

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 9th, 2015
SHEAD HIGH SCHOOL - LIBRARY - 5:30 P.M.**

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

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

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 CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 5-0) TIME: 5:31P.M.**
To go into Executive Session under 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).

MOTION MURPHY **SECOND** CUMMINGS **(PASSED 5-0) TIME: 6:08 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: Jan Finley, Dennis Mahar, Meg McGarvey, Lorah Whelan, Gordon Smith, Anne Stanley, David Stanley, Elizabeth Hastings-Renner, Jon McNerney, Kathryn Lewis, Damon Weston, and Robert Scott

I. CALL TO ORDER - Council President called the meeting to order at 6:09 p.m.

II. ACTION from EXECUTIVE SESSION

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

To authorize City Hall to send a letter to the taxpayer of 26 Shackford Street to meet with City Council at the next meeting.

III. PUBLIC HEARING(S) - NONE

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

V. DEPARTMENT REPORTS

MOTION ARCHER **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 November, 2015 as submitted and presented.

VI. OPEN PUBLIC FORUM

Council President opens the floor for public forum at 6:16 p.m.

Walter Cummings addresses Council and expresses concern with regard to the fuel bids and how it not only affects the business of Bay City Mobil but the residents as well as other patrons.

Councilor Cummings echoes support of business locally.

VII. ADJUSTMENTS TO AGENDA

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

To make an adjustment to the agenda and take up item (h) first and then (g) and to also add (i) for the reappointment of Steve Collins to the Planning Board.

VIII. MINUTES OF PREVIOUS MEETING(s) - 11/10/2015

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

To *accept and approve* the Council minutes of *November 10th, 2015* as presented and submitted by the City Clerk.

IX. UNFINISHED BUSINESS - THERE WAS NONE

X. NEW BUSINESS

a) Council Approval for Gas & Diesel Fuel Bid (*Requested by Councilor Archer*)
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
To do a RFQ (Request for Quotes) for diesel fuel for the Public Works tank.

b) Council Approval to Accept Donation of LED Light Bar & Radio from PP Police Dept.
MOTION Dana-Cummings **SECOND** ARCHER **(PASSED 5-0)**
To accept the donation of a LED Light Bar and Radio from the Pleasant Point Police Department.

c) Senior Citizen Center Roof Repair
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
To table this as the City has received no pricing yet.

d) Reappointment of Downtown Committee Members
MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
To approve the reappointment of Sarah Talbot, Michael Morse, Ken Brown, Robert Chaffey, Owen Lawlor, Chris Brown, Jenie Smith, and Don Dunbar to the Downtown Committee.

e) Council Approval to Put out to Bid 2006 Ford Police Cruise(VIN#2FAFP71W76X118323)

Steve Trieber addressed Council with a question as to what those cars sell for as the airport may have an interest in it to be utilized as a courtesy car. Questions were raised about the condition and whether it would pass inspection. Councilor Murphy made the suggestion that Mr. Trieber take a look at it.

MOTION DANA-CUMMINGS **SECOND** ARCHER **(PASSED 5-0)**
To table this matter at this time.

f) Council Approval for the Airport Hangar Lease – Re: Clarification of Discount

The City Manager addresses the Council and explains that they had voted to accept the hangar leases last month but the lease speaks to a discount. In 2013 the Council had discussion on the hangar leases and approved the lease which also spoke to a a discount but Council did not decide anything with regard to the discount. Each time it was discussed there was no decision. Therefore, the wording should be removed from the lease.

Steve Trieber speaks that the discount applies to the land lease and he keeps track of their time. He asks if the invoices for the leases have been sent and the City Manager explains that the Treasurer was instructed by the City's former City Manager to hold them. Mr. Trieber also noted that he had met with the Treasurer and wnet

over which ones should be getting discounts. Mr. Trieber requests that the City look into the card reader at the airport to take all cards. The Council President asks the City Manager to look into this.

MOTION DANA-CUMMINGS **SECOND** MURPHY **(PASSED 4-1)**
Councilor Archer voted "NO"

To table this matter at this time.

(g) Landfill Remediation

Councilor Dana-Cummings requests that we address it as Coney Park which is what it was once known as.

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

To authorize the City Manager to move forward with the design and bid process for the landfill remediation project and to approve taking a short-term loan for an amount of \$34,750.00 with The First at an interest rate of 2.1% (the City is responsible for 10% and the State would pay \$5,000.00 per quarter until paid which is a 90/10 split)

h) Submission of Five-Year Capital Program (as per Section 5.05 of City Charter)

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

To approve the Five-Year Capital program as submitted and presented by the City Mgr.

i) Reappointment of Steve Collins to Planning Board

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

To approve the reappointment of Steve Collins to the Planning Board.

XI. SCHEDULING of PUBLIC HEARINGS(s) and/or WORKSHOP(S)

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

To approve the scheduling of a workshop for December 16, 2015 to be held at the Police Station, 22 Washington Street, at 5:00 p.m. to meet with the State Biologist, Tom Schaffer, on the deer population.

XII. REPORTS

1) City Manager

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(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 DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 5-0)**
To accept and approve the Boards & Committees Reports as presented.

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

Councilor Murphy addresses Councilor Cummings pertaining to fueling the ambulances and he comments to say that they do not make a special run to fuel in Calais. Councilor Cummings responds to say it about the stipends and further requests information at the next meeting of what Downeast Ambulance pays for Baileyville on lights, fuel, etc. and it is a concern to him as a taxpayer as to why Baileyville should have such an advantage over the taxpayers of Eastport.

MOTION MURPHY **SECOND** ARCHER **(PASSED 4-1)**
Councilor Cummings Voted "NO"
To accept and approve the Ambulance and Marion Transfer reports as presented.

XIII. COUNCIL ISSUES

Colleen Dana-Cummings addresses the Council and the public as a business owner and comments to say that she has had anonymous phone calls made to DEP and the Code Enforcement Officer and that she has had a visit from the State electrical inspector at her business. Although they found nothing, she feels strongly that it is because she is on the Council and that it is retaliation in that she has not always voted as others have. Because she has expressed difference of opinion, she feels that their business, BayCity Garage is under attack. She continues to say that by being on the Council she has put a bulls eye on the business and that they employ three people who depend on them for a weekly paycheck and they also provide a mortgage payment to Jim & Carolyn Lowe. She no longer will risk her employees' jobs or the paycheck of Carolyn & Jim Lowe. Should the inspector have found something to shut her business down, it would have been at the loss of the employees and they would be the ones to suffer. Effective immediately, she respectfully resigns as a Council member. She thanks everyone who has supported her but must do this for her business and her employees come first.

XIV. ADJOURN

MOTION MURPHY **SECOND** CUMMINGS **(PASSED 5-0) TIME: 7:20 p.m.**
To adjourn.