

April 03, 2023

Agenda
Regular 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

March 20, 2023, Administrative Services, Financial Services and Special Committee Meeting minutes.

V. Petitions, Communications, and Citizens' Requests

VI. Reports

A. Council President

**B. Standing Committees –
Administrative, Economic, Finance, & Public Services**

C. City Councilors

D. City Attorney

E. Special Committees

F. City Manager

VII. Consent Agenda

VIII. Public Hearings and Second Reading of Ordinances

1. The City Council will conduct a Public Hearing for the purpose of receiving public comment on the proposed change to Chapter 3 Amusements, § 3-3 Occupancy of parks limited. The City of Old Town will replace current language that reads, “a person shall not occupy in any manner a public park between 10:00 p.m. and 6:00 a.m.” to read “a person shall not occupy in any manner a public park from Sunset to Sunrise Eastern Standard Time Zone”, unless otherwise approved.

Open Public Meeting: _____

Close Public Meeting: _____

(Council President McLeod)

- 1a. The City Council will consider scheduling a Second Reading and Final Approval on April 18, 2023, at 6:00 pm in the City Hall Council Chambers on the proposed change to Chapter 3 Amusements, § 3-3 Occupancy of parks limited.

Suggested motion: Resolved, The Old Town City Council hereby approves scheduling a second reading and final approval to be held on April 18, 2023, on the proposed change to Chapter 3 Amusements, § 3-3 Occupancy of parks limited. The City of Old Town will replace current language that reads, “a person shall not occupy in any manner a public park between 10:00 p.m. and 6:00 a.m.” to read “a person shall not occupy in any manner a public park from Sunset to Sunrise Eastern Standard Time Zone”, unless otherwise approved.

(Councilor Wight)

2. The City Council will conduct a Public Hearing for the purpose of receiving public comment on the proposed changes Under Article I General Provisions Section 12-37 Loitering, to add the following language under 12-37 (a) (1) to become numbers 2-7
 - (2) No person shall obstruct a street, sidewalk, or other public right-of-way: by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, in a manner that impedes passage, as provided by the Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), as amended from time to time;
 - (3) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within ten feet of any operational or utilizable driveway or loading dock;
 - (4) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within five feet of any operational or utilizable building entrance or exit;

- (5) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within two feet of any fire hydrant, fire plug, or other fire department connection;
- (6) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within the public right-of-way in a manner that obstructs or unreasonably interferes with the use of the right-of-way for any activity for which the City has issued a permit.
- (7) No person shall obstruct any portion of any street or other public right-of-way open to use by motor vehicles, or any portion of a bike lane, bike path, or other public right-of-way open to use by bicycles, by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, anywhere within the street, bike lane, bike path, or other public right-of-way, as specified.

Open Public Meeting: _____
 Close Public Meeting: _____

(Council President McLeod)

2a. The City Council will consider scheduling a Second Reading and Final Approval on April 18, 2023, at 6:00 pm in the City Hall Council Chambers on the proposed changes, Under Article I General Provisions Section 12-3 Loitering, to add the following language under 12-37, (a) (1).

Suggested motion: Resolved, The Old Town City Council hereby approves scheduling a second reading and final approval to be held April 18, 2023, on the proposed changes Under Article I General Provisions Section 12-3 Loitering, to add the following language under 12-37, (a) (1), to become numbers 2-7.

- (2) No person shall obstruct a street, sidewalk, or other public right-of-way: by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, in a manner that impedes passage, as provided by the Americans with Disabilities Act of 1990, Pub. L, No. 101-336, 104 Stat. 328 (1990), as amended from time to time;
- (3) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within ten feet of any operational or utilizable driveway or loading dock;
- (4) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within five feet of any operational or utilizable building entrance or exit;
- (5) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within two feet of any fire hydrant, fire plug, or other fire department connection;
- (6) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within the public right-of-way in a manner that obstructs or unreasonably interferes with the use of the right-of-way for any activity for which the City has issued a permit.
- (7) No person shall obstruct any portion of any street or other public right-of-way open

to use by motor vehicles, or any portion of a bike lane, bike path, or other public right-of-way open to use by bicycles, by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, anywhere within the street, bike lane, bike path, or other public right-of-way, as specified.

(Councilor Folster)

IX. Old Business

X. New Business, items 1 - 5

1. The City Council will consider approving new license applications for a Victualer's permit and Beer, Wine, and Spirits liquor license for Jason Clay, EWYEF, Inc. d/b/a Governor's Restaurant, located at 963 Stillwater Ave.

Suggested motion: Resolved, The Old Town City Council hereby approves the new license applications for a Victualer's permit and Beer, Wine, and Spirits liquor license for Jason Clay, EWYEF, Inc. d/b/a Governor's Restaurant, located at 963 Stillwater Ave. This will be a transfer of ownership from Randall Wadleigh, starting on May 22, 2023. Pending any City inspections.

(Councilor Mike May)

2. The City Council will consider approval of a Special Amusement Permit for Kosta's Restaurant and Bar, 268 Main Street.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Special Amusement Permit for Kosta's Restaurant and Bar, 268 Main Street. The permit would include open mic night and musical acts to be played inside and outside on the enclosed deck, no later than 10:00 pm. Pending any City inspections.

(Councilor Carol May)

3. The City Council will consider appointing Gary Sullivan as an Old Town member to the Pollution Control Advisory Board for a two-year term.

Suggested motion: Resolved, the Old Town City Council appoints Gary Sullivan as an Old Town member to the Pollution Control Advisory Board, term to expire 12/31/2025.

(Councilor Wight)

4. The City Council will consider issuance of a Proclamation on behalf of the Foundation for Sarcoidosis Research, proclaiming the Month of April as Sarcoidosis Awareness Month in the City of Old Town.

Suggested motion: Resolved, the Old Town City Council hereby approves Issuance of a Proclamation on the behalf of the Foundation for Sarcoidosis Research, proclaiming the Month of April as Sarcoidosis Awareness Month in the City of Old Town.
(Proclamation attached)

(Council President McLeod)

5. The City Council will consider going into Executive Session for the purpose of discussing an Economic Development Matter.

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 an Economic Development Matter.

(Councilor Mike May)

Adjournment



OLD TOWN

Whereas, sarcoidosis is a potentially debilitating and deadly rare, multi-organ, inflammatory disease, estimated to affect 175,000 people in the United States with no known cause, cure, or reliable treatments to slow or halt the progression of chronic cases;

Whereas, the signs and symptoms of sarcoidosis vary widely depending on the person and organs affected and can include debilitating fatigue; shortness of breath; difficulties with balance and coordination; irregular heartbeat; visual problems, including blindness; pain affecting joints and muscles; weakness or numbness of limbs; skin rash and discoloration; mood disorders such as depression and anxiety; organ failure; and sleep difficulties;

Whereas, Sarcoidosis can affect people of any age, race, or gender, but is most common among adults between the ages of 30 and 50 and 3 times higher in African Americans than in whites;

Whereas, sarcoidosis is a diagnosis of exclusion as there is no objective test or biomarker; numerous diagnostic tests and ongoing clinical observation and/or management, which creates a high economic burden for this disease, including a significant financial burden to patients and family members;

Whereas, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life and prognosis of persons living with sarcoidosis and their families and more research is needed to find more effective treatments and improve care for those living with the disease today;

Now, therefore, I, Council President Linda McLeod, do hereby proclaim April as Sarcoidosis Awareness Month.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of The City of Old Town to be affixed. Proclaimed at City Hall on this 3rd day of April in the Year of Our Lord two thousand twenty-three.

Linda McLeod
City of Old Town Council President