

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, APRIL 8th, 2015
SHEAD HIGH SCHOOL - LIBRARY - 6:00 P.M.**

WORKSHOP - Charter Committee, City Council, & Dept. Heads
(5:00 p.m.) (Re: Charter Amendments of 6/10/14 & 11/4/14)

This workshop was cancelled until further notice.

WORKSHOP - Personnel Policy
(5:30 p.m.)

Council held a workshop and the City Manager brought forth proposed changes for discussion on the Personnel Policy.

REGULAR COUNCIL MEETING - 6:00 P.M.

Those in Attendance: Councilor Roscoe Archer, Councilor Michael Cummings, Councilor Colleen Dana-Cummings, Councilor Gilbert Murphy, and Council President, Mary Repole. Also present were City Manager, Elaine Abbott; Legal Counsel, Dennis Mahar; and City Clerk, Ella Kowal.

Audience Attendance: Scott Emery, Pauline Emery, Amy Johnson, Howie Johnson, Jan Finley, Elizabeth Hastings-Renner, Traci Calder, Frannie LaCounte, Mary Jane Summers, Steve Glatfelter, Lisa Stephen, Robert Scott, Lora Whelan, Greg Golding, Jon Calame, Denise Cassidy, Ken Brown, Meg McGarvey, and Robin Farrin.

I. CALL TO ORDER - Council President called the meeting to order at 6:00 p.m.

II. PUBLIC HEARING(s) - RENEWAL OF VICTUALER LICENSES

Council President opens the floor at 6:01 p.m. to the public and Council members for questions and/or comments on the renewal of Victualer Licenses for the following entities.

Dastardly Dick's; Eastport Chowder House; Happy Crab; Kilby House; Landmark 1887; Quoddy Bay Lobster; Milliken House; Moose Island Bakery; Raye's Mustard Mill; Rose Garden; Rosie's Hot Dog Stand; Seaview Campground; Todd House; WACO Diner; and the Weston House.

There were none. Council President declared the hearings closed at 6:02 p.m.

III. ACTION PUBLIC HEARING(s)

MOTION CUMMINGS **SECOND** MURPHY **(PASSED 5-0)**

To *approve* the *renewal* of Victualer Licenses for Dastardly Dick's; Eastport Chowder House; Happy Crab; Kilby House; Landmark 1887; Quoddy Bay Lobster; Milliken House; Moose Island Bakery; Raye's Mustard Mill; Rose Garden; Rosie's Hot Dog Stand; Seaview Campground; Todd House; WACO Diner; and the Weston House.

IV. DEPARTMENT REPORTS

Council President informs Council that the Port's website is accessible and that inquiries can also be made for minutes of meetings, Director's report, etc. She also updates Council that Cate Street is paying and they are looking to have them come in within the next couple of months to give a up to date status/briefing. She comments to say that there is potential for shipments to Ireland. She also notes that the Port purchased a van which has been utilized to transport people into Bangor.

The City Manager addresses the Council with an update from the Port Director, Chris Gardner, on the transfer of ownership of the fish pier from the City to the Port and that they are awaiting the engineering firm which is scheduled to be here in June to provide an assessment on the condition of the pier. Mr. Gardner also requests that they be able to conduct repairs to the metal footing as well as some general repairs to the North side of the fish pier. Council appreciated the update and has no objections for the Port to proceed forward with the repairs as referenced.

MOTION CUMMINGS **SECOND** MURPHY **(PASSED 5-0)**

To *accept* the Financial Report; Code Enforcement Report; Police Department Report; Public Works Report; Sewer Report; and Port Report for the month of March, 2015 as submitted.

V. OPEN PUBLIC FORUM

Jan Finley addressed the Council and made mention that the most recent member Robin Farrin of the Recreation Committee had not yet heard anything with regard to a scheduled meeting and suggests that Councilor Cummings and Ms. Farrin meet to schedule a meeting. Discussion took place and it was decided that they would meet on April 14th, 2015 at 6:00 p.m. at Shead in the Library.

Denise Cassidy addresses the Council and gives a brief update that they have been watching the condition of the retaining wall in front of the Police Station and that it should be looked at. Council President asks the Public Works Director, Howie Johnson, to take a look at it when he has a moment.

Council President made a final call for questions or comments; there were none and closed Open Forum at 6:29 p.m.

VI. ADJUSTMENTS TO AGENDA - THERE WERE NONE

VII. MINUTES OF PREVIOUS MEETING(s) - 3-11-2015

MOTION DANA-CUMMINGS **SECOND** MURPHY **(PASSED 3-2)**

(Councilor Archer & Murphy Abstained)

To *accept* and *approve* the Council minutes of *March 11th, 2015* with amendment to reflect the response from Councilor Murphy to Councilor Cummings with regard to his inquiry about the ambulance stipends and that the City Clerk will make this correction to the minutes.

VIII. UNFINISHED BUSINESS

a) Jon Calame (Revolving Loan Program for Heating System)

MOTION MURPHY **SECOND** CUMMINGS **(PASSED 5-0)**

To *authorize* allocating **\$11,250.00** to be earmarked for heating system retrofits in the form of a revolving loan program as presented by Jon Calame to assist as front capital in the commencement of the program and that it will come out of the excess funds account formerly known as Economic Development.

IX. NEW BUSINESS

a) Commitment of Sewer Fees to City Treasurer for the 3rd Quarter of FY2015

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**

To approve the commitment of Sewer fees to the Treasurer for the 3rd Quarter of FY2015 in the amount of \$86,786.00.

b) Appointment of Election Workers as Submitted by the City Clerk/Registrar

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To approve the appointment of Judy Ampungan, Mary Squibb, Jacqueline Davis, Sharon Cannon, Rita Norton, Pamela DeWitt, Leasa Garvin, Paula Bouchard, Vicki Morang, Mary Lou Larrea-Scott, Halley Bradbury, Cindy Elliott, Judy Turner, Cindy Mitchell, Marie Holmes, Regina Mitchell, and Mary Jane Summers as election workers as requested and submitted by the City Clerk and Registrar of Voters.

c) Refund of Vehicle Excise Tax to Walter & Matt Cummings

MOTION MURPHY **SECOND** ARCHER
(1-NO/ARCHER); (2-ABS/CUMMINGS & DANA-CUMMINGS);
(2-YES/MURPHY & REPOLE).

To approve a refund of excise tax in the amount of \$88.21 back to Walter and Matt Cummings.

d) Write Off - Personal Property Acct. #79 - \$88.21 - FY2013 & FY2014 (2 Battery Street)

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(DENIED 2-3)**

(ARCHER/MURPHY/REPOLE "NO")

To write off personal property in the amount of \$88.21 on acct. #79 with regard to 2 Battery Street.

- e) **Request for Council to Abate Taxes – R/E Acct. #1348 – FY2013 & FY2014 (7 Battery St.)**
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
 To approve an abatement in the amount of \$2,364.40 on real estate account #1348 for the FY2013 & FY2014 taxes and that it be applied to outstanding balances due the City which the taxpayer is already in an agreement on.
- f) **Council Approval to Accept a Port Donation to the EPD of Office Furniture and Equipment**
MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**
 To authorize and accept a donation from the Port Authority to the Eastport Police Department for a desk and a computer.
- g) **City Clerk Update relative to Coverage of the May 14, 2015 Council Meeting**
 The City Clerk informs Council that she and Mary Jane will be attending a two-day training session with the Bureau of Motor Vehicles and that Traci Calder will be attending the meeting as our Deputy Clerk.
- h) **Council Authorization for FY2016 Municipal Trash Bid**
MOTION MURPHY **SECOND** CUMMINGS **(PASSED 5-0)**
 To approve and authorize the advertisement for bid on Municipal Trash for FY2016.
- i) **Council Authorization for FY2016 Municipal & General Assistance Fuel Bid**
MOTION CUMMINGS **SECOND** MURPHY **(PASSED 5-0)**
 To approve and authorize the City to combine their fuel bid for FY2016 with the School Department for advertisement.
- j) **Senior Citizen Center Lease**
MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**
 To authorize the signing of the lease submitted and prepared by Legal Counsel, Dennis Mahar, based on the recommendation of the City's insurance provider
- k) **ORPC Lease**
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
 To authorize the signing of the lease submitted and prepared by Legal Counsel, Dennis Mahar, based on the recommendation of the City's insurance provider.
- l) **Downeast EMS Lease**
MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**
 To authorize the signing of the lease submitted as prepared by Legal Counsel, Dennis Mahar, with an amendment to reflect a *monthly payment of \$150.00* in lieu of \$50.00 for the telephone and \$100.00 for heating.
- m) **Transfer of Ownership of the Breakwater to the Port Authority**
 Legal Counsel, Dennis Mahar, presents to Council the prepared document for the transfer of ownership of the breakwater over to the Port Authority for their signatures.

- (n) **Real Estate Tax Reval**
MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**
 To authorize the City Manager and the Tax Assessor to move forward with a reval for an amount of \$90,000 over a two-year period with Jackie Robbins as the service provider and that the funds be expended from the Special Reserve account in increments of \$45,000.00 per year.
- (o) **Council Approval for Day Events Offered through Eastport Merchants Group**
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 4-1)**
ARCHER “NO”
 To approve day events offered through the Eastport Merchants Group as submitted by Lisa Stephen.
- (p) **Tax Maps**
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
 To approve the purchase of new tax maps as quoted and submitted by Chris Federico for an amount of \$3,229.00 and that it be expended out of the Special Reserve account.
- (q) **Council Approval for Civic Event at Overlook Park – Re: PAWS (May 23 & 24)**
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
 To authorize a civic event (yard sale) at Overlook Park on May 23rd & 24th to benefit PAWS.

X. SCHEDULING of PUBLIC HEARINGS(s) – for 5/13/2015

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**
 To *schedule* public hearings for *May 13th, 2015* on the *renewal* of Liquor License applications for Eastport Chowder House and Quoddy Bay Lobster; the renewal of Special Entertainment Licenses for Eastport Chowder House and Quoddy Bay Lobster; and to also schedule a hearing for consideration of adding S.L. Wadsworth to the Historic District as recommended by the Planning Board.

XI. REPORTS

- 1) **City Manager**
MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 5-0)**
 To accept and approve the City Manager's report as submitted.
- 2) **Boards & Committees (Planning Board; Zoning Board; Historic Review; Airport; Harbor; Downtown; Charter Committee; Port; Energy Committee; Ordinance Review; Park & Recreation; & Recycling Committee)**

Planning Board - No Report

Zoning Board - Working on Scheduling meetings

Historic Review – No Report

Airport - The Guard System is Installed
Harbor Committee - Councilor Cummings updates Council
Downtown Committee - Ken Brown updates on a Survey
Charter Committee - No Report
Port Report - Already Covered
Energy Committee - Already Covered
Ordinance Review - No Report
Park Committee - No Report
Recreation Committee - Meeting scheduled for April 14th, 2015
Recycling Committee - Very Active
FY2016 Budget Committee - Already Covered

3) **Council • Ambulance Council • Marion Transfer**

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 5-0)**
 To accept and approve the Ambulance and Marion Transfer reports.

XIII. COUNCIL ISSUES

- a) **Clarification of City Ownership of the Property on County Road of the 10 acres that abuts the Sewer Plant (requested by Councilor Michael Cummings)**
 Councilor Cummings requests an update on the status of whether the Port is paying taxes. The City Manager responds that it is a lease payment and that they have been billed for it and they are not in arrears. Councilor Cummings and Dana-Cummings question the lease reading 20 years when the vote was 2 years and Council President requests that the *City Manager and the City Clerk research this for verification.*
- b) **Consideration to Relocate the Eastport Police Department to the Eastport Fire Station on County Road and to recommend that the Ambulance occupy the Superintendent building (requested by Councilor Michael Cummings)**
MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(DENIED 3-2)**
Councilor Archer, Murphy, & Repole - "NO"
 To to Relocate the Eastport Police Department to the Eastport Fire Station on County Road and to recommend that the Ambulance occupy the old Superintendent building.
- c) **Update on the Deep Cove Public Landing (requested by Councilor Michael Cummings)**
 The City Manager updates Council that the existing grant is still active and that we have been granted an extension by the State for completion in 2017.

XIV. EXECUTIVE SESSION

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0 TIME: 8:12PM)**
 To go into Executive Session under Title 1 M.R.S.A. § 405(6)(A) to discuss a Personnel Matters and also under Title 1 M.R.S.A. § 405(6)(C) for discussion of Real Property or Economic Development as well as under Title 1 M.R.S.A. § 405(6)(D) for Labor Negotiations/Contractual and also under Title 1 M.R.S.A. § 405(6)(E) Consultation with Legal Counsel.

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0) TIME: 9:00 PM**
To *come out* of Executive Session.

XVI. ACTION from EXECUTIVE SESSION (if any)

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**
To authorize the City's Legal Counsel, Dennis Mahar, to draw up a separate lease for the side space at the Mill building between the City of Eastport and Corey Guimond d/b/a Millenium Marine for an amount of ***\$1,300.00 a month*** to *commence* with the first payment to be made on May 1st, 2015, which is in addition to the current lease of \$7,200.00. This new lease also holds the same responsibilities as his present lease for utilities and maintenance and will be outlined accordingly. Thus, bringing his ***total*** lease payable up to \$8,500.00.

MOTION MURPHY **SECOND** CUMMINGS **(PASSED 5-0)**
To authorize the City Manager to contact Robert O'Brien relative to his request about his Sewer charges and to notify him that payment is required.

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
To grant permission to The First bank to make payment in full for the amount due for Sewer charges and the Real Estate taxes and the City will accept payment and authorize the City Treasurer to process a discharge on the South End Grant mortgage.

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0) TIME: 9:15 PM**
To adjourn.