Recreation Comm)

MOTION      ARCHER                              SECOND      MURPHY  
To accept the reports as presented and noted as follows:  
*Planning Board – Met and held two public hearings*  
*Zoning Board (No Report) – Historic Review ( No Report)*  
*Airport ( No Report) - Harbor ( No Report) – Downtown ( No Report)*  
*Charter (Work is Still Ongoing) – Port Report (Sent by Council President)*

*Energy Committee (Jon Calame shares Seasonal statistics and makes suggestions with regard to energy related propositions to help the City by way of a revolving fund for efficiency investments; they also would like to propose a fleet of ten bicycles to be inaugurated in the Spring as public bicycles in Eastport) Councilor Dana-Cummings asks for a follow up to the committee going into City Hall to do an audit assessment.*

*Ordinance Review (They are reviewing definitions)*

*Park Committee (No Report) – Recycling Committee (No Report)*

*Recreation Committee (No Report)*

PASSED 5-0

4) *Council (Ambulance & Marion Transfer Station)*

Councilor Murphy updates that the board has not met recently but that he hopes to have a better financial report next month and gives a brief overview of the bank balance as of December 31<sup>st</sup>.

The City Manager informs Council that there is no Marion Transfer Report as the second Tuesday of the month has not yet arrived.

MOTION DANA-CUMMINGS SECOND ARCHER  
To accept the Ambulance and Marion Transfer report as presented.

PASSED 5-0

**XII. COUNCIL ISSUES**

Councilor Archer makes a request that he would like to see more “in writing” for all the department reports of the monthly activities.

**XIII. EXECUTIVE SESSION - NONE**

**XIV. ACTION FROM EXECUTIVE SESSION – NONE**

**XV. ADJOURN**

MOTION MURPHY SECOND DANA-CUMMINGS  
To adjourn.

PASSED 5-0 (TIME: 7:07 P.M.)