



**JUNE 21, 2018
THURSDAY
6:30 P.M.**

CITY OF OLD TOWN FINANCE COMMITTEE AGENDA

**City Hall-Council Chambers, 2nd Floor
265 Main Street-Old Town, ME**

1. **Call to Order** (Please silence or turn off cell phones)

2. **Airport CBP Facilities**

The Committee will discuss a proposal submitted to the United States Customs and Border Protection.

3. **City Hall Computer Software System**

The Committee will review proposals submitted for a new Software System for City Hall which will accommodate the processing of credit cards.

4. **Animal Orphanage Request**

The Committee will discuss a request from the Animal Orphanage to purchase a standby generator for their building.

5. **Adjournment**

FUTURE AGENDA ITEMS

*Heavy Equipment Replacement Capital Account Discussion
Public Safety, Library,
UDAG Loan Discussion
Foreclosures
IT-Phones, Upgrade, IT Staffing
Legislative Affairs
RSU #34 Update*

Note: The Finance Committee is composed of Councilors Peterson (Chair), May, Nuttall and Council President Mahan.

RE: Airport CBP Facilities

To Whom it may concern:

The City of Old Town is pleased to submit to the United State Customs and Border Protection (CBP) the following proposal. As we understand the project, CBP intends to relocate their operations to a centralized airport in Maine. We feel strongly that DeWitt Field, Old Town Municipal Airport meets the needs of CBP for numerous reasons.

It is our understanding that CBP is looking for a 70' x 70' hangar to house rotorcraft as well as approximately 2,500 square feet to provide office and command center space for their operations. Their mission is to provide better access to the borders of Maine in a more central location. They will require access to the airfield as well as landside amenities and utilities. Additionally, the aircraft being utilized requires JetA fuel, which the airfield does not currently have in place.

If selected, the City of Old Town is prepared to provide a turnkey facility on airport property. It is important to note that the Dewitt Field, Old Town Municipal Airport has an on-site airport manager that will work closely with CBP with its day to day needs.

The turnkey facility would include the following for CBP:

- A newly constructed 70' x 70' hangar with enough clear span door opening that will allow for not only CBP helicopters but also fixed wing.
- A newly constructed 2,500 sq. ft. office and command center, attached to the building and built to CBP specifications.
- Newly constructed adequate landside access and vehicular parking area to CBP specifications.
- Newly constructed aircraft apron to meet the needs of the CBP design aircraft.
- Fully permitted and coordinated with local, state and federal agencies.
- All plowing, landscaping and building maintenance, included in the annual lease.

The City proposes to execute a lease with terms acceptable to CBP. The lease would include land, building and a maintenance and operations fee. The City would work closely with CBP to construct a lease that meets the needs of CBP to operate from the airport. The monthly lease and operating agreement is estimated to be \$5,500 per month.

June 21, 2018

To the Finance Committee

Software Replacement

Upon the request of the Council President, staff has looked into software which can accommodate processing credit cards at the front counter. The current software utilized by the city is unable to process credit cards so staff used this opportunity to look for a replacement software.

The objective for the replacement software is to bring most of the departmental processes into one integrated system. Currently the City utilizes 5-6 different software products which do not integrate with each other, therefore creating manual data entry. This process started in April with the following departments involved in the software review process Clerk, Code Enforcement, Assessing, Motor Vehicle and Finance.

There is a limited number of software companies in the State of Maine which are approved by the Department of Motor Vehicle for processing vehicle registrations so we limited our search to the three software solutions approved by the state, Northern Data Systems (NDS) Harris Local Government (Trio), Tyler Technologies (Munis) and one additional software AcuFund which had all components but motor vehicle registration.

Each software has pro and cons department managers can live with or have customizations done to meet their needs. The new software will be housed in a data center off site giving the necessary back up and disaster recovery plans to protect the city's data.

The cost for each software is broken down as follows

	NDS- to be replaced	TRIO-Strong Middle of the road software	MUNIS-High functioning software (City Hosted)	MUNIS-High functioning software (Munis hosted)	ACUFUND- Declined to quote
One-time fees					
Module Cost		29,200	104,700	90,400	
Training and Installation		94,200	144,200	140,700	
Contingency		10,000	10,000	10,000	
Discounts		-2,500	-65,500	-14,010	
Total one-time cost		130,900	193,400	227,090	
Annual Fee		9,500	21,000	20,500	
Total software cost		140,400	214,400	247,590	

Once approved staff will work with the software vendor to start planning the process of conversion.

Thank you for your time and consideration,

Danielle Berube



JUNE 21, 2018

THURSDAY

Immediately following the Finance Comm. Mtg.

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

- I. CALL TO ORDER (Please turn off or silence cell phones)**
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV. Approval of the Minutes of the June 4, 2018 Regular Council Meeting.**
- 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. City Manager**
- VII. CONSENT AGENDA (New Business items 1 & 2)**

Suggested motion: Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1 & 2 as presented.

(Councilor Nuttall)
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

SECOND READINGS

1. The Old Town City Council will conduct a Second Reading for final approval on the proposed FY 2018-2019 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,320,100, Penobscot County Taxes of \$653,134 and RSU #34 expenditures of \$5,202,655 for a total City, County and RSU #34 Budget of \$16,175,889 with total City revenue of \$5,930,276 and anticipated transfers from reserve accounts and Fund Balance of \$538,000 for a net property tax requirement of \$9,707,613.

- 1a. The Old Town City Council will consider final approval on the FY 2018-2019 Municipal, County and School Budgets.

Suggested motion: Resolved, the Old Town City Council hereby approves the proposed FY 2018-2019 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,320,100, Penobscot County Taxes of \$653,134 and RSU #34 expenditures of \$5,202,655 for a total City, County and RSU #34 Budget of \$16,175,889 with total City revenue of \$5,930,276 and anticipated transfers from reserve accounts and Fund Balance of \$538,000 for a net property tax requirement of \$9,707,613.

(Councilor Peterson)

(Roll Call Vote)

2. The Old Town City Council will conduct a Second Reading on the proposed FY 2018-2019 Pollution Control Budget containing gross appropriations of \$2,097,673, user fee revenue of \$768,595, debt redemption of \$535,860 and anticipated transfers from reserve accounts of \$644,716 with a net appropriation from Fund Balance of \$148,502.

- 2a. The Old Town City Council will consider final approval on the FY 2018-2019 Pollution Control Budget.

Suggested motion: Resolved, the Old Town City Council hereby approves the Proposed FY 2018-2019 Pollution Control Budget containing gross appropriations of \$2,097,673, user fee revenue of \$768,595 debt redemption of \$535,860 and anticipated transfers from reserve accounts of \$644,716 with a net appropriation from Fund Balance of \$148,502.

(Councilor Ketchen)

(Roll Call Vote)

IX. OLD BUSINESS

X. NEW BUSINESS

1. The City Council will consider approval of an application from the Old Town Riverfest Committee, for a Major Special Event Permit for the Riverfest Festival to be held down at the Riverfront Park and to waive the Permit fee.

Suggested motion: Resolved, the Old Town City Council hereby approves an application from the Old Town Riverfest Committee, for a Major Special Event Permit for the Riverfest Festival to be held down at the Riverfront Park on September 28 & 29, 2018 and to waive the Permit fee.

2. The City Council will consider renewing the Legal Services Contract with Rudman and Winchell for legal services for the 2018-2019 Fiscal Year.

Suggested motion: Resolved, the Old Town City Council hereby renews the Legal Services Contract with Rudman and Winchell for legal services for the 2018-2019 Fiscal Year effective July 1, 2018 to June 30, 2019.

3. The City Council will consider going into Executive Session for the purpose of discussing several economic development updates.

Suggested motion: Resolved, the Old Town City Council hereby approves going into Executive Session pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing several economic development updates.

(Councilor May)

XI. ADJOURNMENT



REGULAR COUNCIL MEETING – JUNE 4, 2018

Council convened June 4, 2018 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President David Mahan, Shirley Brissette, Donna Ketchen, Janet Klitch, Carol May, John Nuttall and Stan Peterson.

Administration present: Bill Mayo, Katie Foster, Patty Brochu, Danielle Berube, Tim Folster, Ron Harriman, Cindy Jennings, Cassandra Pool, John Rouleau, Travis Roy, David Russell, David Smith and Scott Wilcox.

Others present: Seven Old Town High School Students and Teacher Bryan Murphy and twelve citizens in the audience.

Council President Mahan called the meeting to order at 7:00 p.m.

Councilor Klitch, seconded by Councilor Brissette, moved to approve the Minutes of the May 7, 2018 Regular Council Meeting and the April 17, 2018 and May 21, 2018 Special Council Meetings. **Approved all in favor, 7-0.**

COMMUNICATIONS

Students from the Old Town High School presented a summary of findings for the Watershed Project they have been working on. They are in the 2nd year of a 10 year ongoing project and are partnered with the University of Maine and University of New Hampshire.

REPORTS

President Mahan informed everyone that the next meeting will be on Thursday June 21st; he also stated there will not be a meeting on July 2nd due to the July 4th holiday week.

Economic Development Director Harriman along with Tim Folster gave a presentation on the Old Town LLC's budget.

Manager Mayo reported that he was attending a FEMA meeting tomorrow.

CONSENT AGENDA

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2 & 3 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby approves an application from Cindy Jennings, Director of the Old Town Public library, for a Major Special Event Permit for the Summer Concert Series to be held weekly in the Riverfront Park in July and August 2018 and to waive the Permit fee.

Item #2: Resolved, the Old Town City Council hereby approves selling city surplus property located on Assessor's Tax Map 026-Lot 013 to James Dubay in the amount of \$2,500 plus half of legal costs. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction.

Item #3: Resolved, the Old Town City Council hereby approves taking property located at 79 Sanford Avenue and authorizes the City Manager to ensure all notices have been properly filed in accordance with the Sewer Lien Foreclosure process. The Council further authorizes the disposal of this property according to the City's Disposition of Surplus Property Policy.

Consent agenda items approved all in favor, 7-0.

PUBLIC HEARINGS

The Old Town City Council conducted a Public hearing on the proposed FY 2018-2019 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,320,100, Penobscot County Taxes of \$653,134 and RSU #34 expenditures of \$5,202,655 for a total City, County and RSU #34 Budget of \$16,175,889 with total City revenue of \$5,930,276 and anticipated transfers from reserve accounts and Fund Balance of \$538,000 for a net property tax requirement of \$9,707,613.

President Mahan opened the hearing. He state this is the second year without having the mill and the loss of revenue is \$850,000. He thanked the City Manager, Staff, Superintendent of Schools and the RSU Board of Directors for their hard work on the budget.

Manager Mayo said this budget reflects a 2.5% increase due to increases in wages, health and disability insurances. Because he was able to reduce the budget by \$725,000, only \$200,000 needed to be taken out of Fund Balance.

Resident Ty Sullivan thanked everyone for their hard work and for paving the last ½ a mile on Poplar Street.

There being no further comments, President Mahan closed the hearing.

The Old Town City Council considered scheduling a Second Reading for final approval on the FY 2018-2019 Municipal, County and School Budgets.

Councilor Peterson, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves scheduling a Second Reading on June 21, 2018 for final approval on the proposed FY 2018-2019 Municipal, County and School Budget. The proposed budget calls for City expenditures of \$10,320,100, Penobscot County Taxes of \$653,134 and RSU #34 expenditures of \$5,202,655 for a total City, County and RSU #34 Budget of \$16,175,889 with total City revenue of \$5,930,276 and anticipated transfers

from reserve accounts and Fund Balance of \$538,000 for a net property tax requirement of \$9,707,613. **Approved all in favor, 7-0.**

The Old Town City Council conducted a Public Hearing on the proposed FY 2018-2019 Pollution Control Budget containing gross appropriations of \$2,097,673, user fee revenue of \$768,595, debt redemption of \$535,860 and anticipated transfers from reserve accounts of \$644,716 with a net appropriation from Fund Balance of \$148,502.

President Mahan opened the hearing. Manager Mayo said the Sewer Advisory board met in April and that a 5% increase was approved due to all the projects they had going on.

There being no further comments, President Mahan closed the hearing.

The Old Town City Council considered scheduling a Second Reading for final approval on the FY 2018-2019 Pollution Control Budget.

Councilor Ketchen, seconded by Councilor May, Resolved, the Old Town City Council hereby approves scheduling a Second Reading on June 21, 2018 on the Proposed FY 2018-2019 Pollution Control Budget containing gross appropriations of \$2,097,673, user fee revenue of \$768,595 debt redemption of \$535,860 and anticipated transfers from reserve accounts of \$644,716 with a net appropriation from Fund Balance of \$148,502. **Approved all in favor, 7-0.**

NEW BUSINESS

The City Council considered going into Executive Session for the purpose of hearing an application for an abatement of taxes based on poverty.

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:42 p.m. pursuant to Title 36, M.R.S.A., §841(2) for the purpose of considering an application for an abatement of taxes based on poverty. **Approved all in favor, 7-0.**

Councilor Klitch, seconded by Councilor Peterson, moved to come out of Executive Session at 8:05 p.m. **Approved all in favor, 7-0.**

Councilor Klitch, seconded by Councilor Peterson, moved to adjourn at 8:05 p.m. **Approved all in favor, 7-0.**

Adjourned,

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

RUDMAN WINCHELL

Edmond J. Bearor Esq.
E-Mail: ebearor@rudmanwinchell.com
Direct Dial: (207) 992-2626

June 19, 2018

William J. Mayo, City Manager
City of Old Town
26S Main Street
Old Town, Maine 04468.

Re: Legal Representation

Dear Bill:

This letter is to confirm that Rudman Winchell will continue to represent the City of Old Town chief legal advisor and general counsel for the City's FY 2018 (July 1, 2018 - June 30, 2019), and to set forth the terms of our firm's engagement.

Staffing

I will be primarily responsible for the legal services to be provided under this agreement, and anticipate that I will hold the appointment as Old Town's City Attorney under Article V, section 1(a) of the City Charter. I will be assisted by Katie Foster and by John Hamer of Rudman Winchell's municipal law practice group. Other Rudman Winchell lawyers and legal assistants may also provide services in particular matters.

Fees for Services

To help us determine the value of our services, our lawyers and legal assistants maintain time records. All attorneys and legal assistants are assigned hourly rates, which are adjusted from time to time and may change during the course of engagement. Rudman Winchell's current billing rate for municipal general counsel services is \$ **85.00** per hour. This rate will be maintained through June 30, 2019.

Our current billing rate for paralegal services, when required, is \$140.00 per hour.

Our fees will be based on the hourly rate of each professional who provides services in this matter, applied to the amount of time devoted to this matter by each professional. Time entries are recorded by billing units of one-tenth of an hour and therefore may vary up or down slightly from actual elapsed time.

William J. Mayo, City Manager
June 19, 2018
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We have agreed that our charge for attorney attendance at regular and special meetings of the Old Town City Council will be capped at \$200.00 per meeting, regardless of the actual time of attendance.

Travel Expenses

Our normal practice is to bill for all time required for travel on client business at the normal hourly rate of the attorney or professional concerned. In addition, we normally bill for employee mileage expenses at the IRS maximum employee reimbursement rate, as an out-of-pocket cost. Travel time and mileage reimbursements are based on the round-trip travel time and mileage from our Bangor office to the location concerned.

However, for purposes of this engagement, we have agreed that Rudman Winchell will not bill for mileage for attendance at City Council meetings or other meetings held within the City of Old Town. All other travel on City of Old Town legal business will be billed in accordance with the firm's normal policy as described above.

Disbursements and Expenses

In addition to our fees for legal services, we also will charge separately for out-of-pocket expense disbursements, including court filing and recording fees; sheriff's service in court cases; postage and other communication costs; printing and photocopying (\$0.25 per copy document retrieval; support staff overtime when authorized by you or required by the matter's timing; computer research facilities; court reporters; and other costs or expenses incurred on your behalf. In some cases you will be asked to pay for these expenses directly. Where our law firm pays the expenses, these expenses will be billed to you for our reimbursement. All such charges are billed on a pass-through basis, without an additional charge or mark-up by our firm. Our regular billing statements will identify any such costs for you. We do not bill for telephone or fax usage.

Billing and Payment

Our practice is to send a periodic statement for services rendered during the previous period and for disbursements incurred on your behalf. The detail in the periodic statements will inform you both of the nature and progress of work and of the fees and disbursements incurred.

While we do our best to ensure that our clients are satisfied with both our services and with the reasonableness of the fees charged, if you have any questions regarding a statement or regarding the basis of our fees, please feel free to raise such a question promptly. If you question only a portion of a statement we ask that you pay the remainder, which will not constitute a waiver of any question or objection you may have.

William J. Mayo, City Manager
June 19, 2018
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Our fee structure is based on the premise that all statements are due and payable upon receipt. If your payments are significantly delayed beyond the due date, we reserve the right to charge a late payment charge of 1.5% per month on the unpaid balance from the due date until the date payment is received. If you do not meet the obligation of timely payment under this agreement, we reserve the right to withdraw from our representation on that basis alone, subject of course to any required judicial approval or agency notification.

Termination of Engagement

You may terminate this engagement at any time by written notice to this office. Upon receiving such notice, subject to any required court approval, we will promptly cease providing any services to you.

We may terminate this engagement at any time by giving you written notice, subject to any required court approval. If you do not meet the obligation of timely payment under this agreement, we reserve the right to withdraw from our representation on that basis alone, subject to any required court approval.

Upon termination of our representation, you will be responsible for paying for our fees and disbursements up to the time of termination and for any reasonable services that we provide in connection with transfer of responsibility for this matter to new counsel.

File Retention

Our firm as a matter of standard procedure retains closed files for a period of eight years. If, once this matter is closed, we have in our file materials or property that you wish returned to you, please notify us and we will make arrangements to return the file or the requested materials or property to you.

Nature of Relationship

The attorney-client relationship is one of mutual trust and confidence. If you have any questions at all concerning the provisions of this agreement, we invite your inquiries.

William J. Mayo, City Manager
June 19t 2018
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We look forward to serving you. Please sign the enclosed copy of this letter where indicated and return it to me in the enclosed envelope so that our work for you may continue.

Yours truly,

RUDMAN WINCHELL

By: W. J

Managing Partner
Enclosure

I have fully read this letter. and on behalf of the City of Old Town, I understand, agree to, and accept the terms set forth above.

Date 6/19/18

William J. Mayo
William J. May
City Manager
City of Old Town, Maine