



**MARCH 4, 2019
6:00 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 February 19, 2019 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. City Manager**
- VII. CONSENT AGENDA (New Business items 1, 2, 3 & 4)**
 - Suggested motion: Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3& 4 as presented.
 - (Councilor Smart)

VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

IX. OLD BUSINESS

X. NEW BUSINESS

- 1. The City Council will consider accepting an after deadline redemption on foreclosed property for David G. & Suzanne Goodie located at 366 Poplar Street for payment of RE Taxes in the total amount of \$4,798.82**

Suggested motion: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for David G. & Suzanne Goodie located at 366 Poplar Street for payment of 2017 through 2019 Real Estate Taxes in the amount of \$4,648.82 plus \$150 Late Redemption fee for a total amount of \$4,798.82 which includes interest and lien costs and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

- 2. The City Council will consider amending Schedule A of the InforMe Agreement to add the services of Credit/Debit Cards. This is part of the Trio Financial Software Systems upgrade.**

Suggested motion: Resolved, the Old Town City Council hereby approves amending Schedule A of the InforMe Agreement to add the services of Credit/Debit Cards through Maine PayPort.

- 3. The City Council will consider approval of entering into a License Agreement with the Penobscot River Paddlers.**

Suggested motion: Resolved, the Old Town City Council hereby approves entering into a License Agreement with the Penobscot River Paddlers giving them permission to use City owned property as recommended by the Public Services Committee.

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

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

<u>Committee</u>	<u>Term expires</u>
Planning Board:	
Travis Folsom (new)	12/31/2023
Theodore Shina (renewal)	12/31/2023
Glenna Washburn (renewal)	12/31/2023
Board of Assessment Review:	
Dale Dubay (renewal)	12/31/2021
Jeffrey Street (renewal)	12/31/2021

- The City Council will consider accepting Grant monies in the total amount of \$85,231.82. These monies are awarded from FEMA/MEMA disaster assistance for damages due to the October 29-November 1, 2017 Severe Storm and flooding event.

Suggested motion: Resolved, the Old Town City Council hereby accepts Grant monies from FEMA (Federal) & MEMA (State) in the amount of \$85,231.82 for disaster assistance for damages due to the October 29-November 1, 2017 Severe Storm and flooding event.

(Councilor Brissette)

- The City Council will consider approval of a renewal application for a Malt Liquor License for Clark Cardimino, d/b/a Old Town Bowling Center, 156 Center Street.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Malt Liquor License for Clark Cardimino, d/b/a Old Town Bowling Center, 156 Center Street.

(Councilor Klitch)

XI. ADJOURNMENT



SPECIAL COUNCIL MEETING – FEBRUARY 19, 2019

Council convened February 19, 2019 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President Stan Peterson, Shirley Brissette, Donna Ketchen, Jan Klitch, David Mahan, Carol May and Kyle Smart.

Administration present: Bill Mayo, Patty Brochu, Danielle Berube, Katie Foster, Ron Harriman, Cindy Jennings, John Rouleau and Scott Wilcox.

Others present: 1 citizen in the audience.

Council President Peterson called the meeting to order at 6:18 p.m.

Councilor Mahan, seconded by Councilor Klitch, moved to approve the Minutes of the February 4, 2019 Regular Council Meeting. Approved all in favor, 7-0.

REPORTS

Councilor Klitch reported attending the Stake Holders Meeting and they would like to do some kind of development down on the waterfront. They'd like to use the Old Water Works building but realize it will be expensive to remediate.

Councilor Mahan thanked Patty Brochu and Travis Roy for visiting the OTES third grade class and telling them what their duties are for their positions. He plans on having Public Works go there next. He reminded everyone that the annual Food Drive is this coming weekend at Hannaford from 8:00 a.m. to 2:00 p.m.; he would like to see a report of what the city has been working on for the past couple years go out to the public.

Councilor Smart had several items: 1) he's been contacted by a resident on Annbar Drive about considerable flooding and icing due to a new home constructed a few houses up; 2) Asked about the burned out house on Stillwater and when it would be demolished. Manager Mayo said they were waiting on the DEP approval to take the burnt wood to the Landfill; 3) Wanted to know the protocol about businesses being on the City's FB page; 4) Also has noticed several junk vehicles around and would like to see them cleaned up.

Attorney Foster reported they have located the owner to 79 Sanford Avenue and she is willing to sign off title so the city can now proceed with the dangerous building process and be able to charge the banks for the costs. They are also still negotiating with the Mitchells attorney for property on French Island.

Manager Mayo had several items: 1) The traffic light at Hannaford isn't working due to a broken wire underground, it has been fixed enough to make it work until it thaws out

enough to get to the problem; 2) Public Works has been diligently working to take care of ice problems; 3) 2 out of 3 sidewalk plows are out of commission, Public Works Director Rouleau said they just got one of them fixed today so they are back up to 2 working ones.

Police Chief Wilcox presented a plaque award to the Public Works Department for helping the police put up barricades, helping with fires and other public safety issues.

CONSENT AGENDA

Councilor Ketchen, seconded by Councilor Mahan, 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 accepts an after deadline redemption on foreclosed property for Edmond & Patricia Boucher located at 110 Lincoln Street for payment of 2016 through 2019 Real Estate Taxes and Sewer fees in the amount of \$7,767.73 plus \$150 Late Redemption fee for a total amount of \$7, 917.73 which includes interest and lien costs and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

Item #2: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Regency Mobile Home Park located at 42 Taylor Road for payment of 2015 through 2019 Real Estate Taxes in the amount of \$985.64 plus \$150 Late Redemption fee for a total amount of \$1,135.64 which includes interest and lien costs and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

Item #3: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Kevin & Jill Ouellette located at 2126 Bennoch Road for payment of 2017 through 2019 Real Estate Taxes in the amount of \$6,598.22 plus \$150 Late Redemption fee for a total amount of \$6,748.22 which includes interest and lien costs and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

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

PUBLIC HEARINGS

The City Council conducted a Public Hearing on a new application for a Second Hand Shop for Katherine Bagley, d/b/a Hidden Treasures Boutique, 270 Main Street.

The Clerk explained the owners originally had the name as Thrifty Treasures but came in the morning of the meeting and changed it to Hidden Treasures Boutique. There being no further comments, President Peterson closed the hearing.

The City Council considered approval of a new application for a Second Hand Shop for Katherine Bagley.

Councilor Klitch, seconded by Councilor Mahan, Resolved, the Old Town City Council hereby approves a new application for a Second Hand Shop for Katherine Bagley, d/b/a Hidden Treasures Boutique, 270 Main Street. **Approved all in favor, 7-0.**

The City Council conducted a Public Hearing on the proposed designation of a first amendment to the City's previously adopted First Omnibus Development Program and designation of an additional Municipal Development and Tax Increment financing District.

Economic Development Director Ron Harriman informed the Council the TIF Amendment will add the Tradewinds property located on Stillwater Avenue to the existing 2015 Stillwater TIF program. The City will capture the new value for the remainder of the 30-year term. Harriman explained the approximate 50% savings to the City because the new value is sheltered from adverse tax shifts by the State including school funding, county tax and revenue sharing. Harriman next introduced the owner of Tradewinds, Chuck Lawrence who spoke about the new business and said he was pleased to have a store in the City of Old Town. Harriman stated the amended TIF program will provide the business with a Credit Enhancement Agreement of 30% of the new value created for a period of 10 years. Council members thanked Mr. Lawrence for his investment in the City. There were no questions from Council members or the audience. There being no further comments, the Council President closed the Public Hearing.

The City Council considered approval of a proposed Amendment to the First Omnibus Development Program.

Councilor Mahan, seconded by Councilor Smart, Resolved, the Old Town City Council hereby approves an amendment to the First Omnibus Development Program and Designation of an additional Municipal Development and Tax Increment Financing District. **Approved all in favor, 7-0.**

Councilor Mahan, seconded by Councilor Klitch, moved to adjourn at 6:47 p.m. **Approved all in favor, 7-0.**

Adjourned,

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

**Service Level Agreement
InforME, Maine Information Network &
Town of Old Town**

SCHEDULE A

**Summary of Electronic Access and Transaction Projects
and Other Portal Services
Provided Under the Service Level Agreement**

Project	Total Fee	InforME Receives	State Agency Receives	Municipality Receives
Rapid Renewal (Vehicle Registration Renewal Service)	Variable (Municipal Excise Tax Fees, plus State Registration Fees, plus Portal Fee)	Portal Fee \$3.00 + 2.07% on Excise Tax Amount	Variable (State Registration Fees)	Variable (Full Excise Tax amount)
Boat Registration Renewal Service	Variable (Municipal Excise Tax Fees, plus State Registration Fees, plus Statutory Processing Fees)	\$3.50	Variable (State Registration Fees plus \$1.00)	Variable (Full Excise Tax amount)
Credit/Debit Card Payments Processed through Maine PayPort	Variable Municipal Fees + 2.5% PayPort Fee (min \$1.00)	2.5% Portal Fee (min. \$1.00)	N/A	Variable Municipal Fees

Project Definitions:

(Note: Projects approved after July 2008 are described in separate Statement of Work documents that are addenda to the SLA)

Rapid Renewal Service

Rapid Renewal is an Internet based interface intended to increase the ease and convenience of renewing motor vehicle registrations with the State of Maine. Individuals and corporations can renew most vehicle registrations from their personal computers while communicating and paying via a secure and encrypted connection. InforME will serve as agent for the Bureau of Motor Vehicles (BMV) and the Municipality to collect and distribute all associated fees and registration updates. The BMV will be responsible for mailing the registration certificate and decals to the registrant.

Payments will be collected from users electronically, via credit card or electronic check. InforME, as agent for the State, will collect all payments into a settlement account and distribute payments to appropriate parties via electronic disbursements. Merchant bank and ACH details are outlined in the Rapid Renewal Manual document. The Municipality has the option to have the Portal Fee associated with credit card payments withheld from monies disbursed to the Municipality by InforME or paid by the service end user. All other merchant and ACH fees are the responsibility of InforME.

Fee Citation: Title 29-A Chapter 3 §201

Boat Registration Renewal Service

***Service Level Agreement
InforME, Maine Information Network &
Town of Old Town***

The web-based Boat Registration Renewal service allows individuals to renew any Maine State Boat Registration Individuals can renew any boat registration from their personal computers while communicating and paying via a secure and encrypted connection. InforME will serve as agent for the Department of Inland Fisheries and Wildlife (IF&W) and the Municipality to collect and distribute all associated fees and registration updates. IF&W will be responsible for mailing the registration certificate and decals to the registrant.

Payments will be collected from users electronically via credit card. The InforME merchant account will be used to process credit card charges. InforME, as agent for both IF&W and the City, will collect all payments into a settlement account and distribute payments to appropriate parties via electronic disbursements. From the total fees collected, InforME will separate the excise tax fees from registration fees and from processing fees. Excise tax fees will be electronically deposited on a daily basis to the bank account specified by the City; State Registration fees plus \$1.00 for every transaction will be electronically deposited on a weekly basis to the bank account specified by the Department of Inland Fisheries and Wildlife. InforME is responsible for all credit card merchant fees associated with online transactions.

Fee Citation: Title 12 Chapter 935 §13051 and Resolve, 123rd Maine State Legislature, Chapter 227, LD 2088/LR 2769

PayPort Payment Processor Service

The web-based Credit Card Payment Processing service allows individuals to make tax and non-tax payments to their municipality at the counter or over the phone. InforME will serve as the agent for the Municipality to collect and distribute all associated fees.

Payments will be collected from users electronically, via credit or debit card. InforME, as third party payment processor for the Municipality, will collect all payments into a settlement account and distribute payments to the Municipality via electronic disbursements. Merchant bank and ACH details are outlined in the PayPort Statement of Work document. All other merchant and ACH fees are the responsibility of MIN.

Approvals:

**InforME General Manager
Dan Andrews**

Date

**Town of Old Town
Municipal Official**

Date

Print Name and Title



STATE OF MAINE
 JANET T. MILLS
 GOVERNOR
 MAJ GEN DOUGLAS A. FARNHAM
 COMMISSIONER

STATE OF MAINE
 DEPARTMENT OF DEFENSE, VETERANS AND
 EMERGENCY MANAGEMENT
 MAINE EMERGENCY MANAGEMENT AGENCY
 72 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0072
 PHONE: 207-624-4400/800-452-8735
 FAX: 207-287-3178



SUZANNE KRAUSS
 DIRECTOR

February 6, 2019

To: City of Old Town
 265 Main Street, Suite 2
 Old Town, ME 04468

From: Naomi M. Pettay *NMP*
 Public Assistance Officer

Subject: Approved Project Application – Small Projects

Reference: FEMA-4354-DR-ME / PW(s) 00454 & 00295
 #4354DRMEP00004541 & 004541
 CFDA #97.036

FEMA has finalized your town's projects and has awarded disaster assistance for damages due to the October 29-
 November 1, 2017, Severe Storm and Flooding event.

All work must be completed no later than the dates indicated below:

Emergency Work (Categories A & B): July 2, 2018
 Permanent Work (Categories C – G): July 2, 2019

Payment of the federal share cost of the attached approved small projects, those under \$125,500, has been
 processed and will be sent by separate mailing. The current position of your project application is summarized
 on the next page.

**Please complete and sign the enclosed Small Project Summary Certification Form and send back to our
 office once all work is complete. Payment of the state share cost of the approved projects will be made upon
 receipt of the funding by the State of Maine. Additionally, funding for Public Assistance Alternative
 Procedures – Direct Administrative Costs (PAAP-DAC), will be processed separately upon final closeout.**

Applicants who expend a total of \$750,000 or more in Federal Financial Assistance must submit copies of their audit
 reports to Maine Emergency Management Agency (MEMA).

Record Retention: Applicants are required to keep complete records of all work (i.e.: receipts, checks, job orders,
 contracts, equipment usage documentation and payroll information) funded under the PA Program for three years
 from the date of the State's submission of the final expenditure report to FEMA. During this three-year period, all
 approved Project Worksheets are subject to State and Federal audit/review.

Should you have any questions, please contact this office at 207-215-2764.

Maine Emergency Management Agency
 Project Application Summary
 City of Old Town

CFDA #97.036	Total Projects Approved to Date	Current Payment	Previous Payment	Balance Owing
FEDERAL SHARE (75%)	\$71,026.51	\$71,026.51	\$0.00	\$0.00
STATE SHARE (15%)	\$14,205.31	\$0.00	\$0.00	\$14,205.31
LOCAL SHARE (10%)	\$9,470.19			
PROJECT(S) SUBTOTAL	\$94,702.01			
LESS: LOCAL SHARE (10%)	(\$9,470.19)			
TOTAL REIMBURSEMENT	\$85,231.82	\$71,026.51	\$0.00	\$14,205.31