



**JULY 6, 2015
7:00 P.M.**

**AGENDA
REGULAR COUNCIL MEETING
City Council Chambers, 2nd Floor
265 Main Street-Old Town, Maine**

- I. CALL TO ORDER** (Please turn off or silent cell phones)
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV. Approval of the Minutes of the June 17, 29 & 30, 2015 Special Council Meetings.**
- V. PETITIONS, COMMUNICATIONS AND CITIZENS' REQUESTS**
- VI. REPORTS**
 - A. Council President**
 - B. Standing Committees (Finance, Public, Administrative & Economic Services; Landfill, Legislative, Sewer, Airport & Housing sub-committees)**
 - C. City Councilors**
 - D. City Attorney**
 - E. Special Committees**
 - F. School Board Liaison**
 - G. City Manager**
- VII. CONSENT AGENDA**
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

SECOND READINGS

1. The City Council will conduct a Second Reading for final approval on a proposal to amend Chapter 24 Solid Waste Facilities of the Old Town Code of Ordinances. The proposed changes are housekeeping measures to comply with new State laws and moves the application review process from the City Council to the Planning Board.

1a. The City Council will consider final approval on a proposal to amend Chapter 24 Solid Waste Facilities.

Suggested motion: Resolved, the Old Town City Council hereby approves a proposal to amend Chapter 24 Solid Waste Facilities of the Old Town Code of Ordinances. The proposed changes are housekeeping measures to comply with new State laws and moves the application review process from the City Council to the Planning Board.

(Councilor Nuttall)

(Roll Call Vote)

2. The Old Town City Council will conduct a Second Reading for final approval on a proposal to change the Official Zoning Map. Specifically Tax Map 18, Lot 21, as shown on exhibit 1, and further described in exhibit 2, from R-5, Low Density Multi-Family to C-3, Highway Commercial. This proposal was unanimously approved by the Old Town Planning Board at their June 9, 2015 meeting.

2a. The City Council will consider final approval on a proposal to change the Official Zoning Map. Specifically Tax Map 18, Lot 21, as shown on exhibit 1, and further described in exhibit 2, from R-5, Low Density Multi-Family to C-3, Highway Commercial.

Suggested motion: Resolved, the Old Town City Council hereby schedules a Second Reading for final approval for July 6, 2015, on a proposal to change the Official Zoning Map. Specifically Tax Map 18, Lot 21, as shown on exhibit 1, and further described in exhibit 2, from R-5, Low Density Multi-Family to C-3, Highway Commercial.

(Councilor Roach)

(Roll Call Vote)

IX. OLD BUSINESS

X. NEW BUSINESS

- 1. The City Council will consider appointments to several Boards & Committees.

Suggested motion: Resolved, the Old Town City Council hereby appoints the following:

<u>Sewer Advisory Board:</u>	<u>Term Expires:</u>
Philip Dunn (Re-appointment)	12/31/2017
Jason Folsom (Re-appointment)	12/31/2017
<u>Planning Board:</u>	
Timothy Folster (Re-appointment)	12/31/2017
<u>Plumbing Inspector:</u>	
David Russell (Re-appointment)	12/31/2015
Bill Murphy (alternate)	12/31/2015

(Councilor May)

XI. ADJOURNMENT



SPECIAL COUNCIL MEETING – JUNE 17, 2015

Council convened June 17, 2015 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President David Mahan, Janet Klitch, Carol May, Linda McLeod, John Nuttall, Eric Roach and Stan Peterson.

Administration present: Bill Mayo, Patty Brochu, Miles Greenacre, Cindy Jennings, Steve O'Malley, John Rouleau, Travis Roy, David Russell and Scott Wilcox.

Others present: Media.

Council President Mahan called the meeting to order at 6:30 p.m.

City Clerk Brochu administered the Oath of Office to incoming Councilor Janet Klitch.

Councilor Klitch, seconded by Councilor May, moved to approve the Minutes of the June 1, 2015 Regular Council Meeting and the June 10, 2015 Special Council Meeting. *Approved all in favor, 7-0.*

REPORTS

Manager Mayo reported 1) There are a couple of Addendums at the end of the meeting; 2) The Department of Labor will be in town Friday, Monday & Tuesday; 3) He needed to talk with Carol May about Riverfest.

PUBLIC HEARINGS

The City Council conducted a Public Hearing on a proposal to amend Chapter 24 Solid Waste Facilities of the Old Town Code of Ordinances. The proposed changes are housekeeping measures to comply with new State laws and moves the application review process from the City Council to the Planning Board.

Manager Mayo reported he received an email from Ed Spencer and forwarded his questions to Attorney Katsificas who responded to him today.

Council President Mahan closed hearing at 6:42 p.m.

The City Council considered scheduling a Second Reading for final approval on a proposal to amend Chapter 24 Solid Waste Facilities.

Councilor Nuttall, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby approves scheduling a Second Reading on July 6, 2015 for final approval on a proposal to amend Chapter 24 Solid Waste Facilities of the Old Town Code of

Ordinances. The proposed changes are housekeeping measures to comply with new State laws and moves the application review process from the City Council to the Planning Board. **Approved all in favor, 7-0.**

The City Council conducted a Public Hearing on a proposal to change the Official Zoning Map. Specifically Tax Map 18, Lot 21, as shown on exhibit 1, and further described in exhibit 2, from R-5, Low Density Multi-Family to C-3, Highway Commercial. This proposal was unanimously approved by the Old Town Planning Board at their June 9, 2015 meeting.

Code Officer Russell explained the back part of this lot was left out when the zone was changed several years ago. The lot is owned by Bruce's Tractor Company and this change would allow him to expand his business back further.

Council President Mahan closed the hearing at 6:45 p.m.

The City Council considered scheduling a Second Reading for final approval on a proposal to change the Official Zoning Map. Specifically Tax Map 18, Lot 21, as shown on exhibit 1.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby schedules a Second Reading for final approval for July 6, 2015, on a proposal to change the Official Zoning Map. Specifically Tax Map 18, Lot 21, as shown on exhibit 1, and further described in exhibit 2, from R-5, Low Density Multi-Family to C-3, Highway Commercial. **Approved all in favor, 7-0.**

NEW BUSINESS

The City Council considered accepting a Grant from the Federal Aviation Administration in the amount of \$139,500.00 for installation of Runway 22 & Runway 30 PAPI. The Federal Share is \$139,500.00, State Share \$7,500.00 and Local Share is \$7,500.00.

Councilor May, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby accepts a Grant from the Federal Aviation Administration, Project No. 3-23-0034-13-2015 in the amount of \$139,500.00 for installation of Runway 22 & Runway 30 PAPI for Dewitt Field/Old Town Municipal Airport and further authorize the City Manager to expend the funds with the Local Share of \$7,500.00 to be paid from Account #03560 Airport Hangar Reserve. **Approved all in favor, 7-0.**

The City Council considered accepting a Grant from the Federal Aviation Administration in the amount of \$2,065,500.00 for the reconstruction of Runway 12/30. The Federal Share is \$2,065,500.00, State Share \$114,750.00 and Local Share is \$114,750.00.

Councilor Nuttall, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby accepts a Grant from the Federal Aviation Administration, Project No. 3-

23-0034-12-2015 in the amount of \$2,065,500 for the reconstruction of Runway 12/30 for Dewitt Field/Old Town Municipal Airport and further authorize the City Manager to expend the funds with the Local Share of \$114,750.00.00. **Approved all in favor, 7-0.**

The City Council considered authorizing the City Manager to sign an easement to Bangor Gas for underground installation of natural gas lines across city owned land known as Champlain Street which is located on Assessors tax map 20.

Councilor Roach, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby authorizes the City Manager to sign an easement to Bangor Gas for underground installation of natural gas lines across city owned land known as Champlain Street which is located on tax map 20. **Approved all in favor, 7-0.**

The City Council considered amending the Minutes of the April 15, 2015 Special Council Meeting to include an item that was omitted.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby amends the Minutes of the April 15, 2015 Special Council Meeting by adding the following motions that were made after coming out of Executive Session:

Councilor Peterson, seconded by Councilor Nuttall, moved to Suspend the Council Rules to take up an item not on the Agenda. **Approved all in favor, 6-0.**

Councilor McLeod, seconded by Councilor Roach, moved to authorize the Finance Director to transfer \$40,000 from Fund Balance Account #03800 to Account #1500-0299 Other Contractual Services for the Expera Mill Appraisal. **Approved all in favor, 6-0.**

Motion to amend the April 15, 2015 Minutes approved all in favor, 7-0.

Councilor Klitch, seconded by Councilor McLeod, moved to Suspend the Council Rules to take up an item not on the Agenda. **Approved all in favor, 7-0.**

The City Council considered entering into a Purchase and Sale Agreement for property on Shirley Street.

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves entering into a Purchase and Sale Agreement with CR (Castle Rock) Properties for property at 28 Shirley Street and further authorize the Finance Director to transfer funds in the amount of \$23,429 from Account #03800 Fund Balance to Account #1205-0299 Other Contractual Services. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction.

The Council's consensus was to not purchase the property at this time.

Motion to purchase failed 0-7.

The City Council considered accepting the donation of a single family home at 61 Sixth Street.

Councilor McLeod, seconded by Councilor May, Resolved, the Old Town City Council hereby accepts the donation of a single family home located at 61 Sixth Street from Wells Fargo and further authorizes the City Manager to execute all necessary documents to complete the transaction. **Approved all in favor, 7-0.**

The City Council discussed the 2015-2016 Municipal Budget.

Manager Mayo reported on the Legislature. He said if they held to the law, the city would get \$1 million more. The City is estimating a loss of \$25 Million on the mill re-valuation. The School Budget increased after being approved at last week's election. So right now, the city is looking at a 6% increase.

Councilor McLeod questioned bonding for roads and felt it was not a good idea. She feels it would be better to bond for something that has more of a certain lifespan.

President Mahan asked what percentage would change less the \$134,000 removed from equipment reserve. Manager Bill said 5% but the \$134,000 was already removed so nothing changes and stays 6%. Bill said if they pulled out paving, the only difference is \$156,000 from last year.

President Mahan stated he wants to take \$250,000 out of the equipment reserve account to help offset the increase down to 5%.

The Council set the schedule for the first reading to be held on June 29th and the second reading on the 30th.

Councilor McLeod, seconded by Councilor Nuttall, moved to adjourn at 8:03 p.m. **Approved all in favor, 7-0.**

Adjourned,

Patricia A. Brochu, CMC
City Clerk-Old Town, ME



SPECIAL COUNCIL MEETING – JUNE 29, 2015

Council convened June 29, 2015 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President David Mahan, Janet Klitch, Carol May, Linda McLeod, Eric Roach. John Nuttall and Stan Peterson absent.

Administration present: Bill Mayo, Erik Stumpf, Patty Brochu, Lance Farrar, Miles Greenacre, Doug Hill, Steve O'Malley, John Rouleau, Travis Roy, David Russell, David Smith and Scott Wilcox.

Others present: Two citizens in the audience.

Council President Mahan called the meeting to order at 6:00 p.m.

REPORTS

Manager Mayo reported 1) 263 Households participated in the E-Waste program this past weekend; 2) There is a Downtown revitalization meeting on Tuesday at 6:30 p.m. at the Library.

PUBLIC HEARINGS

The City Council conducted a Public hearing on the proposed FY 2015-2016 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County and RSU #34 Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$ 9,742,928.

Manager Mayo stated he sent the new mil rate calculation out to Councilors on Friday. He said the new rate with the Expera Mill adjustment would be \$21.16.

No further comments, President Mahan closed the hearing at 6:07 p.m.

The City Council considered scheduling a Second Reading for final approval on the proposed FY 2015-2016 Municipal, County & School Budget.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval for June 30, 2015 on the proposed FY 2015-2016 Municipal, County & School Budget. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County & School Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve

accounts of \$470,000 for a net property tax requirement of \$9,742,928. **Approved all in favor, 5-0.**

The City Council conducted a Public Hearing on the proposed FY 2015-2016 Pollution Control Budget containing gross appropriations of \$1,365,902, user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).

Manager Mayo said this budget is with no fee increases. He said it was unanimously approved by Sewer Board as well. The Department hasn't increased the sewer fees in twelve years. President Mahan closed the hearing at 6:11 p.m.

The City Council considered scheduling a Second Reading for final approval on the proposed FY 2015-2016 Pollution Control Budget.

Councilor May, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval for June 30, 2015 on the proposed FY 2015-2016 Pollution Control Budget containing gross appropriations of \$1,365,902 user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930). **Approved all in favor, 5-0.**

NEW BUSINESS

The City Council considered authorizing the Finance Director to write off uncollectable Receivables booked at the end of last year when the Recreation Department became a separate entity from the Recreation Department.

Councilor Roach, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby authorizes the Finance Director to write off uncollectable Receivables from the former Recreation Department as of June 30, 2014, in the amount of \$16,468.45 as presented in Attachment #1.

Finance Director Greenacre explained the list isn't all uncollectible and there are some discrepancies that he's been investigating but from an accounting perspective, he would like to write this amount of the city's books.

Councilor McLeod stated she wants a more accurate number before approving this and suggested tabling this item, which the other Councilors agreed.

Councilor McLeod, seconded by Councilor May, moved to table this item until the June 30th Special Meeting. **Approved all in favor, 5-0.**

The City Council considered authorizing the Finance Director to write off uncollectable Receivables relating to Airport Operations. Several attempts have been made to collect on these accounts without success.

Councilor Klitch, seconded by Councilor Roach, Resolved, the Old Town City Council hereby authorizes the Finance Director to write off uncollectable Receivables relating to Airport Operations in the amount of \$3,361.72 as presented in Attachment #2.

Finance Director Greenacre said one person is deceased, another one has been gone since 2009 and the others are no longer around nor using the airport. All attempts to collect this debt have been unsuccessful.

Motion approved all in favor, 5-0.

The City Council considered accepting an after deadline redemption on foreclosed property for Christopher & Patricia Gauthier, located at 60 Leonard Lane for payment of 2013 to present Real Estate Taxes in the total amount of \$3,707.02.

Councilor May, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Christopher & Patricia Gauthier, located at 60 Leonard Lane for payment of 2013 to present Real Estate Taxes in the amount of \$3,707.02, which includes interest, lien costs and late redemption fee and further authorize the City Manager to execute a Municipal Quit-Claim Deed. **Approved all in favor, 5-0.**

Councilor Klitch, seconded by Councilor McLeod, moved to adjourn at 6:24 p.m. **Approved all in favor, 5-0.**

Adjourned,

Patricia A. Brochu, CMC
City Clerk-Old Town, ME



SPECIAL COUNCIL MEETING – JUNE 30, 2015

Council convened June 30, 2015 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President David Mahan, Janet Klitch, Carol May, Linda McLeod, Eric Roach. John Nuttall and Stan Peterson absent.

Administration present: Bill Mayo, Patty Brochu, Lance Farrar, Miles Greenacre, Doug Hill, Steve O'Malley, John Rouleau, Travis Roy, David Russell, David Smith and Scott Wilcox.

Others present: Two Citizens in the audience.

Council President Mahan called the meeting to order at 6:00 p.m.

SECOND READINGS

The City Council conducted a Second Reading for final approval on the proposed FY 2015-2016 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County and RSU #34 Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$ 9,742,928.

Citizen Ty Sullivan had questions on several pages of the proposed Budget.

There being no other questions from the audience or the Councilors, Council President Mahan closed the hearing at 6:30 p.m.

The City Council considered final approval on the FY 2015-2016 Municipal, County and School Budgets.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves Resolution 2015-1 containing the FY 2015-2016 Municipal, County and School Budgets. The proposed budget calls for City expenditures of \$10,246,861, Penobscot County Taxes of \$614,680 and RSU #34 Taxes of \$5,585,052 for a total City, County and RSU #34 Budget of \$16,446,593 with total City revenue of \$6,233,665 and anticipated transfers from reserve accounts of \$470,000 for a net property tax requirement of \$ 9,742,928.

Roll Call Vote:

<i>Councilor Klitch</i>	<i>Yes</i>
<i>Councilor May</i>	<i>Yes</i>
<i>Councilor McLeod</i>	<i>Yes</i>
<i>Councilor Nuttall</i>	<i>Absent</i>
<i>Councilor Peterson</i>	<i>Absent</i>
<i>Councilor Roach</i>	<i>Yes</i>
<i>Councilor Mahan</i>	<i>Yes</i>

Motion approved all in favor, 5-0.

The City Council conducted a Second Reading for final approval on the proposed FY 2015-2016 Pollution Control Budget containing gross appropriations of \$1,365,902, user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).

There being no comments from the audience or the Councilors, President Mahan closed the hearing.

The City Council considered final approval of the FY 2015-2016 Pollution Control Budget.

Councilor May, seconded by Councilor Roach, Resolved, the Old Town City Council hereby approves Resolution 2015-2 containing the FY 2015-2016 Pollution Control Budget. The proposed budget calls for gross appropriations of \$1,365,902, user fee revenue of \$768,200, debt redemption of \$460,772 and anticipated transfers from reserve accounts of \$95,000 with a net appropriation to/(from) Fund Balance of (\$41,930).

Roll Call Vote:

<i>Councilor Roach</i>	<i>Yes</i>
<i>Councilor Klitch</i>	<i>Yes</i>
<i>Councilor May</i>	<i>Yes</i>
<i>Councilor McLeod</i>	<i>Yes</i>
<i>Councilor Nuttall</i>	<i>Absent</i>
<i>Councilor Peterson</i>	<i>Absent</i>
<i>Councilor Mahan</i>	<i>Yes</i>

Motion approved all in favor, 5-0.

OLD BUSINESS

The City Council considered removing an item concerning Receivables from the Former Recreation Department from the Table. This item was tabled at the June 29, 2015 Special Council Meeting.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby removes the item concerning Receivables from the Former Recreation Department from the Table. *Approved all in favor, 5-0.*

The City Council considered authorizing the Finance Director to write off uncollectable Receivables booked at the end of last year when the Recreation Department became a separate entity from the Recreation Department.

Councilor Roach, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby authorizes the Finance Director to write off uncollectable Receivables from the former Recreation Department as of June 30, 2014, in the amount of \$14,032.00 as presented in Attachment #1. *Approved all in favor, 5-0.*

Councilor Klitch, seconded by Councilor McLeod, moved to adjourn at 6:36 p.m. *Approved all in favor, 5-0.*

Adjourned,

Patricia A. Brochu, CMC
City Clerk-Old Town, ME