



## City of Old Town

### Special Council Meeting Minutes April 21, 2020

Council convened April 21, 2020 Via Zoom

Councilors present – President David Mahan, Shirley Brissette, Donna Ketchen, Tim Folster, Carol May, Stan Peterson, and Kyle Smart

Administration present – Bill Mayo, Travis Roy, EJ Roach, David Russell, Danielle Berube, Dana Sibley, Cynthia Jennings, John Rouleau, Scott Wilcox, David Smith, and Lance Farrar.

Others present – Ed Bearor, Esq., Stephen Wagner, Esq. Citizens: Jeffrey Dyer, Alex Gray, John & Bernadette Milligan. & R Bailey.

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Councilor President David Mahan called the meeting to order at 6:29 p.m.

#### **Approval of the Minutes**

Resolved, the Old Town City Council hereby approves as presented the March 2, 2020 Regular Council Meeting minutes.

Motion made by Councilor Smart, seconded by Councilor Peterson. (Roll Call Vote)  
***Approved, all in favor, 7-0***

#### **Petitions, Communications, and Citizens' Requests**

##### **Reports**

###### A. Council President

1. Councilor David Mahan asked City Manager Bill Mayo to send out information on the upcoming Equipment meeting.

###### B. Standing Committees – Finance, Public, Administrative & Economic Services; Landfill, Legislative, Sewer, Airport & Housing sub-committees

C. City Councilors

**Amended:**

Councilor Timothy Folster expressed thanks and mentioned what a great job City Manager Bill Mayo, EJ Roach, Travis Roy and the rest of the team did to negotiate and finalize the purchases on Main street.

D. City Attorney

Ed Bearor, Esq. expressed to the Council that the Purchases of the Main Street properties under new business items will need actions.

E. City Manager

Bill Mayo updated the Council on Public Works continuing to help the citizens with the leaves and brush clean up until April 30<sup>th</sup>, 2020. After that the brush and leaves will need to be taken to Thornton's in Milford. Bill also made mention that the citizens still can use trash bags other than the green bags until May 1, 2020.

**Consent Agenda** – Items 1, 2, 3, & 4

1. Resolved, the Old Town City Council hereby approves the Old Town City Council hereby approves entering into four (4) credit enhancement agreements within the Downtown Municipal Tax Increment Financing District, related to the physical properties of 275 Main, 277 Main, 283 Main & 285 Main, being developed by DBG, LLC. The City Council Authorizes the City Manager to execute four (4) credit enhancement agreements according to the City of Old Town Tax Increment Financing (TIF) policy and under the authority established in 30-A M.R.S.A., Section 5252-5254.( Please make note the Title has been changed from the original 20-A to 30-A as it was listed incorrectly in error)
2. Resolved, the Old Town City Council hereby hereby accepts an after- deadline redemption on foreclosed property, Account #1122, for Whitney Randall located at 613 Main Street for payment of the 2015-2017 sewer in the amount of \$1047.08. This amount includes the sewer fees amount of \$738.74, interest of \$112.57, and lien cost of \$195.77. The Old Town City Council further authorizes the City Manager to execute a Municipal Quit-Claim Deed.
3. Resolved, the Old Town City Council hereby accepts an after- deadline redemption on foreclosed property for Ralph Damren for Account # 95, 2018-2020 Sewer fees and payment of Account # 616, 2018-2020 Taxes in the total amount of \$7,527.25.This amount includes lien costs of \$273.14, interest of \$542.04, and a late redemption fee of \$150.00. The Old Town City Council further authorizes the City Manager to execute a Municipal Quit-claim Deed.
4. Resolved, the Old Town City Council hereby approves the Victualer's License renewal application for Qazi, LLC. D/B/A Subway Store #11264, 255 Main Street, pending David Russell, Code Enforcer's final inspection.,

Motion made by Councilor Smart, seconded by Councilor May. (Roll call Vote)  
**Approved, all in favor, 7-0.**

### **Public Hearings and Second Reading of Ordinances**

Council President David Mahan opened the public hearing at 6:39 p.m. for the purpose of receiving public comment on the proposal to relocate the zoning boundary lines from across Gillman Falls Avenue to encompass properties at: 37 Fourth Street and 5 Gillman Falls Avenue. This zone change would change those properties from an R-1 zoning designation to an R-2 zoning designation as shown on Assessors Tax Map 23, Lot 30 & 31. There were no public comments. Councilor Mahan closed the public hearing at 6:26 p.m.

Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval on May 4<sup>th</sup>, 2020 for a proposal to relocate the zoning boundary lines from across Gillman Falls Avenue to encompass properties at 37 Fourth Street and 5 Gillman Falls Avenue. This zone change would change those properties from an R-1 zoning designation to an R-2 zoning designation as shown on Assessor's Tax Map 23, Lot 30 & 31.

Motion made by Councilor Brissette, seconded by Councilor Folster. (Roll Call Vote)  
**Approved, all in favor, 7-0.**

### **Old Business**

### **New Business**

1. Resolved, the Old Town City Council hereby approves to sell a portion of a property as shown on assessor's Map 23, Lot 32 to Mr. & Mrs. Dyer of 39 Sewall Drive, in the amount of fifty-four hundred and forty-eight (\$5,448.) dollars. This Parel measures approximately 126.4' by 78', or 9,859 square feet. (.23 acres). Actual dimensions will be verified in the field by a licensed surveyor and reflected accurately within the deed. The Dyers will be responsible for the surveying of the property, deed description, the recording of the deed, any legal expenses and for any further authorizes the City Manager to execute said sale

Motion made by Councilor Folster, seconded by Councilor Smart. (Roll Call Vote)  
**Approved, all in favor, 7-0.**

2. Resolved, the Old Town City Council hereby entering into a purchase and sale of Real Estate agreement between the City of Old Town and Robert Leighton Jr for 276 Main Street shown on Assessor's Map 26, Lot 5 for the agreed upon purchase price of \$15,619.04. The City Council authorizes Finance Director to transfer \$15,619.04 from

fund balance 10-3800-00 to 01-045-4851 and expended from 01-120-60-6400 capital outlay and further authorizes the City Manager to execute said agreement as recommended by the Old Town LLC.

Motion made by Councilor Smart, seconded by Councilor Brissette (Roll Call Vote).  
***Approved, all in favor, 7-0.***

3. Resolved, the Old Town City Council hereby entering into a purchase and sale of Real Estate agreement between the City of Old Town and Sargent Property Management LLC for 274 Main Street shown on Assessor's Map 26, Lot 4 for the agreed upon purchase price of \$15,417.05. The City Council authorizes Finance Director to transfer \$15,417.05 from fund balance 10-3800-00 to 01-045-4851 and expended from 01-120-60-6400 capital outlay and further authorizes the City Manager to execute said agreement as recommended by the Old Town LLC.

Motion made by Councilor May, seconded by Councilor Ketchen (Roll Call Vote).  
***Approved, all in favor, 7-0.***

4. Resolved, the Old Town City Council hereby entering into a purchase and sale of Real Estate agreement between the City of Old Town and John Degaribody for 270 Main Street shown on Assessor's Map 26, Lot 2 for the agreed upon purchase price of \$16,053.42. The City Council authorizes Finance Director to transfer \$16,053.42 from fund balance 10-3800-00 to 01-045-4851 and expended from 01-120-60-6400 capital outlay and further authorizes the City Manager to execute Order.

Motion made by Councilor Folster, seconded by Councilor May. (Roll Call Vote)  
***Approved, all in favor, 7-0.***

5. Resolved, the City Council hereby approves authorizing Finance Director Danielle Berube to write off all interest on Real Estate Taxes, personal property tax, and sewer owed from March 16, 2020 until 30 days after Governor Mills has lifted the Emergency State of Maine Executive going into Executive Session, pursuant to Title 1, M.R.S.A., §405(6)(A), for the purpose of discussing an Economic Development matter.

Motion made by Councilor Ketchen, seconded by Councilor Smart. (Roll Call Vote)  
***Approved, all in favor, 7-0.***

6. Resolved, the old Town City Council hereby approves waiving the fee for day passes to the Transfer Station until 30 days after Governor Mills has lifted the Emergency State of Maine Executive Order

Motion made by Councilor Peterson, seconded by Councilor Folster. (Roll Call Vote)  
***Approved, all in favor, 7-0.***

7. Resolved, the old Town City Council hereby approves waiving the fee for day passes to the Transfer Station until 30 days after Governor Mills has lifted the Emergency State of Maine Executive Order.

Motion made by Councilor Peterson, seconded by Councilor Folster. (Roll Call Vote)  
**Approved, all in favor, 7-0.**

**XL Adjournment**

Motion made by Councilor Smart, seconded by Councilor Brissette. (Roll Call Vote)  
**Approved, all in favor, 7-0.**

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**Executive Session**

The City Council went into Executive Session at 6:29 p.m.

Resolved, the Old Town City Council discussed an Economic Development matter in Executive Session, pursuant to Title 1, M.R.S.A., §405(6)(A).

Motion made by Councilor Brissette, seconded by Councilor Peterson, moved to adjourn Executive Session at 6:57 p.m. **Approved, all in favor, 7-0**

**Adjournment**

Motion made by Councilor Smart, seconded by Councilor Peterson, moved to adjourn at 6:57 p.m. **Approved, all in favor, 7-0**

Respectfully submitted,

Dana M Sibley  
City Clerk