

**CITY OF EASTPORT  
CITY COUNCIL MEETING  
TUESDAY, NOVEMBER 10<sup>th</sup>, 2015  
SHEAD HIGH SCHOOL - LIBRARY - 5:30 P.M.**

EXECUTIVE SESSION - 5:30 P.M. TO 6:00 P.M.

<u>  </u> <i>x</i> <u>  </u> <i>Personnel Matters</i>	<i>Title 1 M.R.S.A. § 405(6)(A)</i>
<u>  </u> <i>x</i> <u>  </u> <i>Real Property or Economic Development</i>	<i>Title 1 M.R.S.A. § 405(6)(C)</i>
<u>  </u> <i>Labor Negotiations</i>	<i>Title 1 M.R.S.A. § 405(6)(D)</i>
<u>  </u> <i>x</i> <u>  </u> <i>Consultation w/Legal Counsel</i>	<i>Title 1 M.R.S.A. § 495(6)(E)</i>
<u>  </u> <i>Poverty Abatement Application</i>	<i>Title 36 M.R.S.A. § 841</i>

**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.

Council President calls this portion of the meeting to order at 5:30 p.m.

**MOTION**    **ARCHER**     **SECOND**    **CUMMINGS** **(PASSED 4-0)**   **TIME: 5:31 P.M.**  
To go into Executive Session under Personnel Matters Title 1 M.R.S.A. § 405(6)(A); Real Property or Economic Development Title 1 M.R.S.A. § 405(6)(C); and for Consultation with Legal Counsel under Title 1 M.R.S.A. § 405(6)(E).

Councilor Dana-Cummings arrived at 5:37 p.m.

**MOTION**    **ARCHER**     **SECOND**    **MURPHY**     **(PASSED 5-0)**   **TIME: 6:00 P.M.**  
To come out of Executive Session.

**REGULAR COUNCIL MEETING**

**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.

**Those present in the audience were as follows:** Michael Morse, John Surles, Lora Whelan, Elizabeth Hastings-Renner, Donna Thayer, Traci Calder, Robert Scott, Jan Finley, Walter Cummings, Howard Johnson, Mark Emery, Dale Earle, Hollis Ferguson, Jon Mc Nerney, Gordon Smith, Anne Stanley, Dennis Mahar, and Peter Repole.

**I. CALL TO ORDER** - Council President called the meeting to order at 6:01 p.m.

**II. ACTION from EXECUTIVE SESSION**

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

To authorize the taxpayer of 3 Jensen Street to meet with the City Manager and the City Clerk and workout a payment plan with regard to the balance due of Sewer charges and Real Estate taxes to reclaim said property.

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

To acknowledge that payment was not received and to move forward with the foreclosure of 7 Arnold Street and to authorize the City's legal attorney to handle the preparation of the required notices and that they be served.

**III. PUBLIC HEARING(S)**      -      **NONE**

**IV. ACTION ON PUBLIC HEARING(s)** - **NOT APPLICABLE/THERE WAS NONE**

**V. DEPARTMENT REPORTS**

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

To *accept and approve* the Financial report, Code Enforcement report; Police Department report; Public Works report; WWTP Sewer report; Port report; and the School report for October, 2015 as submitted and presented.

**VI. OPEN PUBLIC FORUM**

Council President opens the floor for public forum at 6:15 p.m. and there was none.

**VII. ADJUSTMENTS TO AGENDA**      -      **THERE WERE NONE**

**VIII. MINUTES OF PREVIOUS MEETING(s)** - **10/14/2015**

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

To *accept and approve* the Council minutes of *October 14<sup>th</sup>, 2015* as presented and submitted by the City Clerk.

**IX. UNFINISHED BUSINESS** - **THERE WAS NONE**

**X. NEW BUSINESS**

a)      Council Approval of the Economic Development Brochure & Sent it to Print

Gordon Smith from the audience makes a suggestion that a website address be part of the brochure. The City Manager thanks Mr. Smith for this point and does acknowledge that they did reserve a website name and will follow through on this.

**MOTION** ARCHER                      **SECOND** MURPHY      **(PASSED 4-1)**

*Councilor Cummings Voted "NO"*

To authorize the City Manager to move forward with sending to *print* the *Economic Development Brochure* for 10,000 copies for a cost of just under \$2,000.00 and that this is to be expended from the Special Reserve account.

b) Council Approval for the Purchase of a Police Cruiser

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

To authorize the purchase of a 2014 Police Dodge Charger for an amount of \$28,257.00 and Council acknowledges that the City Manager reflects that the City's Capital Improvement Plan does include a budgeted amount of \$35,000 for a cruiser.

c) Council Approval for the Purchase of a Public Works Truck

The City Manager updates Council that this request is not a budgeted item and not included in the Capital Improvement Plan but will be expended from Capital Reserve.

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

To authorize the purchase of a 2008 Chevrolet Silverado K1500 ½ Ton truck for the Public Works road crew not to exceed an amount of \$19,500 and that it be expended from Capital Reserve.

d) Council Approval to Accept a Donation from Town of Norridgewock of a Beacon for the Airport

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

To approve accepting a donation of a Beacon for the airport from the Town of Norridgewock.

e) Rescind Vote of 10/14/2015 to Advertise for Fuel Bids

**MOTION** ARCHER                      **SECOND** MURPHY              **(PASSED 4-1)**

*Councilor Dana-Cummings "ABSTAINED"*

To authorize rescinding the vote at the Council meeting of 10/14/2015 to advertise for fuel bids.

f) Revisit Fuel Tanks at the Public Works Garage

Councilor Archer requests consideration of the purchase of a fuel tank for the Public Works garage from Eric Hoche d/b/a Eastern Plumbing & Heating for an amount of \$2,350.00.

Councilor Cummings does not see the need for that department and also notes that it was not properly put out to bid.

John Surles of the audience addressed Council that they could not say that Eric Hoche was not local as he owns property and pays taxes in Eastport.

Council President, Mary Repole, initially voted no and said that we needed to get the bids but then rescinded her that vote and voted “yes” to move forward. She also asks that the City Clerk check prior minutes of the meetings to see how the quote was acquired.

**MOTION** ARCHER **SECOND** MURPHY **(PASSED 3-2)**

*Councilor Cummings & Councilor Dana-Cummings Voted “NO”*

To approve moving forward with the purchase of a fuel tank for Public Works for an amount of \$2,350.00.

(g) Council Approval for Replacement of Windows & Masonry Work at the Mill Building

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

To authorize the City Manager to move forward with the replacement of (4) windows and the affiliated masonry work at the mill building on the Millenium Marine side.

h) Submission of the Municipal Election Results for November 3<sup>rd</sup>, 2015

The City Clerk submitted the results of the municipal election and updates Council on the positive feedback of the utilization of the new tabulator that is used for both State and Federal elections.

i) Straw Poll Results of November 3<sup>rd</sup>, 2015 – Re: Deer Population

The City Clerk submitted the results of the Straw Poll on the Deer Population to the City Council.

The City Council asks that the City Manager contact the State Biologist to inquire about scheduling a date for sometime in December to hold a public workshop with Council.

j) Council Approval on an Increase to the Rate for Airport Leases

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

To authorize a rate increase on airport leases from \$240.00 to \$275.00.

k) Council Approval on a Rate for Tie Downs at the Airport

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

To a rate increase on tie downs at the airport from \$15.00 to \$25.00.

l) Perpetual Care – Kristin Keegan – Hillside West – Section D – New Lots - #17A,B,C

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

To authorize perpetual care for Kristin Keegan for an amount of \$375.00 for lots at the Hillside West Cemetery, Section D, New Lots #17A,B,&C.

m) Appointment of Anne Stanley & Sherry Langmaid as Election Workers

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

To authorize the appointment of Anne Stanley and Sherry Langmaid as Election Workers as requested by the City Clerk.

n) Council Discussion for a Policy to Accept Local Bids that are within 10% of the Lowest Bid

**MOTION** MURPHY **SECOND** ARCHER **(PASSED 3-2)**

*Councilor Cummings & Councilor Dana-Cummings Voted "NO"*

To authorize a policy to accept *local* bids that are within 10% of the lowest bid

**XI. SCHEDULING of PUBLIC HEARINGS(s) - THERE WERE NONE**

**XII. REPORTS**

**1) City Manager**

Councilor Murphy requests that we get a cost/price on the antifreeze for the in floor at the mill building.

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

To accept and approve the City Manager's report as submitted and presented.

**2) Boards & Committees (Planning Board; Zoning Board; Historic Review; Harbor; Downtown; Charter Committee; Park Committee; Recreation Committee; Recycling Committee; Budget Committee;)**

**MOTION** ARCHER **SECOND** MURPHY **(PASSED 4-1)**

*Councilor Cummings Voted "NO"*

To accept and approve the Boards & Committees Reports as presented.

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

Councilor Cummings brings forth issues of the stipends.

**MOTION** \_\_\_\_\_ **SECOND** \_\_\_\_\_ **(PASSED )**

To accept and approve the Ambulance and Marion Transfer reports as presented.

**XIII. COUNCIL ISSUES**

Councilor Archer requests to revisit a flagpole at the Cemetery and presents pictures of the type of flagpole they wish to install. He comments to say that it will not take away or interrupt from the existing one and that the one they wish to put there will be

to the right and behind the one that is there now. It will also fly the American flag as it is higher than the existing pole. The City Clerk asks Councilor Archer if they have addressed the Cemetery Committee. He responds to say that Paul Theriault has been in touch with Mary Davis and they understand this better. Councilor Archer also updates that the installation includes a solar light.

Michael Morse from the audience asks if other organizations are able to do the same. Council President responds they would need to address the Cemetery Committee first and then the request would be brought to Council.

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

To accept the flagpole from the masons and to authorize the installation at the Cemetery.

Councilor Archer also addresses the Council about they are going to do with the old Police cruiser at the Fire Station on County Road. Councilor Cummings prefers to adjourn and take this matter up at the next meeting.

**XIV. ADJOURN**

**MOTION CUMMINGS SECOND DANA-CUMMINGS (PASSED 4-1) TIME: 7:19 P.M.**

*Councilor Archer Voted "NO"*

To adjourn.

