



**JUNE 17, 2015
WEDNESDAY
6:30 P.M.**

**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 1, 2015 Regular Council Meeting and the June 10, 2015 Special 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. School Board Liaison**
 - G. City Manager**
- VII. CONSENT AGENDA**
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

PUBLIC HEARINGS:

1. The City Council will conduct 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 move the application review process from the City Council to the Planning Board.
- 1a. The City Council will consider scheduling a Second Reading for final approval on a proposal to amend Chapter 24 Solid Waste Facilities.

Suggested motion: 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 move the application review process from the City Council to the Planning Board.

(Councilor Nuttall)

2. The Old Town City Council will conduct 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.
- 2a. The City Council will consider 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, 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 McLeod)

IX. OLD BUSINESS

X. NEW BUSINESS

1. The City Council will consider 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.

Suggested motion: 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.

(Councilor May)

2. The City Council will consider 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.

Suggested motion: 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 to be paid from Account #03560 Airport Hangar Reserve.

(Councilor Nuttall)

3. The City Council will consider 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.

Suggested motion: 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.

(Councilor Roach)

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

Suggested motion: 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.**

(Councilor McLeod)

5. The City Council will discuss the 2015-2016 Municipal Budget.

XI. ADJOURNMENT



REGULAR COUNCIL MEETING – JUNE 1, 2015

Council convened June 1, 2015 at the Old Town City Council Chambers on 265 Main Street.

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

Administration present: Bill Mayo, Patty Brochu, Doug Hill, Steve O'Malley, John Rouleau and Scott Wilcox.

Others present: Jim Katsiaficas, five citizens in the audience and news media.

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

Councilor Peterson, seconded by Councilor May, moved to approve the Minutes of the May 4, 2015 Regular Council Meeting and the May 19, 2015 & May 20, 2015 Special Meetings. Approved all in favor, 5-0.

PETITIONS, COMMUNICATIONS & CITIZENS' REQUESTS

Resident Ed Spencer commented on the Host Community Agreement regarding expansion; he also reported on the trash truck that caught fire on the Interstate back in May and thinks there was something hazardous in the truck because it caught fire twice and was hard to put out.

Resident Chuck Leithiser thanked the Council for their efforts regarding the Landfill expansion.

REPORTS

Councilor May reported on the Museums kick off opening for the summer.

Manager Mayo: 1) The City Clerk needs a meeting for Wednesday June 10th at 4:30 p.m. to accept the Return of the Votes from the June 9th Special Election; 2) The City did not receive the assessment grant from the EPA; 3) Looking for volunteers to do a mill tour.

CONSENT AGENDA

Councilor McLeod, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3 & 4 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby accepts a Safety Enhancement Grant reimbursement check in the amount of \$1,580.00 from the Maine Municipal Association for purchasing a Hydraulic Tailgate Lift for the Pollution Control Department.

GRANT
Safety Enhancement
accepted/Pollution
Control

Item #2: Resolved, the Old Town City Council hereby approves an application from Penobscot Nation for a Major Event Permit for the Penobscot River Whitewater Nationals Regatta to be held in the Riverfront Park from July 22, 2015 to July 26, 2015 and to waive the Permit fee.

PERMITS
Major Event approval
Penobscot White
Water Regatta

Item #3: Resolved; The Old Town City Council hereby authorizes the City Manager to execute a renewal Memorandum of Agreement with Penobscot County for the City to provide use of the Recycle/Transfer Station to the communities of Argyle and Greenfield at a fee of \$900.00 per year.

AGREEMENT
Recycle/Transfer
Station w/Penobscot
County for Argyle &
Greenfield

Item #4: Resolved, the Old Town City Council hereby approves entering into a Hangar Land Lease Agreement with Jeff LaCombe for the purpose of leasing Airport land so he can build a Hangar for his airplane as recommended by the Finance Committee.

AGREEMENT
Hangar Lease w/
Jeff LaCombe
approved

Consent agenda items approved all in favor, 5-0.

NEW BUSINESS

Attorney Jim Katsiaficas reviewed proposed amendments to Chapter 24 Solid Waste Facilities with the City Council.

ORDINANCES
Proposal to amend
Chapter 24 reviewed
w/Atty Katsiaficas

Attorney Katsiaficas said the Ordinance was passed in 2009 but there have been some changes in the law so this proposal is to clean up any items that need to reflect law changes. He said the major concept is Casella is able to apply to expand. The City can now control the expansion where they couldn't with the initial landfill. While the City Council can issue the license, he said that maybe the Planning Board would be better board to review this. So the central proposed change is to give the Planning Board the authority of permitting instead of the City Council. This proposed amendment will go on the next Special Meeting in June.

The City Council considered approval of their request for Municipal Intervenor Status in the matter of NEWSME and BGS' impending application for expansion of the Juniper Ridge Landfill to the Department of Environmental Protection.

LANDFILL
Request for
Intervenor Status
approved

Councilor Roach, seconded by Councilor May, Resolved, the Old Town City Council hereby approves their request for Municipal Intervenor Status in the matter of NEWSME and BGS' impending application for expansion of the Juniper Ridge Landfill to the Department of Environmental Protection.

Attorney Katsiaficas said the intervener status allows the city to be reimbursed up to \$50,000 to pay for experts to see how this will affect things such as leachate and water in the area or a Traffic engineer, legal counsel etc.

Motion approved all in favor, 5-0.

The City Council considered accepting a quote for a new pickup truck for the Public Works Department and authorizes the Finance Director to transfer funds to pay for the purchase.

PUBLIC WORKS
Bid from Darlings
for 2015 Pickup
approved

Councilor Peterson, seconded by Councilor Roach, Resolved, the Old Town City Council hereby accepts the quote from Darlings Ford in the amount of \$27,480.00 for the purchase of a new pickup truck for the Public Works Department and further authorizes the Finance Director to transfer an amount not to exceed \$30,000 from Account #03500 Heavy Equipment Reserve to Account #7000-0414 Heavy Capital Equipment Reserve as recommended by the Finance Committee.

Councilor McLeod stated that the Finance Committee did not recommend this and would like it struck from the motion.

Councilor McLeod, seconded by Councilor May moved to amend the motion to strike out “as recommended by the Finance Committee.” **Approved all in favor, 5-0.**

Original motion approved as amended, 5-0.

The City Council considered going into Executive Session for the purpose of discussing a Personnel matter.

EXECUTIVE SESSION
Personnel Matter

Councilor May, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:37 p.m. pursuant to MRSA Title 405, Section (6)(A) for the purpose of discussing a Personnel matter. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor May, moved to come out of Executive Session at 8:57 p.m. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor McLeod, moved to adjourn at 8:57 p.m. **Approved all in favor, 5-0.**

Adjourned,

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



SPECIAL COUNCIL MEETING – JUNE 10, 2015

Council convened June 10, 2015 in the Old Town City Council Chambers at 265 Main Street.

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

Administration present: Bill Mayo, Patty Brochu, Miles Greenacre and Scott Wilcox.

Others present: 4 Citizens in the audience.

Council President Mahan called the meeting to order at 4:30 p.m.

NEW BUSINESS

The City Council considered accepting the Return of the Votes cast of the June 9, 2015 Regular Municipal Election.

ELECTIONS
Return of Votes
Cast accepted/
6/9/2015 Special
Election

Councilor Peterson, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby accepts the Return of the Votes cast of the June 9, 2015 Regular Municipal Election as presented. Approved all in favor, 5-0.

The City Council considered going into Executive Session for the purpose of discussing a Personnel matter.

Councilor May, seconded by Councilor Roach, Resolved, the Old Town City Council hereby approves going into Executive Session at 4:33 p.m. pursuant to MRSA Title 405, Section (6)(A) for the purpose of discussing a Personnel matter. Approved all in favor, 5-0.

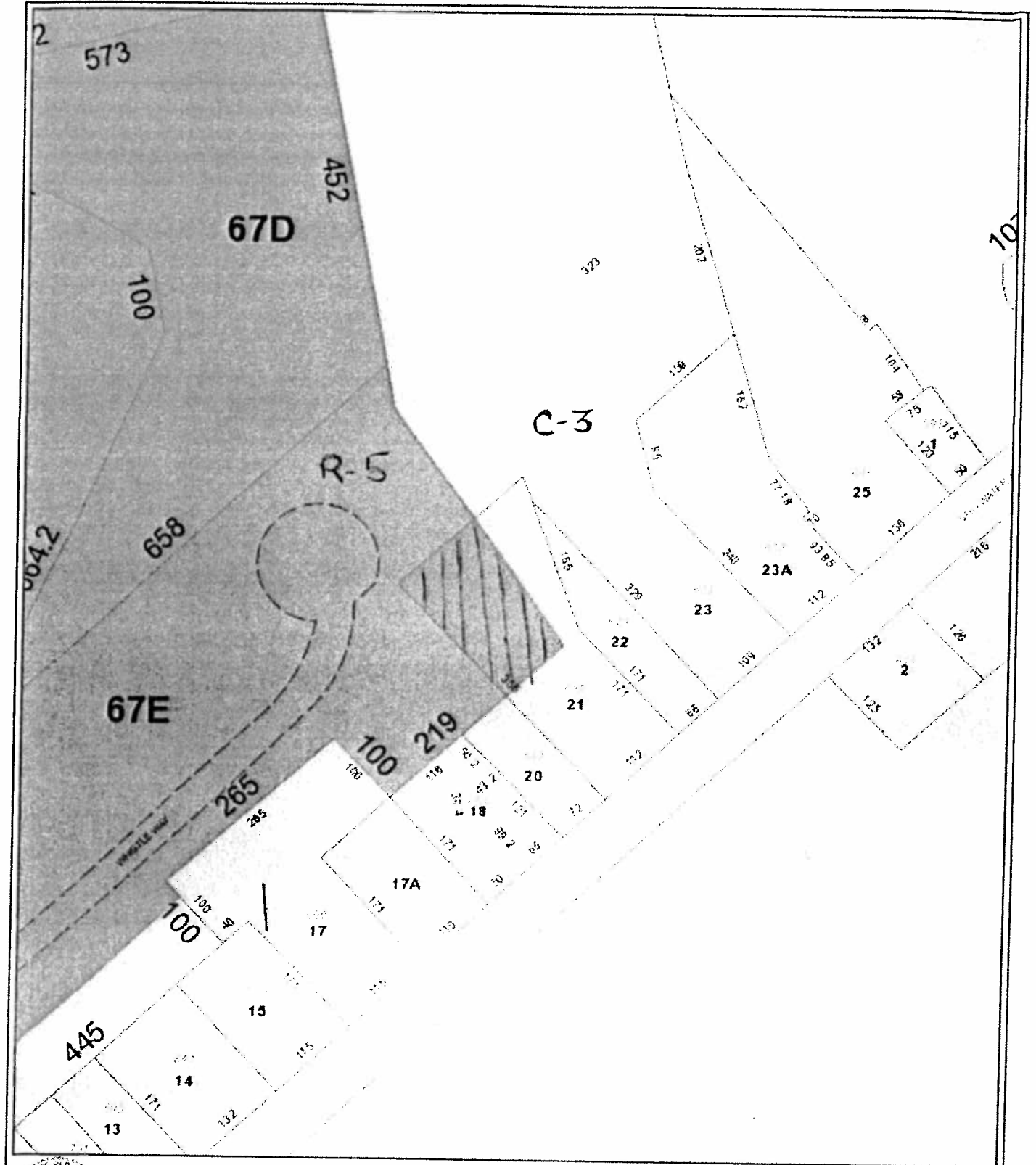
Councilor May, seconded by Councilor McLeod, moved to come out of Executive Session at 5:35 p.m. Approved all in favor, 5-0.

Councilor May, seconded by Councilor Roach, moved to adjourn at 5:36 p.m. Approved all in favor, 5-0.

Adjourned,

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

Exhibit 1



Old Town, ME
1 Inch = 162 Feet
June 03, 2015



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

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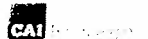


Exhibit 2

Zone Change
637 Stillwater Avenue

Tax Map 18, Lot 21

To relocate the zoning district boundary line to follow the lot lines between lots 21 and 67-E as shown on Assessors Tax Map 18, from R-5, Low Density Multi-family to C-3, Highway Commercial.