



AUGUST 21, 2017  
MONDAY  
6:30 P.M.

**CITY OF OLD TOWN  
ADMINISTRATIVE SERVICES COMMITTEE  
AGENDA**

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

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

2. **Bulky Waste Proposal**

Public Works Director John Rouleau would like to discuss a Bulky Waste Proposal from Casella.

3. **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 McLeod (Chair), Klitch, Nuttall and Council President Mahan.



August 10, 2017

John Rouleau  
Public Works Director  
265 Main Street  
Old Town, ME 04468

**RE: Bulky Waste Proposal**

It was our pleasure to work with you during this year's cleanup effort. As I mentioned, both large and small municipalities from the region moved away from curbside cleanup efforts over the past decade due to logistical hurdles and excessive labor costs. At a time when we are all being asked to do more work with fewer resources, all the while stretching taxpayer dollars to the extreme, many communities found more cost effective alternatives or eliminated this door-to-door service altogether.

The most common alternative utilized by neighboring communities involves a one or two weekend event during which time residents bring their material to a consolidation point for disposal. That location is equipped with several high capacity open top construction dumpsters and ideally, a backhoe or similar machine to compact material, which is then hauled directly to the landfill. Not only is this option much more cost effective since it is a two or four-day event instead of two weeks, it provides the ability to inspect what is being disposed of. Gone are the days of dangerous chemicals, electronic, and universal waste setting curbside for days at a time.

Based on the curbside volumes you collected, and the cleanup effort we performed after the fact (two additional collection days on top of your two weeks), we estimate you would need roughly twenty dumpsters hauled, a cost of roughly \$4,000 – much less than your current spend. Since residents would be required to put forth some effort and deliver the material themselves, we can safely assume less volume, resulting in even more savings.

Although this is not necessarily as convenient as the door-to-door service you provided in the past, this alternative and more common approach to the issue provides a safe, reliable, cost effective disposal solution for tax payers.

Please do not hesitate to contact me directly if you have any questions or concerns at (207) 991-7897.

Sincerely,

James T. Dunning  
Assistant General Manager



**AUGUST 21, 2017**

**MONDAY**

**Immediately following the Administrative Services Comm. Mtg.**

**AGENDA**  
**SPECIAL COUNCIL MEETING**  
**City Council Chambers, 2<sup>nd</sup> 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 August 7, 2017 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**
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**
- IX. OLD BUSINESS**

## **X. NEW BUSINESS**

1. The City Council will discuss a proposed “2017 Amendment of the City Charter” as presented in Exhibit A and consider scheduling a Public Hearing for September 5, 2017. Public comment is encouraged.

Suggested motion: Resolved, the Old Town City Council hereby orders the City Clerk to provide the required statutory publication of notice of a Public Hearing to be held September 5, 2017 regarding the proposed “2017 Amendment of the City Charter” that is presented in Exhibit A with the agenda at the August 21, 2017 Special Council meeting.

(Councilor May)

2. The City Council will consider extending the due for the 2017 Real Estate and Personal Property Taxes.

Suggested motion: Resolved, the Old Town City Council hereby extends the due date for the 2017 Real Estate and Personal Property Taxes from September 13, 2017 to September 27, 2017 and shall commence bearing interest on September 28, 2017.

(Councilor Peterson)

3. The City Council will consider entering into a Purchase and Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

Suggested motion: Resolved, the Old Town City Council hereby approves entering into a Purchase and Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A and further authorizes the City Manager to execute all necessary documents to complete the transaction.

(Councilor Roach)

4. The City Council will consider going into Executive Session for the purpose of discussing an economic development update relating to the Expera Mill.

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 update relating to the Expera Mill.

(Councilor May)

## **XI. ADJOURNMENT**



## REGULAR COUNCIL MEETING – AUGUST 7, 2017

Council convened August 7, 2017 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, Katie Foster, Patty Brochu, Danielle Berube, Lance Farrar, Ron Harriman, Cindy Jennings, John Rouleau, David Russell, David Smith and Scott Wilcox.

Others present: Seventeen citizens in the audience.

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

Councilor Klitch, seconded by Councilor Nuttall, moved to approve the Minutes of the July 17, 2017 Special Council Meeting. *Approved all in favor, 7-0.*

### CITIZENS' REQUESTS

Residents of French Island reported several abandoned and dilapidated buildings as well as properties that have junk all around their yards. They want the City to do something about these properties. Manager Mayo reported that some of the abandoned properties are owned by different banks who take no interest in the properties. He also said that because the banks are selling to other banks, it's made it hard for the city to find out which banks own the properties. Code Officer David Russell said he is working on some of the properties that have junk everywhere but it becomes a court issue and that takes time due to the legal process he has to follow. He assured them he is working on it and has been very successful with other similar properties in the past.

### REPORTS

City Attorney: Katie Foster introduced herself and stated she works with Ed Bearor at Rudman & Winchell and will be working with the city on several legal issues.

Manager Mayo: 1) He's been working on the Maple Grover Cemetery request and the City Attorney is starting a Title Search which starts the process of finding out the legal ownership. If no one can be found, it will go to court where the city can file for Eminent Domain which is a longer process; 2) He informed the Council he will be on vacation next week.

## **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, 4, 5, 6 & 7 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby accepts the bid from Darlings Ford in the amount of \$31,014.00 for 2017 Ford Utility Police Intercept cruiser as recommended by the Finance Committee. The Council further approves the expenditure of \$2,932.52 for installation of new equipment required for the cruiser. The Funds will come from Account #7000-0414 Capital Heavy Equipment Reserve.

Item #2: Resolved, the Old Town City Council hereby accepts the bid from O'Connor GMC of Augusta in the amount of \$47,736.00 for the purchase of two 2018 GMC Crew Cab pickups for the Public Works Department as recommended by the Finance Committee.

Item #3: Resolved, the Old Town City Council hereby authorizes the expenditure of \$100,000 for the Environmental cleanup of the former Jefferson Street School building as recommended by the Finance Committee. Funds will come from Account #03800 Fund Balance. Councilor McLeod added that item #3 is contingent upon the company getting financing.

Item #4: Resolved, the Old Town City Council hereby approves a renewal application for a Malt Liquor License for Krisanthi Shanos, d/b/a Angelo's Pizzeria, 484 Stillwater Avenue.

Item #5: Resolved, the Old Town City Council hereby votes for the Slate of Officers to the MMA Executive Board as presented on the MMA Voting Ballot.

Item #6: Resolved, The Old Town City Council hereby approves authorizing the expenditure of an amount not to exceed \$86,000.00 for the additional cost of renovating the Green Hangar at the Airport as recommended by the Finance Committee. Funds are to come from Account #03560 Airport Hangar Reserve.

Item #7: Resolved, the Old Town City Council hereby approves retaining foreclosed property at 811 Main Street and to accept the low bid from Street's Landscaping in the amount of \$4,000 for demolition of the building to allow for reconfiguration of the Penny Road and Main Street Intersection. The Council further authorizes the expenditure of an amount not to exceed \$1,000 for Down to Earth Surveying to complete work due to a boundary line issue and authorize the Finance Director to write of the Sewer fees in the amount of \$2,747.81. Funds for the demolition & survey will come from Account #RO236 Sale of Tax Properties.

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

## **PUBLIC HEARINGS**

The City Council conducted a Public Hearing to discuss acceptance of a Micro-Enterprise Assistance CDBG Grant in the amount of \$100,000. The purpose of the grant is to rehab facades in the downtown.

President Mahan opened the hearing at 7:27 p.m. Economic Development Director Ron Harriman reported the application was submitted a couple of months ago. There were 22 applications in all and Old Town was one of the applicants awarded the grant. He believes the monies will be available around end of September. This is part of the downtown rehabilitation project. Mr. Harriman also explained the properties targeted for the project are on Main Street from Center to Just beyond Middle Street. The Downtown Committee will be closely involved with this project. There were no questions or comments from the public. President Mahan closed the hearing at 7:29 p.m.

## **NEW BUSINESS**

The City Council considered an amendment to the Appropriations Resolution 2017-1 to include 3 Reserve Accounts that were discussed but not included in the Resolution. The Reserve Accounts are Recreation Center Reserve-\$28,500; Juniper Ridge Tipping Reserve-\$34,958 and Highway Block Grant Reserve-\$200,000 for a total of \$263,458.00

Councilor Nuttall, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby amends the Appropriations Resolution 2017-1 to include using additional Reserve Accounts in the total amount of \$263,458 for a net property tax requirement of \$9,749,848.00.

Manager Mayo explained that while they discussed the revenue accounts and the Council agreed to use them, he forgot to include them in the revenues figure in the motion.

### **Motion approved all in favor, 7-0.**

The City Council considered approval of Phase II requirements for the City's 2017 Community Development Block Grant Program.

Councilor Roach, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves the Phase II items listed herein for the City's Micro-Enterprise CDBG program:

1. Self-Evaluation & Transition Plan
2. ADA/Section 504 Certification
3. Residential Ant-displacement
4. Council Resolution
5. Equal Employment Opportunity Policy Statement.
6. Fair Housing Resolution
7. Fair Housing Self-Assessment
8. Standards of Conduct.

**Approved all in favor, 7-0.**

The City Council discussed a proposed “2017 Amendment of the City Charter” as presented in Exhibit A.

Councilor Klitch, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby orders that the proposed “2017 Amendment of the City Charter” that is presented in Exhibit A be placed on the agenda for further consideration at the Special Council meeting to be held on August 21, 2017.

Manager Mayo explained that this will update the City’s Charter to allow for economic development opportunities.

**Approved all in favor, 7-0.**

The City Council considered accepting a bid for City Surplus Property located at 20 Union Street. This is vacant land with a special assessment due to the City’s removal of the fire damaged building in 2009.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby accepts the bid from Robert Commeau in the amount of \$17,000 and authorize the City Manager to execute all necessary documents to complete the transaction. The City Council further authorizes the Finance Director to write off \$9,780.13 in back taxes and sewer fees.

The City Council considered accepting a bid for City Surplus Property located at 779 Stillwater Avenue. Two bids were received. 1) Ralph Damren (former owner) in the amount of \$31,001 and 2) Cram Properties in the amount of \$36,101. Bids cover all back taxes and sewer fees.

Councilor Roach, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby accepts the bid from “A” or “B” in the amount of \$ “A” or “B” for City Surplus Property located at 779 Stillwater Avenue. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction.

Mr. Damren was in the audience and spoke about reminiscing back in the 1970s. He said he has scrambled to come up with the amount owed. On July 21st he brought in a bank check for \$28,000 but there were additional costs involved. He was told they couldn’t apply it towards his tax bill as the city had already retained ownership but he could use it to bid on it. He stated it is the only home he’s ever owned. He’s 71 and his wife is 61. He asked Council to please accept his bid to allow them to stay in their home.

Councilor Peterson asked how the council could believe they wouldn’t be back next year for the same thing. He assured them he will never let it happen again and he can and will pay his taxes going forward.

Councilor McLeod, seconded by Councilor Peterson, moved to accept Mr. Damren's bid in the amount of \$31,001. and let him keep his house. **Approved all in favor, 7-0.**



The City Council discussed authorizing the City Manager to negotiate a Purchase & Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby authorizes the City Manager to negotiate a Purchase & Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

Manager Mayo said there is someone interested in building a development/research lab.

**Motion approved all in favor, 7-0.**

The City Council considered going into Executive Session for the purpose of discussing an economic development matter relating to the sale of Tax Acquired Property.

Councilor Klitch, seconded by Councilor May, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:46 p.m. pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development matter relating to the sale of Tax Acquired Property. **Approved all in favor, 7-0.**

Councilor Klitch, seconded by Councilor Nuttall, moved to come out of Executive Session at 9:10 p.m. **Approved all in favor, 7-0.**

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

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby accepts the bid from Alexander Gray in the amount of \$25,000 for City Surplus Property located at 283 Main Street. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction. **Approved all in favor, 7-0.**

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

Councilor May, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves going into Executive Session at 9:12 p.m. pursuant to Title I MRSA Section 405, §(6)(A) for the purpose of discussing a Personnel matter. **Approved all in favor, 7-0.**

Councilor Klitch, seconded by Councilor Nuttall, moved to come out of Executive Session at 9:30 p.m. **Approved all in favor, 7-0.**

The City Council considered going into Executive Session for the purpose of discussing an economic development update relating to the Expera Mill.

Councilor Nuttall, seconded by Councilor Klitch, moved to postpone this item until the next meeting. **Approved all in favor, 7-0.**

Councilor May, seconded by Councilor Klitch, moved to adjourn at 9:31 p.m.  
Approved all in favor, 7-0.

Adjourned,

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

EXHIBIT A

City of Old Town, Maine  
2017 Amendment of the City Charter

**DRAFT**

Part 1. Article IX of the Charter of the City of Old Town, as enacted by Chapter 49 of the 1945 Private and Special Laws of Maine, as amended, is further amended by revising sections 7 and 8 and by adding a new section 7-A as follows (overstruck text will be deleted and underlined text will be added):

**Sec. 7. Borrowing.**

The borrowing of money by and for the city shall be limited as to form and purpose by the provisions of section 8 and section 9 of Article IX of this charter. The credit of the city shall in no manner be loaned to any individual, association or corporation **except to the extent set forth in section 7-A of Article IX of this charter.**

**Sec. 7-A. Loans and grants.**

**Bonds, which are issued in accordance with section 8 of Article IX of this charter for the public purpose of economic development and the proceeds of which are used to make any grant or loan to any individual, association, corporation or other entity in accordance with such terms as may be approved by order of the city council, shall at no time be outstanding in an aggregate principal amount which exceeds \$ \_\_\_\_\_.**

**Sec. 8. Bond issue.**

Money may be borrowed ~~within the limits fixed by~~ **in accordance with** the constitution and statutes of the state now or hereafter applying to said Old Town by the issue and sale of bonds or notes pledged on the credit of the city, **or on the revenues and assets of the projects financed with the proceeds of any such borrowing, or on the revenues of the City specified by order of the city council,** the proceeds to be used for the ~~payment of indebtedness of~~ **any public purpose determined by** the city ~~contracted~~ **council, including** for the acquisition of land, the construction and equipment of buildings, the construction of streets and roads, and other permanent public improvements, ~~and~~ **for economic development to the extent determined by the city council to serve a public purpose, and for** the payment or refunding of bonds, notes and certificates of indebtedness previously issued. No order providing for the issue of bonds shall be passed without public notice given by posting notice of the same in two (2) public places in the City of Old Town, and publishing said notice in at least two (2) newspapers published in said Penobscot County at least two (2) weeks before the final action by the city council, and the approval of a majority of all the members of the city council. Every issue of bonds shall be payable within a fixed term of years; if said bonds are issued ~~in payment of indebtedness incurred for a permanent improvement~~ **for the purpose of financing a capital asset,** the term of such bonds shall not exceed the estimated period of utility of said ~~improvement~~ **asset** but the declaration of the city council embodied in the order authorizing the issue shall be a conclusive determination of the estimated period of utility thereof; and the term within which all bonds shall be made payable shall in no case exceed thirty (30) years. Bonds issued after the adoption of this charter shall be made payable in equal, annual, serial installments as pertains to principal, and interest shall be made payable semiannually, **provided that principal installments of bonds issued for economic development purposes need only be in amounts consistent with state law.** Every order for the issue of bonds shall provide for a ~~tax~~ **levy of taxes, an appropriation of revenues or both** for each year of an amount necessary ~~to meet~~ **for** the payment of the annual, serial installment of principal and interest; and such amounts shall be

EXHIBIT A

included in the tax levy for each year until the debt is extinguished; provided, however, that **the provisions for payment of any** bonds **of the city** issued ~~to refund any indebtedness of the City of Old Town existing prior to the adoption of~~ **the 2017 amendment of this section 8 of Article IX of** this charter ~~or bonds issued to refund such bonds shall not be subject to the aforesaid requirement of being made payable in equal, annual, serial installments~~ **shall not be altered by such 2017 amendment.**

Part 2. If the amendment set forth in Part 1 hereof is approved by City voters on November 7, 2017, such amendment shall take effect on November 8, 2017.